

**WORK SESSION
MUNICIPAL BUILDING**

**May 25, 2021
DELRAN, NJ**

Sunshine Statement: Be advised that proper notice has been given by the Township Council in accordance with the Sunshine law in the following manner: Notice advertised in the Burlington County Times and Camden Courier Post on January 7, 2021 and posted on the bulletin board on the same date.

ROLL CALL: Mr. Jeney, Ms. Parejo, Mr. Lyon, Mr. Burrell were present. Ms. Smith was absent.

ALSO PRESENT: Mr. Catrambone, Mayor, Jennifer McPeak Solicitor's Office, Mr. Hatcher, Administrator, Jim Winckowski, Engineer and Mrs. Bogie, Administrative Secretary.

TREE COMMITTEE RECOMMENDATIONS

Mr. Burrell advised this was discussed at the last meeting and Council agreed with the recommendation. The next step will be to have Ms. McPeak and Mr. Siciliano draft an ordinance for Council to review and approve in the next couple of months. The Green Team has compiled sample ordinances that will be helpful. After discussion, Council agreed to have the Solicitors office start working on the draft for the first reading.

There were no questions or comments regarding this proposal.

YARD SALE ORDINANCE

Mr. Burrell stated that it has been suggested that Council repeal the yard sale ordinance. It is not something that we permit or regulate. It is on the books but doesn't get enforced so there is no reason to keep it there.

There were no questions or comments regarding this proposal to repeal the ordinance.

Mr. Burrell asked Ms. McPeak from the Solicitor's Office to prepare that ordinance for the next meeting to repeal that ordinance.

Ms. McPeak stated she would do so.

2021 EMPLOYEE MANUAL REVIEW

Mr. Burrell asked Mr. Hatcher to give a quick overview.

Mr. Hatcher stated that every two years the Employee Manual is updated. This year due to COVID it has been approximately two and half years since it has been updated. It has to be updated prior

to November in order to meet the criteria for MEL and the Joint Insurance Fund in respect to deductibles and co-pays for employment practices. The areas that have been updated dealt with some changes in domestic abuse, family and medical leave in New Jersey, family leave to comply with current policies. Council will need to approve the policy and then we will put the policy manual together and distribute to employees.

Mr. Burrell stated that he saw there are four new chapters that address overtime, domestic abuse, family medical leave act, and NJ family leave. Otherwise it is the same thing we reviewed a couple of years ago.

Mr. Hatcher advised that 75% of the manual is already existing policies, only a portion of it was updated to comply with current laws.

There were no questions or comments regarding the employee handbook.

Mr. Burrell advised if Mr. Hatcher and Labor Council are good then there is no reason to hold off on the employee manual.

Mr. Hatcher requested a roll call vote to accept the model policy.

Mr. Lyon made a motion, seconded by Mr. Jeney to accept the employee handbook and policy.

Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell all voted aye.

Ayes: 4

Nays: None

Motion approved

NOISE ORDINANCE

Mr. Burrell stated that Council took a look at the potential draft of a noise ordinance. The DEP is in charge of regulating noise pollution in the State of New Jersey so any ordinance that is changed, amended, adopted has to be approved by the DEP moving forward. So, we cannot make any changes to our ordinance without going in front of the DEP. Apparently the DEP will only approve it if it is similar to their model. We have two options in front of us, keeping the current ordinance as is or we adopt something very similar to the model ordinance. There is a memo Mr. Hatcher shared with Mr. Burrell from the Chief regarding the cost of certifying the police and getting the appropriate equipment to enforce the ordinance we are looking to adopt. Mr. Burrell asked Mr. Hatcher to give an overview on this matter.

Mr. Hatcher stated that we would need to send an officer for training for the sound measuring device. The Chief recommended sending three officers to the training. This ordinance will require

training officers, the purchase of a sound meter, an annual calibration of the meter, and a salary to be paid to fill in for the trained officers. For the training for the certified officers, the equipment purchase it is just under \$14,000.00 and annually after that it would be \$3800.00 a year to keep them certified and for the overtime. In discussion with Council we discussed the possibility of shared services for this with another town so we don't take on the whole cost of the project.

Mr. Burrell advised based on research Medford Township has this. Mr. Burrell asked Ms. McPeak what other towns have this training and equipment.

Ms. McPeak stated Woodland Township has this but no one super close does.

Mr. Burrell asked if we could potentially enter into a shared service with the County. They have people who are certified.

Mr. Hatcher stated that he believed the County Health Department has someone certified but he thinks it is only one person for the whole County. The problem is their availability.

Mr. Burrell asked if anyone had any thoughts on the ordinance. We really don't have an option if we want to move forward. The ordinance we have now is not effective. It has some ambiguities in it that creates misuse as Mr. Siciliano has outlined in the memo. Mr. Burrell thinks there needs to be some changes but it doesn't sound like we can make minor changes ourselves. He believes we have to take this jump to what the DEP allows. Mr. Burrell asked for any thoughts or comments.

Mr. Lyon agrees we need to move forward if we are going to do this. The other option is to do nothing. The current ordinance is not great.

Mayor Catrambone advised there are several situations that are ongoing and persistent that this will hopefully impact. Mayor Catrambone has been working to resolve at least one of them that has been ongoing. Mayor Catrambone does not think this is much money considering the impact that some of these violations are having on families. He asked that Council give this some serious consideration regarding moving forward with this. He stated even with the expense, it will be absolutely worth it for the well being for the families that are involved.

Mr. Jeney had a question on item E under enforcement. This section talks about repeat offenders and it indicates if the violation occurs within 12 months of the initial violation, a penalty shall be issued whether the violation is immediately corrected. Mr. Jeney stated that 12 months seems to be a long time. If someone has a violation now, twelve months later has one more, it doesn't really mean anything.

Mr. Burrell asked Ms. McPeak if she could reduce that amount.

Ms. McPeak stated she could and that we can make the model ordinance stricter and the DEP should be fine with it. It is loosening up what they already put in place they would have problems

with. Ms. McPeak stated that if Council wants to cut it down from 12 months to something shorter, it should be fine.

Mr. Burrell thought Mr. Jeney made a good catch on this. Mr. Burrell stated we should reduce it down because there should be concern about repeat offenders. In regards to repeat offenders, for large businesses a \$100 fine is nothing to them. So is there anyway we can do a sliding scale for repeat offenders to make it a higher amount.

Ms. McPeak doesn't see why we couldn't do this. The DEP does make it clear that you can make the policy stricter. We can make the change or speak to the DEP about it.

Mr. Burrell requested that we make the change and put in some language that maybe it becomes the discretion of the Judge to consider the repeat nature of the violation in determining the violation amount.

Mr. Catrambone explained one of the ongoing issues is happening nightly 3 to 4 times a week. There are some residents that are experiencing some things with businesses every night in various parts of the town. This is not about the backyard wedding or BBQ. We are talking about repeat offenders that consistently violated the ordinance. We need to be as stringent as possible without being big government.

Mr. Burrell stated that he re-read the section and it only applies if it a minor violation. He asked Ms. McPeak if a major violation would automatically get fined no matter what according to the enforcement section.

Ms. McPeak explained that is correct. If you fine someone on Monday and they purposely continue to do this it is no longer a minor violation it is a major violation because they are doing it on purpose. They know better but they are choosing to ignore it. Ms. McPeak is not sure if we need to get too specific in the minor violation penalty section because it is covered by something bigger.

Mr. Burrell agrees with Ms. McPeak. He suggests we should still reduce the number 12 because that is a long time for a minor violation. When the major violation kicks in it inherently handles the weekly issue, the Mayor brought up. This is built into the ordinance.

Ms. McPeak agreed with Mr. Burrell.

Mr. Catrambone asked if there was any distinction between a residence versus a company/corporation and does it matter?

Ms. McPeak stated no.

Mr. Burrell advised there is no distinction, this applies to all people in Delran. Courts are not fond of you holding developers and residents to different standards.

Ms. Parejo stated that we definitely need some changes and need to do this.

Mr. Burrell asked Ms. McPeak to begin making the adjustments so we can do a first reading in the near future. Mr. Burrell asked Mr. Hatcher about the costs and if we can absorb that in this budget or do we have to wait until the next budget.

Mr. Hatcher advised an ideal situation would be sending three officers but we may have to send one or two officer this year and then one next year to try to reduce the costs the first year. He stated we should be able to absorb the costs.

Mr. Burrell related that in the meantime if there is a shared service agreement, we can use the County as an option.

Mr. Hatcher advised we will look around to see if there is anyone to work with.

Mr. Burrell stated that our ordinance definitely needs some work and we really don't have many options because of State regulations. This ordinance will give us some room to do what we need to do here.

Ms. McPeak will revise the ordinance as requested.

SEWER CLAIMS

Mr. Burrell advised everyone has reviewed these claims provide. Mr. Burrell asked if there were any objections, which there were none. He advised this to be on the next public meeting agenda.

CAPITAL BUDGET

Mr. Burrell passed this item to Mr. Hatcher for discussion.

Mr. Hatcher advised that during the budget process the Departments Heads submit their requests. The next step is to provide the information to Bond Counsel if Council is satisfied with the items on the list. The Bond Council will then prepare an ordinance to authorize the purchase. Mr. Hatcher related we have police car computers on the list. The plan is to purchase all remaining computers instead of phasing them in. This makes the original purchase of \$22,000 about \$55,000. Public Works was looking for a back-hoe loader and two new riding lawn mowers which total about \$118,750.00, this replaces older equipment. The loader is around 20 years old and the mowers are about 11 years old. Mr. Hatcher advised there was conversation about a re-doing a basketball court, he believed to be Stewart Ave. The Township applied for a grant for Mulberry Street already and if we wanted to do one basketball court at Stewart Ave., we will have to put in for that. Mr. Hatcher related that the Sewer Jetter Truck has already been authorized in last year's budget and put in reserve so we don't have to borrow for that. Mr. Hatcher put it there just to make Council aware

of it. He stated two other items, a pickup truck for the Sewer and Service Truck and furniture in the Mayor's Office as well as the Council Conference Room replacing the old furniture. In addition to these items, there was a request to redo baseball fields at community park was in the area of \$40,000. This was not in the original request of items but was something added more recently.

Mr. Lyon stated \$43,580.00

Mr. Hatcher replied yes to Mr. Lyon. He asked Council if anyone has any items they do not want included in the capital budget and if there are any questions or items not listed that they would want to pursue.

Mr. Burrell stated that they were all in agreement with all the items that were previously listed. He related that the departments are good with only asking for things when they are at the end of life. The only thing that Council hasn't discussed is the field conditions and that is quoted at a little over \$43,000. Mr. Burrell asked the Mayor if he proposed this item from his discussions with the AA and some of the organizations that use the fields.

Mr. Catrambone advised this was correct. Mr. Catrambone explained the fields are not being maintained the way they need to be. Mr. Catrambone stated there is a meeting tomorrow evening with all the representatives from all the organizations that use the Township fields to get an idea of what they think the problems are with the fields and to let them know the source of the problems. Mr. Catrambone expressed that we are going to make sure the money we spend is not going to be needed each year because people may not be maintaining the fields the way it is recommended by Public Works and our Engineer. Two of these fields are in pretty bad shape, when it rains they can't drain. The meeting will take place tomorrow.

Mr. Burrell thanked the Mayor for explaining this.

Ms. Parejo stated she is really happy to see Stewart Street basketball court is being addressed because it is a real need of attention. They need backboards and nets.

Mr. Burrell agreed that this needs to get done. Mr. Burrell asked Mr. Hatcher if Council gives the green light, will he come back to Council with each item?

Mr. Hatcher stated we would come back with a bond ordinance. If everyone is okay we will get a bond ordinance put together and it will come back to Council for introduction.

There were no further questions.

After discussion, Council agreed to have Mr. Hatcher work with the Bond Counsel to draft the ordinance.

CONROW ROAD BID REPORT

Mr. Burrell asked Mr. Winckowski to speak about the Conrow and Stewart Bid Reports.

Mr. Winckowski advised that we received bids for the resurfacing of Conrow Road from Haines Mill Road to Hartford Road. There were 7 bidders. The estimated cost was approximately \$600,000 and the low bid came in at \$490,000 from Esposito Construction. Mr. Winckowski reported that he has worked with Esposito Construction in other towns and they are a good contractor. This entire project will be funded by two DOT grants.

STEWART AVENUE BID REPORT

Mr. Winckowski spoke about the Stewart Avenue improvements. This is a drainage repair for a sink hole. Quotes went out at the end of last year but the quotes came in above the bid threshold which required us to bid the project. The lowest bid was from Earl Asphalt company in the amount of \$36,713.13. We received 10 bids ranging from \$36,000 to \$70,000. Earl Asphalt Company is primarily a paving company but they do drainage work. They are a pretty big firm. We reviewed their bids and everything appears to be in place. Mr. Winckowski has worked with them in the past and is comfortable they will do the work properly. He recommended that Council award the contract to Earl Asphalt Company.

Mr. Burrell asked Mr. Winckowski what his estimate was for the Stewart Avenue improvement.

Mr. Winckowski stated for the Stewart Avenue repair we received quotes at the end of last year and they were in the \$50,000 range.

Mr. Winckowski stated he is recommending award at the public meeting on Tuesday.

Council agreed to award both contract at the June Public Meeting.

REPORTS

Ms. Bogie - No report

Mr. Hatcher – Mr. Hatcher advised the County contacted us today and stated recycling will not take place tomorrow due to lack of drivers. Recycling will take place next Tuesday. This has been posted on the website, Facebook and everything we can get it out on. There might be some other changes during the course of the summer for the County but at this point this is all we know. It is on the sign out front.

Mr. Catrambone - Mr. Catrambone stated that recycling has been a county wide issue. He wanted to remind the public to refer to the recycle coach app or visit the Township website for accurate information and updates.

Mr. Catrambone reported that the trash company broke down yesterday and there was another issue today but he believes they were caught up. Mr. Catrambone stated that if trash is not picked up as scheduled, we remind you to leave your cans out, call public works, at 856-461-7737 and they will contact the trash company. He apologized for any inconvenience.

Mr. Catrambone reported that there will be a pop-up clinic on June 4th and 7th for first covid shots from 9 am to 3 pm for 12 years and older. The number to schedule an appointment is 856-393-7973. The registration link is on the Township website. The second shots will be scheduled three weeks following those dates.

Mr. Catrambone, congratulated **Shawn Aarons and Joshua Youngberg** for being among the 18 Seniors to be chosen to receive **the Bob Kenney** scholarship this year.

Mr. Catrambone reported that he he forwarded the information to Kathy Phillips the secretary for the Planning Board that he would like to appoint Desiree Russell to the Planning Board. This will be effective immediately for the next meeting.

Mr. Catrambone stated that Marlowe Smith, Councilman in Ward 3, who is not here because his daughter is receiving an award asked him to pass on a thank you to the police because they have been really proactive with putting out our speed signs. These will be put out all the time to remind drivers to please be careful. There are some residents on Bridgeboro and Creek that are really concerned so we heard that and got the signs out there. He asked that we be careful driving especially with this upcoming weekend. Mr. Catrambone thanked Kim Bogie for covering this meeting for Ms. Eggers. We send our condolences to Ms. Eggers and her family for the loss of her mother.

Ms. McPeak – No report.

Mr. Winckowski – No report.

Ms. Parejo – Ms. Parejo stated that a couple more items are needed for Friendship park including mulch, playground equipment and picnic tables. She asked Mr. Hatcher if he had an idea when we could make this happen.

Mr. Hatcher stated the mulch has been ordered and will be delivered within the next week and a half. We will have to take a look at the picnic tables situation.

Ms. Parejo stated it has been brought to her attention that trucks have been parking across the street from Pizza Amore. She stated the County had put up some white posts to deter drivers from parking there however they continue to park there. Ms. Parejo asked if there is anything we can do from the Township's end to try to prevent this from happening?

Mr. Hatcher reported that he notified the Police Department to keep an eye on this.

Ms. Parejo thanked Mr. Hatcher.

Mr. Jeney – Mr. Jeney reminded all residents that are eligible to be vaccinated, please get vaccinated.

Mr. Lyon – Mr. Lyon stated that in regards to recycling, you can drop off at the municipal building but it is not single stream. If you are going to take recycling there, be aware there are separate containers. Mr. Lyon stated he hoped they would get more drivers in, and that it is not just trash drivers, it is drivers for a lot of different industries. It is a hard time getting CDL drivers for these jobs.

Mr. Burrell –Mr. Burrell stated we have heard a lot of residents complaining about the lack of lights on their streets that haven't been fixed by PSE&G yet. This is another result of COVID, they are having a supply chain problem with getting poles in so bear with us, we are aware of these situations. Mr. Hatcher has reported this to PSE&G. Hopefully the supply chain gets fixed relatively soon so we can get those lights back up.

Mr. Burrell stated on June 19th we have our Township wide yard sale. Information will be provided on the Township website. That information will be out relatively soon.

PUBLIC PORTION

Mr. Lyon made a motion to open the meeting to the public. The motion was seconded by Mr. Jeney. All were in favor, motion approved.

John Canuso, 7 Highland Avenue in Haddon Heights, NJ. He is a home builder/developer for over 30 years. He is a member of Kings LLC of Delran and is the contract purchaser of Block 116 Lot 111, 150 Hartford Road. He stated recently he received a variance from the zoning board to build 34 active adult units. Mr. Canuso stated his reason for being at the meeting is to request Mayor and Council to pass a resolution to support them getting an amendment to the waste water management plan, site specific to their property. He is looking to get into the Sewer service area so they can service 34 active adult lots. He has had discussions with the Engineer and there are concerns about a pump station because they cannot gravity their property into an existing sewer main. He would like to submit that the 34 homeowners will be a homeowner's association and they will take the responsibility and ownership and will put some money into the HOA that will protect the maintenance or subsidize the maintenance needed over and above their dues. He stated they will pay monthly fees for their HOA association which will include the maintenance of that pumping station. The money put in there will be in reserved if there are any problems in the future. He stated he thinks that is a good alternative. He doesn't know of any HOA of active adult communities in the South Jersey market place that have had problems.

His bottom line is he is looking for the Mayor and Council's support to allow him to submit an application to DEP that will allow them into the Sewer Service area.

Mr. Burrell thanked Mr. Canuso for joining the meeting. He stated they are well aware of his request. Mr. Burrell has spoken to Mr. Winckowski several times about this issue. Mr. Burrell stated Council had to table it at the last meeting due to some issues. Mr. Burrell stated we are waiting for a report from the Solicitor and our Engineer and CME associates who provide us information so Council can make an appropriate decision weighing pros and cons and all the various factors that you mentioned. Mr. Burrell stated once that decision is made, either the Solicitor, Mr. Winckowski or Mr. Hatcher will reach out to him with the result.

Michael Canuso, 317 Harrisonville Road in Mullica Hill, stated that his father covered everything. He has nothing to add.

Francisco Merced, 17 Cranberry Lane, wanted to express his gratitude to Mr. Burrell, Mr. Catrambone and Mr. Jeney for taking on the noise ordinance issue. He stated there have been over 70 complaints on record with Home Depot. He researched the DEP regulation, 65 decibels from 10 pm to 7 am, and at 7:00 am it is way louder than that. Mr. Merced said he just want to say thank you. He feels like they have been heard and Council is taking action. Mr. Merced stated he is looking forward to seeing change take effect.

Mr. Burrell stated this is how local government works, you reach out to your local elected officials and representatives here in town and we can work to address the issues. Mr. Burrell stated the Mayor has been in touch with that business to work on options to remedy this besides through legal action. He believes the business is receptive and want to be good neighbors. In a couple of months, the ordinance should be passed and the police will be trained then we can work to address that.

Mr. Merced thanked Mr. Burrell and advises that was all he had.

P.J.Buzzi, 4205 Bridgeboro Rd, thanked Council for addressing the noise ordinance. He wanted to reiterate his concern about some of the businesses operating in the A1 Zone and that he hopes if you pass a new noise ordinance that it will address some of these businesses that are operating late at night, bothering my family and my neighbors. One other item regarding the ordinance Mr. Buzzi wanted to cover is regarding landscapers using leaf blowers excessively during the summer time. According to Mr. Buzzi it is very loud even when he is in his home. He wanted to bring this to the attention of Council to possibly address in the ordinance.

Mr. Burrell thanked Mr. Buzzi. Mr. Burrell advised if noise occurs late at night you contact the police on the non-emergency number, 856-461-4444, to have them address the noise. He also stressed the importance of documenting these incidents. In regards to the leaf blowers, he is not sure this is something the Township can regulate because we do require people to cut their grass.

If there is someone cutting their lawn late at night or early in the morning in violation of the noise ordinance then we can address that.

Mr. Buzzzi stated he understands that but the noise can be excessive.

Mr. Burrell advised Mr. Buzzzi that he would talk to Ms. McPeak to see how they address this issue.

There were no additional questions.

Mr. Jeney made a motion to close the public portion, seconded by Mr. Lyon. All were in favor; the motion was approved.

Mr. Lyon made a motion to adopt Resolution 2021-97 authorizing executive session to discuss contract negotiations for the DPA and CWA, seconded by Ms. Parejo. All were in favor, motion approved.

Mr. Burrell addressed the public and advised they were going into the Executive Session and no action will be taken during the session. If there is action to be taken, they will come back to this meeting to take that action.

Mr. Burrell advised they have returned from the executive session to the public portion of the meeting. He wanted to remind that this is the last zoom meeting for the foreseeable future unless circumstances change. The meeting will be in person next month.

Mr. Lyon made a motion to adjourn the meeting, seconded by Ms. Parejo. All were in favor; the meeting was adjourned.

Respectfully submitted,

Jamey Eggers, Township Clerk