

**REGULAR TOWNSHIP MEETING
MUNICIPAL BUILDING**

**May 28, 2013
DELTRAN, NJ**

CALL TO ORDER

SALUTE TO THE FLAG

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 December 28, 2012 and posted on the bulletin board on the same date.

ROLL CALL: Mrs. Kolodi, Mr. Schwartz, Ms. Pangia, Mr. Morrow and Mr. Catrambone were present.

ALSO, PRESENT: Mr. Marmero, Solicitor, Mr. Hatcher, Administrator and Ms. Eggers, Municipal Clerk.

Mr. Schwartz made a motion seconded by Mrs. Kolodi to approve the minutes for April 2, 2013, April 9, 2013 and April 23, 2013.

There being no questions, the roll was called.

Ms. Pangia, Mrs. Kolodi, Mr. Schwartz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 5
Nays: None

Motion Approved

ORDINANCES ON SECOND READING

**TOWNSHIP OF DELTRAN
ORDINANCE 2013-08**

**ORDINANCE OF THE TOWNSHIP OF DELTRAN AMENDING CHAPTER 89 OF
THE TOWNSHIP CODE ENTITLED "BRUSH, GRASS, AND WEEDS"**

WHEREAS, the Mayor and Township Council of Delran Township (the "Township") recognize the need to address certain property maintenance violations which are increasingly occurring throughout the Township; and

WHEREAS, specifically, the Mayor and Township Council recognize that some property maintenance violations, such as overgrown grass, weeds, brush, and other debris, are impacting other residents enjoyment of their property and also having a negative effect of property values; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Council of Delran Township as follows:

SECTION 1: Chapter 89 of the Township Code, entitled “Brush, Grass, and Weeds” shall be amended in its entirety and shall now read as follows:

Brush, Grass, and Weeds

§89-1 Removal of brush, weeds, and debris required.

A) Whenever it shall be necessary and expedient for the preservation of the public health, safety or general welfare, the owner or tenant of lands lying within the Township of Delran shall be required, within 10 days after written notice, to remove from such lands overgrown grass, brush, weeds, dead and dying trees, stumps, roots, other obnoxious growths, filth, garbage, trash and debris.

B) Overgrown grass, as defined throughout this chapter, shall exist when more than 10% of the grass or weeds growing on a property shall exceed six (6) inches in height.

C) In addition to any officials designated by the Township with power to enforce provisions of the Township Code, the Superintendent of the Township’s Public Works Department shall also have the ability to enforce the provisions of this section of the Code.

§89-2 Notice.

The notice required in §89-1 hereof shall be addressed to the owner or tenant of such lands, and shall include the address and/or the block and lot number(s) of such lands and shall advise the owner or tenant of such lands that if he fails to comply within the time required he shall be subject to a penalty, and further that, upon his failure to comply, the removal will be accomplished by the Township of Delran, and the cost thereof shall be assessed against such land and collected in the same manner as taxes. If the person or corporation to whom such notice is addressed cannot be served with such a notice within the Township of Delran, such notice may be served by registered or certified mail addressed to the last known address of such person or corporation.

§89-3 Failure to comply; costs as a lien.

A) If any owner or tenant of lands lying within the Township of Delran shall, within 10 days after service of such notice, fail or neglect to remove any of the growths or materials described in §89-1, in accordance with said notice, said removal may be accomplished by the Township of Delran in accordance with the International Property Maintenance Code, and the Township Administrator shall certify the cost thereof to the Township Council, who shall examine the certificate

and, if found correct, shall cause the cost as shown thereon to be charged against such lands. The amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes and shall be collected and enforced by the same officers and in the same manner as taxes.

B) If the Township is required to perform removal and/or maintenance as described in §89-3(A) above, the Township shall forward notice to the owner or tenant of the subject property explaining that the owner or tenant of the subject property must submit proof to the Township within 10 days after service of such notice that the owner or tenant has arranged for ongoing maintenance of the property to remain in compliance with §89-1 above. Should the owner or tenant of the subject property fail to submit such proof, the Township shall have the ability to arrange for ongoing maintenance of the subject property, either through the use of Township employees or a contractor hired by the Township. This ongoing maintenance of the subject property shall continue until the Township receives proof that the owner or tenant of the subject property has arranged for the ongoing maintenance of the property. Any amount so charged for ongoing maintenance shall forthwith become a lien upon such lands and shall be added to and become and form part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes and shall be collected and enforced by the same officers and in the same manner as taxes.

C) Any owner or tenant who is served with a notice of violation of the terms of §89-1 is entitled to all of the due process requirements as contained in §1-6 of this Code.

§89-4 Higher standard to prevail.

In any case where the provisions of this section impose a higher or stricter standard than set forth elsewhere in this chapter, in the International Property Maintenance Code as adopted by the Township, or in any other ordinance or regulation of the Township or under the laws or regulations of the State of New Jersey or any of its agencies, then the standards as set forth herein shall prevail, but if the provisions of this section impose a lower or lesser standard than any other regulation in this chapter, in the International Property Maintenance Code as adopted by the Township, or in any other ordinance of the Township or of the laws and regulations of the State of New Jersey or any of its agencies, then the higher standard contained in any such other ordinance, regulation or law shall prevail.

§89-5 Violations and penalties.

In addition to any remedies listed above, any person violating any provision of this section shall, upon conviction, be punishable as provided in Chapter 1 of this Code.

SECTION 2. Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

SECTION 3. Severability. If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Township of Delran declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

SECTION 4. Effective Date. The ordinance shall take effect immediately upon passage and publication according to law.

Mr. Morrow made a motion to open the meeting to the public, seconded by Mrs. Kolodi. All were in favor, motion approved.

Ms. McCauley, 802 Fordham Street, asked whether we differentiate between homes that are occupied and ones that are abandoned. She asked what and who determines when the grass is overgrown.

Mr. Catrambone stated that this ordinance stated that overgrown grass is six inches in height or higher. There is no differentiating between occupied or vacant. The homeowner listed on our tax records would be sent a letter notifying them that the grass needs to be cut within the time given.

Ms. McCauley stated that she recently had a broken foot and was not able to mow the lawn in March. She was able to get it cut in time and was not in violation of the law but just wants to make sure this new law does not go too far.

Mr. Hatcher stated that Mr. DeSanto, the Public Works Superintendent, will work closely with any resident that would have these types of issues.

Mrs. Kolodi made a motion to close the public portion, seconded by Mr. Morrow. All were in favor, motion approved.

Mr. Schwartz made a motion, seconded by Ms. Pangia to adopt the ordinance on second reading.

There being no question, the roll was called.

Mrs. Kolodi, Mr. Schwartz, Ms. Pangia, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 5
Nays: None

Motion Approved

Mayor and Council presented a plaque to Detective Sergeant Jeff Hubbs recognizing him as the VFW Lawman of the Year.

ORDINANCES ON FIRST READING

TOWNSHIP OF DELRAN, NEW JERSEY

ORDINANCE 2013-09

BOND ORDINANCE AUTHORIZING THE UNDERTAKING OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF CAPITAL EQUIPMENT IN AND FOR THE TOWNSHIP OF DELRAN; APPROPRIATING THE SUM OF \$1,000,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$950,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Mr. Morrow made a motion, seconded by Mrs. Kolodi to approve the ordinance on first reading.

There being no question, the roll was called.

Ms. Pangia, Mrs. Kolodi, Mr. Schwartz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 5
Nays: None

Motion Approved

RESOLUTIONS ON CONSENT AGENDA

Resolution 2013-51 Authorizing the grass cutting at various properties and liens to be placed on the property

Resolution 2013-52 Authorizing the Tax Collector to make various 2013 Sewer Billing adjustments

Resolution 2013-53 Authorizing release of performance guarantee posted by Eneractive Solutions on behalf of NJ American Water Company

Resolution 2013-54 Establishing the Delran Environmental Advisory Committee and appointments to the Committee.

Mr. Morrow made a motion, seconded by Ms. Pangia to adopt the above resolutions.

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz, Ms. Pangia, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

MOTIONS

Mr. Morrow made a motion authorizing the payment of bills including all purchases made under the Cooperative Purchasing Agreement. The motion was seconded by Mrs. Kolodi.

There being no questions, the roll was called.

Ms. Pangia, Mrs. Kolodi, Mr. Schwartz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

Mr. Schwartz made a motion, seconded by Mr. Morrow to accept the report of the Tax Collector, CFO and the Township Clerk.

There being no questions, the roll was called.

Ms. Pangia, Mrs. Kolodi, Mr. Schwartz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 5
Nays: None

Motion Approved

Mr. Morrow made a motion granting the mercantile licenses listed below. The motion was seconded by Mrs. Kolodi.

1. Five Below, 1321 Fairview Blvd. Suite A
2. Prayosha PA Holdings, 8008 Route 130 North
3. Bread Partners, 2800 Cindel Drive
4. Carshine Pre-owned Vehicles, 150A-26 Carriage Lane
5. Sampson Motors, 150A-27 Carriage Lane

There being no questions, the roll was called.

Ms. Pangia, Mrs. Kolodi, Mr. Schwartz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 5
Nays: None

Motion Approved

REPORTS

Ms. Eggers – No report.

Mr. Hatcher – Mr. Hatcher reported that on Friday afternoon his son graduated and was commissioned from the Naval Academy and then later that evening he received word that Larry Jack had passed away. He had the privilege of working with Larry for the past twenty-four years and can remember him years before that on fire trucks and public works trucks. He was a tremendous employee and considered him a friend. His thoughts and prayers are with the Jack Family. Larry had just retired as of Monday last week.

Mr. Marmero – No report.

Mr. Bauer – Mr. Bauer stated that when he first joined the Emergency Squad he rode on Friday nights with Larry Jack. For anyone that knew him, he had a good heart. Mr. Bauer shared a story about a Christmas Eve while they were riding in the ambulance from Mt. Holly, Larry grabbed the PA system and began to sing Christmas carols. He thought that he was singing to the people in the streets but ended up tying up the entire County radio system with his singing. He did not realize it until there were two police officers waiting for them as they arrived. His

sense of humor is what he will remember most about him. It was a great tragedy that no one saw coming.

Mr. Bauer reported that they were called for a deer trapped in the fence at Delran Storage. The rescue squad from Chester Avenue Station arrived and used the Jaws of Life to rescue the deer.

Mr. Bauer thanked everyone that attended VFW event that honored the EMT and Lawman of the Year.

Ms. Pangia – Ms. Pangia reported that she was able to attend the VFW event that honored Jeffrey Hubbs, as Lawman of the Year and Steven Walter, as EMT of the Year.

May proved to be a very busy month in Delran. We held our first annual Kids Expo. We also held a Mental Health Expo and she thanked Gerri Gonzaga for putting that presentation together. We also had the mobile mammogram back for a second event at the municipal building. A Blood Drive was held on May 9th and the amount that was donated ended up to be the equivalent to seventy lives saved.

The Farmers' Market will begin on June 18th and we are still looking for craft vendors and also volunteers.

On June 19th the mobile eye care van will be at the Fire Department located on Chester Avenue.

Ms. Pangia thanked all the volunteers that have been helping with all the different events.

We are still looking for individuals that are interested in joining the Green Team.

Ms. Pangia reminded everyone that the bear that has been spotted in surrounding towns is a serious issue. She asked that everyone visit the Burlington County Times website for tips on what to do if you should see the bear.

Ms. Pangia offered her condolences to Larry Jack's family on their loss. He will be dearly missed.

Mr. Schwartz – Mr. Schwartz stated that Larry's death is a huge loss to all of us.

With yesterday being Memorial Day, it reminded him that his family came here after his grandfather was discharged from the Army and he choose Delran to raise his family. The service that people do for their country and their community is the reason that I got involved in local government. If you have the opportunity to thank a veteran remember that when shaking their hand there are other service members that did not have the opportunity to come home. There are people here at the local

level, our Police, Fire, EMT's and individuals like Larry Jack, that serve this community and the residents. Mr. Schwartz asked that we don't forget those people. He will continue to do all he can do to make Delran the community that he wants it to be.

Mr. Schwartz thanked Councilwoman Pangia for all of the programs that she has brought to Delran and the volunteers. They take hours of her personal time. This is the community he remembers. Delran is a strong town and he wants it to continue.

Mr. Schwartz thanked the VFW for inviting him to their groundbreaking ceremony. He also attended coffee night at the Turkish Community Center and a fundraiser for autism awareness. All of those things make up the community we are and he is thankful to be a part of it all.

Mrs. Kolodi – Ms. Kolodi stated that she has volunteers from the High School that would wear the corn and tomato suit to advertise for the Farmers' Market. She reported that they are also looking at having professional musicians for the event.

Mrs. Kolodi reported that she has received a lot of compliments of the finishing of Haines Mill Road.

Yesterday, Mayor and Council had the honor of walking in the Memorial Day Parade in Riverside. It was great to see the surrounding communities come together and it was a lovely event. To her, Veterans are the backbone of this country. She tells her students that they have homework for life and that is to thank a Veteran. If there are any Veterans in the audience tonight, thank you for your service.

Mrs. Kolodi reported that unfortunately she did not know Larry Jack but from everyone's comments he seemed like a wonderful man. She sends her condolences to his family.

Mr. Morrow – Mr. Morrow reported that we have been waiting for County approval for the Fairview Street sidewalk projects. We are hoping to begin this project in July or August.

Mr. Morrow reported that there will be a new ice cream business coming into the old KFC. This is a good thing for this strip center. Dunkin Donuts had a grand re-opening and Barlow Chevrolet just remodeled. It is great to see businesses reinvesting in the community. Hopefully this will continue to improve as the economy improves. Also, we have not seen any plans for Triboro property that is located half in Delran and half in Cinnaminson but they will be coming to the Planning Board in the near future.

Mr. Morrow stated that he would like to echo his fellow Councilman's comments on Larry Jack. He has only met him once or twice but never really got to know him. From all the comments, he was a gift to his family and the Township and we will always have the memories. He sent his condolences to the family.

Mr. Catrambone – Mr. Catrambone thanked Councilwoman Pangia for all that she and her volunteers have done for this community. It is great to see the foundation of new things beginning.

Mr. Catrambone reported that it was great to attend the groundbreaking for the VFW and we can't wait for them to get up and running.

Mr. Catrambone stated that he had the opportunity to have a conversation with Larry Jack several weeks ago and he was very excited about his retirement. Mr. Catrambone stated that he wished we were having all these conversations while we were presenting him with a plaque for his forty years of service instead of in this light. He was a great guy and our thoughts and prayers go out to his family.

Mr. Paris – Mr. Paris stated that he has not only known Larry Jack since his time on Council and as the Mayor but from when Mr. Paris' daughter was involved in sports within the town. He was a very caring guy and always took the extra step to make sure the fields were prepared. Mr. Paris stated that he had requested a plaque for Larry with the support of Council. When Mr. Paris met Larry at the groundbreaking, Larry told him that he appreciated that Mayor and Council wished to present him with a plaque but did not want the recognition unless another individual in the department also received the same. That was the type of guy that Larry was. He will be greatly missed and his thoughts are with his family.

Mr. Paris reported that we are hoping the first phase of the Myers Tract will be completed at the end of June and he should be hearing from the County regarding the grant for the second phase shortly after. In regards to Anderson Farms, we are still getting the same run around from the County. They presented this great plan and nothing has ever happened.

Mr. Paris stated that we have a very progressive road program. We also continue to reach out for grants. The final phase of Haines Mill Road will be completed with grant funds. We also received a \$250,000 grant from the state for sidewalks along Route 130 where there are no sidewalks. We also received \$205,000 for improvements to Tenby Chase Drive.

We had our second meeting for Delran Day and we are looking for volunteers. It will be held September 29th. If you are interested in volunteering you can contact Janette Hutchinson at the municipal building.

PUBLIC PORTION

Mr. Schwartz made a motion, seconded by Mrs. Kolodi to open the meeting to the public for any questions. All were in favor, the motion was approved.

Harry Etsell, 8 River Drive, asked if there is any update on the permit for the Stewart Avenue outfall.

Mr. Hatcher reported that we have received a letter from the Army Corps that the Engineer is reviewing today but we are still waiting on the Department of Environmental Protection. We needed to provide the DEP with additional information and we are hoping to hear from them soon.

Mr. Etsell asked if there is anything they can do as residents.

Mr. Catrambone stated that they have reached out to their Assemblyman and he also talked to Senator Allen to ask her to push this as fast as they can.

Mr. Etsell asked if the project at Swedes Lake has been completed.

Mr. Hatcher stated that the project has been awarded and should be completed within the month.

Mr. Etsell reported that at high tide the water is still running high and as boats come by it is driving water up into the streets. With all the rain that we just received, it will have an effect shortly.

Mr. Morrow stated that the berm around the pipe will be raised and replenished which should help in the area.

Mr. Schwartz made a motion to close the meeting to the public, seconded by Mrs. Kolodi. All were in favor, the motion was approved.

Mr. Schwartz made a motion, seconded by Mr. Morrow to adjourn the meeting. All were in favor, the meeting adjourned.

Submitted,

Jamey Eggers
Municipal Clerk

