

**WORK SESSION
MUNICIPAL BUILDING**

**June 26, 2018
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 16, 2018 and posted on the bulletin board on the same date.

ROLL CALL: Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone were present. Mr. Schwartz arrived a few minutes late.

ALSO PRESENT: Mr. Paris, Mayor, Mr. Long, Solicitor, Mr. Hatcher, Administrator and Ms. Eggers, Municipal Clerk.

SEWER DISPUTE

BLOCK 125, LOT 34 – Mr. Hatcher reported that the property owner indicated that the toilet was leaking inside the tank and it was not noticed by the tenant. The property owner fixed the leak himself and did not save any receipts. During the billing timeframe the property used 24,000 gallons. Prior to that they utilized 11,000 gallons and in 2018 they used 15,000. If Council were to make an adjustment, Mr. Hatcher recommended adjusting to 15,000 gallons. Council agreed. A Resolution will be placed on the public meeting next week.

SEWER SERVICE TIMBER RIDGE

Mr. Winckowski stated that this is the development plan for Timber Ridge, which is 108 age restricted units. They submitted their application for sewer service through an extension of the Township sewer main. There is plenty of capacity in the pump station and there is no need for any upgrades. The design is adequate for the development but they will need a TWA permit from the DEP. Since the Township is the owner/operator of the system they will have to endorse the application. At this time, they are recommending preliminary approval of the sewer connection application and endorsement of the TWA permit application by either Jeffrey Hatcher or Joseph Russell. The total connection fees will be between \$600,000 and \$700,000 once the project is fully built. Council agreed. A Resolution will be on the agenda for the public meeting.

GRASS CUTTING

Mr. Catrambone stated that this memo was to notify Mayor and Council of the need for grass cutting at 10 Mulberry Street and 46 Stewart Avenue.

Mr. Hatcher stated that a motion is needed from Council to authorize the grass cutting.

Mr. Burrell made a motion, seconded by Mr. Schwartz. All were in favor, motion approved.

NETTING SYSTEM

Mr. Catrambone stated that as per the memo the Township will be receiving \$51,000 for the damage to the netting system at Delran Community Park.

Mr. Hatcher stated that everyone has seen the pictures of the damage. The estimate we received for the damage was \$52,000; therefore, we will receive \$51,000 from insurance since there is a \$1,000 deductible. He wanted to make sure Mayor and Council was aware the issue.

FAIRVIEW BLVD. ISLAND

Mr. Winckowski stated that they have spoken with the occupancy permit department at the DOT and their initial reaction was they didn't believe a permit was needed. Mr. Winckowski stated that they are pushing to set up a meeting with them to determine if the permit is needed and whether they would be inclined to approve a permit if necessary. Mr. Winckowski and Mr. Hatcher will attend the meeting.

OFF-DUTY POLICE RATES

Mr. Hatcher stated that the union has requested that the off-duty employment hours be adjusted. There has not been an adjustment since 2015. They have withdrawn their request to increase school sporting events and special events and which will remain at the same level in the 2015 Resolution. The increases requested are as follows:

- \$80 per hour for security and traffic
- \$100 per hour holiday traffic (nationally recognized holidays)
- \$90 per hour emergency rate for security and traffic (one hour or less notice)

Mr. Hatcher stated that we also may want to increase the patrol car use to \$10 per hour up from \$5.00 and the administrative fee to \$7.00 or \$8.00 per hour up from \$5.00.

After discussion, Council agreed to the following:

Security/Traffic	\$ 80 per hour + \$5.00 per hour Administrative fee
Holiday (Nationally Recognized)/Traffic	\$100 per hour + \$5.00 per hour Administrative fee
Emergency Rate for Security/Traffic	\$ 90 per hour + \$5.00 per hour Administrative fee
Patrol Car usage	\$ 15 per hour

A Resolution will be placed on the Public Meeting agenda.

TAP GRANT

Mr. Winckowski reported that this is a Transportation Alternatives Grant through the DOT. This is a planning grant where we would use the funding to scope out new projects and prepare some preliminary designs. He has discussed this with Mr. Hatcher and they feel the trail between Notre Dame Park and Community Park is something we can look at for this grant since the project would need a planning study through the wooded area to find the best way to cross the stream. They are looking for Council's consent to prepare the grant application for submission to the DOT. The estimated cost for engineering to complete the application is \$3,000.

Mr. Hatcher stated that if everyone is in agreement, a Resolution will be placed on the Public Meeting agenda for approval.

Mr. Schwartz asked is they would more favorable on the grant if we tied the trail into Hartford Road. Mr. Winckowski stated yes.

Mr. Paris stated that we previously discussed a veteran's walk which could be tied in also.

Mr. Winckowski stated that he will put together a formal proposal for consideration.

TORT CLAIM PACKAGE

Mr. Hatcher stated that we already have a Tort Claim policy in place and the only difference in the new package is that the new package asks the claimant to identify the act or omissions that the public entity has caused for the injury. The JIF is strongly recommending the Township make the change. Council agreed. Mr. Hatcher stated that a Resolution will be on the Public Meeting agenda for approval.

USED EQUIPMENT/GOVDEALS.COM

Mr. Catrambone stated that the Public Works Department is suggesting the sale of equipment through Govdeals.com. Mr. Catrambone asked if there is anything out of the ordinary with this request.

Mr. Hatcher stated no, this is a similar request to one approved in the past. We are trying to clean up the assets that have no value to the Township. Sale of the equipment on govdeals.com has brought in significant more money than local auction. They list of equipment was provided to Council and if everyone is in agreement, a Resolution will be on the Public Meeting agenda. Council agreed.

JAKE'S PLACE

Mr. Catrambone stated that this discussion is regarding Jake's Place timeline line and budget. Three months is needed for design, bid, build which starts on July 4th if the build date is October 4th.

Mr. Winckowski stated that the schedule is tight. The contractor chosen through public bid for the base work will not be fully complete before the community build but certain prep work is needed including the curb. There will need to be a lot of coordination in place.

Mr. Hatcher stated that they are pushing for a community build on October 4th as they already have 200 people lined up which does not include any Delran residents.

Mr. Winckowski stated that the biggest issue is to get the authorization to proceed with the public bid for the base work.

Mr. Hatcher stated that Council needs to agree to the October 4th community build date in order for them to advertise the event. As of last week Jake's Place ordered the playground equipment. Also, Council will need to authorize engineering in the amount of \$25,000 which is not covered by the \$200,000 grant from the County. We could possibly give Jake's Place \$25,000 from the grant for the cost of the equipment and have them pay for the engineering or

we have to come up with \$25,000 to cover the cost. We will have to discuss that with Jake's Place.

Mr. Paris asked if an agreement would have to be put in place to outline what each entity is paying for.

Mr. Hatcher stated that most likely an agreement would be needed. We also do not anticipate the base work cost will be \$200,000 so most likely we would be paying for some of the equipment.

Council indicated that they are in agreement with the October 4th community build date.

TANK WEIR CLEANING

Mr. Winckowski stated that we received bids on May 15th for this project. Four bids were received with the low bid being received by Eastern Environmental Contractors, Inc. in the amount of \$125,250.00. All bids were in line with the engineering estimate and they are recommending award to Eastern Environmental Contractors, Inc. The bids have been reviewed by the Township Solicitor.

Council agreed to place a Resolution of the Public Meeting agenda for approval.

REQUEST FROM ZONING REGARDING BULK VARIANCE

Mr. Catrambone reported that the Zoning Board has sent a request to change the expiration date of a bulk variance.

Mr. Hatcher stated that as the ordinance reads now a bulk variance expires after one year. Mr. Hatcher stated that there was a recent issue with a resident that received a variance for a pool and the timeframe expired so they were required to reapply. The Zoning Board is requesting that Council consider amending Section 37-35 to extend the expiration of a bulk variance to expire after two years.

Mr. Paris stated that this was a communication error as the resident believed the variance didn't expire for two years.

Mr. Schwartz asked if there is an outlet for the resident to extend the timeframe.

Mr. Long stated that they can request an extension of time from the Board.

Ms. Eggers stated that the request has to be made before the expiration and in that particular case the bulk variance had already expired.

After discussion, Council agreed to make no change to the language. They want to make sure the all Resolutions of approval include language indicating that the bulk variance will expire after one year.

INSURANCE WAIVER FOR VENDORS – DELRAN NIGHT OUT

Mr. Burrell stated that several vendors for Delran Night Out that cannot provide a certificate of insurance. One in particular is a teacher that will be doing face painting at the event. All will be of limited risk to the Township. He asked if Council would be willing to waive the insurance requirement for small vendors at the event.

Mr. Hatcher stated if we are going to waive the insurance requirement Council should be aware. If they waive the requirement, the Township is accepting liability.

After discussion, Council agreed that they do not feel comfortable waiving the insurance requirement.

Mr. Schwartz suggested we have a sponsor provide insurance for the vendor.

Mr. Burrell stated that he will look into the possibly of having the Delran AA provide the insurance.

SUMMER MEETING DATES

Mr. Catrambone stated that the only date he sees that would be a conflict is August 7th as that is Delran Night Out. He suggested that Public Meeting be moved to the 14th. That would mean there would only be one work session on August 28th. Council agreed.

TRANSFER STATION

Mr. Catrambone asked if this is a contractual issue.

Mr. Hatcher stated that he has not completed review but that was his concern. Typically the Recycling Agreement with the County included language that required our solid waste to be taken to the Burlington County Landfill so he needs to make sure they don't have an issue. Ultimately the waste from the transfer station will end up and the Burlington County Landfill. Republic Services only wants to be able to take it to the transfer station during severe weather or when there is an emergency and the landfill is closed. As soon as he has a response from the County he will report back to Mayor and Council.

REPORTS

Ms. Eggers – Ms. Eggers reported that we have been working on the Office 365 migration today. If anyone uses outlook to receive their e-mail they should follow the instructions in the e-mail they received on Monday.

Ms. Eggers reported that the next blood drive is scheduled for July 3rd from 1:30-6:30 P.M.

Mr. Hatcher – No report.

Mr. Winckowski – Mr. Winckowski stated that himself and Mr. Hatcher had a meeting today with Matt Johnson and their designer for the bikeway improvements proposed along River Drive. They went over the layout of the trail and the improvements needed in the roadway. They discussed the Township's intention to resurface the road and how those two projects will

coordinate. We still have to trade some information and we come back to Mayor and Council with a formal report and plan of action. Currently the County is in the process of receiving permits from outside agencies. They are looking at a possible construction late next year. They will not be surfacing the road. The only roadway improvements being completed are curb realignment/repairs and handicap improvements between Alden Avenue and Norman Avenue.

Mr. Paris asked if grading of the roadway will be addressed.

Mr. Winckowski stated no. If Council wants to resurface the road, which has been discussed, it needs to be resurfaced before this project. Those details have to be work out with the County.

Mr. Winckowski stated that they also met today at Abrasive Alloys at the request of the DOT. The HSDRF division, which handles the funding for the site remediation projects, has generally approved our grant application for the remedial investigation with some conditions. They would be providing funding in the next month or two. They also made some recommendations on starting the demolition process. He will work with Mr. Hatcher to try and solicit some quotes. Hopefully the amount of metal will help offset the cost of demolition.

Mr. Winckowski reported that the bid opening for the 2018 Road Program will be held on July 19th and will be on the agenda for discussion at the July 24th work session.

Mr. Winckowski reported that the bid for Hartford Road Improvements will be advertised once the bond ordinance is finalized.

Mr. Winckowski reported that the resurfacing of Pheasant Road should be completed in the next several weeks. The Route 130 Sidewalk Phase II bid was held last week and they were favorable.

Mr. Paris asked if they have a meeting date set up with the County regarding Hartford Road.

Mr. Winckowski stated we do not. We have sent over the plans for Hartford Road for approval. We also want to discuss the possibility of the County taking over Hartford Road. We should likely have this on the agenda for July 10th.

Mr. Winckowski reported that work is progressing on the municipal building roof.

Mr. Hatcher stated that there is some electrical work needed near the air conditioning system on the roof.

Mr. Long – Mr. Long stated that he was caught off guard at the intensity of the last meeting and should have acted then. It is clear that the Mayor does not want their firm as the Solicitor for the Township. He appreciates Council's support in wanting them to continue but they are the Mayor's appointment and he has to respect that. Mr. Long stated that they have appreciated everyone but they are going to step down as Solicitor.

Mr. Catrambone asked when that will become effective.

Mr. Long stated that they will stay on until a replacement is named as long as Mayor and Council are committed to getting it done as quickly as possible through an RFP.

Mr. Paris stated that unfortunately they ran into some situations that didn't work. There was some misdirection and misinterpretation provided to him and caused effects to his reputation

and Council's. Has far as he is concerned he feels it is in the best interest of himself and the Township but he appreciates the honesty from Mr. Long.

Mr. Long stated that he feels the advice from the firm and him in particular was spot on with the information they had but it is becoming a distraction. He appreciates the opportunity to serve and doesn't want to become a distraction.

Mr. Catrambone asked if we are required to go out to RFP since there is now a vacancy.

Mr. Long stated that the Township still has to go through the fair and open process. He can stay on until that process is complete.

Mr. Schwartz stated that his understanding was that if this situation was to occur, our Labor Attorney would be willing to serve as interim solicitor. Mr. Schwartz asked if that was a possibility.

Mr. Long stated that Council can appoint an interim. He thinks the world of Stuart Platt and feels he would do a great job representing the Township. Mr. Long stated that he is hoping that Council makes a decision tonight.

Mr. Schwartz asked Council if that is a solution while we advertise and follow the fair and open process. It would allow everyone to work with someone they trust while we work on a permanent replacement.

Mr. Catrambone stated that he feels we should keep Brian Shotts on as the COAH Attorney because we are at the end of the litigation.

Mr. Long agreed.

Mr. Catrambone stated that he wants to be clear as to what we are saying with interim solicitor. Are we saying from now until RFP's are received or are we saying now until the end of the year.

Mr. Schwartz stated the only reason he mentioned interim is because if we made a permanent replacement now he doesn't feel we would be following the process.

Mr. Paris stated that he wants to make sure we are doing everything properly.

Mr. Long stated that legally we could not make an appointment to the end of the year. The appointment would have to be done as an interim until RFP's are received and a permanent replacement is made to fill out the term.

Mrs. Kolodi thanked Mr. Long. She feels appointing Stuart Platt is a great solution to get our Township moving forward.

Mr. Paris stated that he spoke to the administration and they were very satisfied with the relationship between the Township and Stuart Platt as the Labor Attorney and he feels confident with Stuart Platt as the interim solicitor. Mr. Paris nominated Stuart Platt as Interim Township Solicitor.

Mr. Catrambone asked Mr. Long if Council can now act on the nomination.

Mr. Long stated yes.

Mr. Catrambone asked for a motion to accept the resignation of Grace Marmero as the Township Solicitor. Mr. Burrell made a motion to accept the resignation, seconded by Mr. Schwartz. All were in favor, motion approved.

Mr. Catrambone asked for a motion to approve Resolution 2018-122.

**TOWNSHIP OF DELRAN
RESOLUTION 2018-122**

**ACCEPTING THE MAYOR'S NOMINATION APPOINTING STUART A. PLATT OF PLATT &
RISO TO SERVE AS INTERIM TOWNSHIP SOLICITOR**

WHEREAS, due the resignation of the law firm of Grace Marmero, LLP as Township Solicitor there is an immediate need to appoint a replacement; and

WHEREAS, the Mayor has nominated Stuart A. Platt of Platt & Riso to serve as interim Township Solicitor until the formal Fair and Open Process can be followed through the Request of Proposals/Qualifications.

NOW THEREFORE, BE IT RESOLVED by the Township Council of Township of Delran that Stuart A. Platt, of Platt & Riso is hereby appointed to serve as Interim Township Solicitor.

Mrs. Kolodi made a motion, seconded by Mr. Burrell to adopt Resolution 2018-122.

There being no questions, the roll was called.

Mr. Burrell, Mr. Kolodi, Mr. Schwartz Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

Mr. Schwartz – No report.

Mr. O'Connell – No report.

Mr. Burrell – Mr. Burrell thanked Mr. Long for his service. Mr. Burrell stated that he never met Mr. Platt but the Mayor and Administration all say good things.

Mrs. Kolodi – Mr. Kolodi thanked Mr. Long for his time with the Township and wished him well.

Mr. Catrambone – Mr. Catrambone thanked Mr. Long for his service and advice over the years.

Mr. Paris – Mr. Paris stated that he has been through thick and thin with Mr. Long and he is a dear friend.

Mr. Paris stated that there is a new business coming into town called Carnegie Pharmaceuticals located at 600 Delran Parkway. They moved fourteen employees down and hired ten Delran residents. They hope to reach 100 employees. They have agreed to sponsor Delran Night Out in the amount of \$5,000. Mr. Paris stated that on Thursday at 10 AM they will be hosting a tour of the facility if anyone is interested in attending.

PUBLIC PORTION

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

John Schmidt, Gloucester City, stated to where it all started. Thank you.

Bob Gilbert, 75 Stewart Avenue, stated that he heard everything regarding the bike trail along River Drive but he didn't hear any mention about replenishing the bank to any degree.

Mr. Winckowski stated that we discussed this today and we are working on a plan. We asked them to use the excess material to build up the berm in the low areas. There are some permit issues but they are working with the Township.

Mr. O'Connell made a motion to close the meeting to the public, seconded by Mr. Burrell. All were in favor, the motion was approved.

Mr. O'Connell made a motion, seconded by Mr. Burrell to enter into closed session for discussion on the following issues: Update on COAH Litigation.

Mr. O'Connell made a motion to end the closed session and reopen the meeting to the public. The motion was seconded by Mr. Burrell. All were in favor, motion approved.

Mr. Burrell made a motion to adjourn the meeting, seconded by Mr. O'Connell. All were in favor, the meeting was adjourned.

Respectfully submitted,

Jamey Eggers, Township Clerk

