

**PUBLIC MEETING
MUNICIPAL BUILDING**

**June 13 2023
DELRAN, 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 January 6, 2023 and posted on the bulletin board on the same date.

ROLL CALL: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon and Mr. Burrell were present.

ALSO PRESENT: Mr. Kalac, Solicitor, Mr. Bellina, Administrator, and Ms. Eggers, Township Clerk

PRESENTATION OF PROCLAMATION

Mr. Jeney presented a proclamation to Specialist 4 James R. Gilbert – NJ National Guard, Retired Police Officer, Delran Police Department

MINUTES FOR APPROVAL

Mr. Jeney made a motion, seconded by Mrs. Apeadu to approve the minutes for the April 11, 2023 Public Meeting.

There being no questions, the roll was called.

Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

Mr. Jeney made a motion, seconded by Mr. Smith to approve the minutes for the April 25, 2023 Work Session.

There being no questions, the roll was called.

Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

Mrs. Apeadu made a motion, seconded by Mr. Jeney to approve the minutes for the May 9, 2023 Public Meeting.

There being no questions, the roll was called.

Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

ORDINANCE(S) ON SECOND READING

TOWNSHIP OF DELRAN, NEW JERSEY

ORDINANCE 2023-11

BOND ORDINANCE AUTHORIZING SUPPLEMENTAL FUNDING FOR VARIOUS PARK IMPROVEMENTS IN AND FOR THE TOWNSHIP OF DELRAN; APPROPRIATING THE SUM OF \$325,000 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 \$308,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Township Council of the Township of Delran, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Delran, County of Burlington, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$325,000;

- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$308,750; and
- (c) a down payment in the amount of \$16,250 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A.* 40A:2-11.

Section 3. The sum of \$308,750, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$16,250, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$308,750 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$308,750 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A.* 40A:2-20, shall not exceed the sum of \$50,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount of obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Completion of Various Improvements to Township Parks including, together with the completion of all work necessary therefor or related thereto	\$325,000	\$16,250	\$308,750	15 years

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 15 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$308,750 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 14. The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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

There were no comments.

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

Mr. Lyon made a motion, seconded by Mrs. Apeadu to adopt Ordinance 2023-11 on second reading.

There being no questions, the roll was called.

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

ORDINANCE(S) ON FIRST READING

Ordinance 2023-13 Ordinance Of The Township Of Delran, County Of Burlington, State Of New Jersey, Supplementing Chapter 12 “Traffic”, Section 12-3.12a “Parking Of Commercial And Recreational Vehicles” Of The Municipal Code Of The Township Of Delran

Mrs. Apeadu made a motion, seconded by Mr. Smith.

There being no questions, the roll was called.

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

CONSENT AGENDA

- a. **Resolution 2023-80** Authorizing the Cancellation of Taxes of a Totally Disabled Veteran Located at Block 118 Lot 4.03 C0209 Partial Tax Year 2023 and Thereafter
- b. **Resolution 2023-81** Authorizing the Cancellation of Taxes of a Totally Disabled Veteran Located at Block 80 Lot 13.02 Partial Tax Year 2023 and Thereafter
- c. **Resolution 2023-82** Authorizing the Cancellation of Taxes of a Totally Disabled Veteran Located at Block 116.03 Lot 20 Partial Tax Year 2023 and Thereafter
- d. **Resolution 2023-83** Authorizing the Cancellation of Taxes of a Totally Disabled Veteran Located at Block 118.19 Lot 44 Partial Tax Year 2023 and Thereafter
- e. **Resolution 2023-84** Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Stewart Avenue Roadway Improvements project MA-2024
- f. **Resolution 2023-85** Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Stewart Avenue Roadway Improvements project LTPF-2023
- g. **Resolution 2023-86** Refunding Zoning Board Escrow
- h. **Resolution 2023-87** Refunding Sewer Overpayment

- i. Resolution 2023-88** Authorizing 2023 Sewer Adjustments
- j. Resolution 2023-89** Authorizing 2023-2024 Liquor License Renewals
- k.** Authorizing the payment of bills including all purchases made under the Cooperative Purchasing Agreement
- l.** Accepting the report of the CFO including the May YTD Revenue Report, YTD Budget Report and May Check Register.
- m.** Accepting the report of the Tax Collector and Township Clerk

Mr. Jeney pointed out the number of grants that Delran Township applies for each year. These grants help fund projects in the township and lessen the tax burden for residents.

Mr. Lyon made a motion, seconded by Mr. Smith to adopt the above Consent Agenda.

There being no questions, the roll was called.

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

REPORTS

Mr. Bellina – Mr. Bellina reported that Notre Dame was resurfaced today and a punch list will be generated for follow-up items.

Ms. Eggers – No report

Mr. Kalac– No report

Mrs. Apeadu – Mrs. Apeadu congratulated Specialist 4 James Gilbert. She also congratulated a new Eagle Scout in the township and everyone celebrating a graduation in the Delran school system.

Mr. Smith – Mr. Smith congratulated Specialist 4 James Gilbert for his service to the United States as well as his law enforcement service to Delran Township. He also congratulated the Class of 2023. He reminded residents to take care when driving since more children will be outside now

that school is ending for the summer.

Mr. Jeney – Mr. Jeney congratulated Specialist 4 James Gilbert as well as the Delran graduates. Mr. Jeney recently joined the Green Team on an impressive tour of the county recycling facility. He informed residents that they no longer need to remove caps from bottles and shouldn't flatten cans. Mr. Jeney also stated that residents should flatten cardboard. He advised consulting the recycling brochure that everyone should have at home. Residents can also learn more at burlcorecycles.com.

Mr. Lyon – Mr. Lyon congratulated Specialist 4 Gilbert, stating that it was nice to see his family as well as his police family in attendance. Mr. Lyon thanked the fire department and emergency squad for responding to recent events and always doing a great job while putting their lives on the line for us. He congratulated the Class of 2023

Mr. Burrell – Mr. Burrell congratulated Specialist 4 Gilbert for his service, and as Mr. Jeney stated, not only to his country but to his community as well.

PUBLIC PORTION

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

Kim Custer, 48 Norman Avenue – Ms. Custer reported that she is slowly forming a committee that will work to get a library in Delran Township. She asked how to start a dialog about that possibility. Mr. Burrell advised contacting the mayor.

Christine Etsell – Ms. Etsell asked if there was an update to the proposed agreement with the Army Corp of Engineers. Mr. Bellina explained that we are still in the contractual phase. He stated that Ms. Etsell's idea about preparing a time table is a good one which will be executed once the project moves into the next phase.

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

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

Submitted,

Jamey Eggers
Municipal Clerk

