

**WORK SESSION
MUNICIPAL BUILDING**

**JULY 22, 2014
DELRAN, N.J.**

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 26, 2013 and posted on the bulletin board on the same date.

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

ALSO PRESENT: Mayor Paris, Solicitor Tim O'Donnell. Clerk Jamey Eggers was on vacation.

Mr. Catrambone stated that Item 2 the NJEIT Loan and Item 7 Request for return of \$20 check were being removed from the agenda. WE did not receive the backup information concerning the \$20 check from the resident and the NJEIT loan was already discussed.

JAKE'S PLACE MEMORANDUM OF UNDERSTANDING

Item 1 on the agenda is Jake's Place Memorandum of Understanding. Mr. Catrambone did not have a problem and Mr. O'Donnell had a few comments. Under Purpose it states that the playground will be built by BJP, the Township may want to add that Delran Township would approve any design. Mr. O'Donnell felt it was implied, but we should specifically state the fact. Everyone agreed with that change. Also anyone involved in the community build would need to sign a waiver form and is properly insured. Mr. Hatcher stated that we do have a waiver form. Also we might want some clarification under Funding where it states that BJP "Before and after construction of the playground, Delran Township will allow BJP to use the playground site for fundraising", we should add some wording as to when they would be able to use the site for fundraising e.g. Council review.

Mr. O'Donnell brought up three changes for the Memorandum of Understanding; therefore Council would like to see those changes incorporated before they vote on the MOU.

Ms. Pangia would also like to add that Council should have quarterly updates or biyearly as to how their fundraising is progressing. Ms. Pangia thinks they should share their financial responsibility. Council suggested biyearly updates.

The Engineer asked if everything will be done by BJP such as grading or lighting or will the Township be responsible for certain aspects. Ms. Pangia answered that if the Township uses their professionals for any of the work then the Township would be responsible for the cost of those services; however, that would count towards the Township's 35% of the total cost. Mr. O'Donnell suggested putting that in the MOU also.

Mr. Catrambone stated that In the Progress paragraph, it does state the both BJP and Delran Township Council agree to stay in regular communication and have regularly scheduled meeting

time semiannually and BJP will offer a progress report. Mr. Catrambone thinks that would cover the accountability for the fundraising.

Ms. Pangia stated that there will be a booth at Delran Day by BJP.

Mr. Catrambone said that this is just a Memorandum of Understanding and not a binding contract. Mr. Hatcher said that we do not even have a plan and BJP wants an input from Council. Ms. Pangia stated BJP have some plans. Mr. Catrambone stated that as long as the final plan has to be approved by the Township then all the discussion this evening is a moot point. Mr. Catrambone wants Mr. O'Donnell to add that the final plan has to be approved by the Township. Mr. Schwartz asked if they would do the playground in sections as the money is available.

Mr. Winckowski asked if BJP builds the playground on the funds that they raise or do they have an amount that they need to raise to build the playground.

Ms. Pangia asked if the Township can have an escrow account for the money raised for Jake's Place. Mr. Hatcher will look into how to set this up and will get back to Council.

Mr. Catrambone asked if through some unfortunate incident, this playground does not happen, can we ask if the money they raise in Delran Township be returned to us. Mr. O'Donnell stated that this is something that can be sorted out in the contract. Mr. O'Donnell will bring back the updated MOU at the next work session for Council's approval.

NJ AMERICAN WATER COMPANY WORK AT RANCOCAS CREEK

The next item on the agenda is NJ American Water Company work at Rancocas Creek. Mr. Hatcher was told that this project would not have much of an impact on Delran Township but they had to open Bridgeboro Road today and they was a detour on Bridgeboro Road and CME had detours on Fairview Street. The Chief is on vacation but Mr. Hatcher called in Lt. Williams as they had a traffic nightmare as no one was told about the detour. The detour should be for another day.

2013 MUNICIPAL AUDIT

The next item is the Municipal Audit and Mr. Catrambone said that he did sit in on the exit audit review. There were issues that needed to be addressed and Mr. Catrambone asked Mr. Hatcher to take over explaining the corrective action plan. Mr. Hatcher stated that all the issues are being addressed and the financial picture of the Township improved again. The surplus increased and the sewer surplus is also getting back to a position where we are a little more comfortable than we were in the past. A lot of the issues go back to the absence in the Sewer Dept. who was out for over a year and now we have a new hire who is working out very well. In addition, we now have a CFO who is working more hours. The CFO is working three days per week and is also available by phone or e-mail on the days she is in other towns and is also working on the corrective action plan. There are some issues that are on-going such as getting the financial statements back from appointed officials. The Clerk makes efforts every year to get them but

there are always some issues getting them all filed. The people in the Tax/Sewer office have picked up the Edmunds software and we will also get some additional training in that office on the Edmunds system. Mr. Hatcher feels that most of the issues in this year's audit will not be in next year's audit as the Tax/Sewer Department seems to be on target now.

Mr. Catrambone said in regard to the Financial Statement forms who are the ones that are causing us to get written up. Mr. Hatcher said he believed most of them were the Land Use Boards. Mr. Catrambone would like to be more pro-active on getting the Financial Statements from everyone and anyone who does not comply will be removed from their position on whatever Board they happen to be on. Mr. Hatcher said that one of the difficulties is the way it is done on the computer, it is more difficult to know who has and who has not filed. However, Mr. Hatcher he will check with the Clerk to see if there is a way that we can determine who did or did not file. Mr. Catrambone said that the overall conclusion is that there were some issues and now we have a plan in place that should rectify the situation.

WHITESSELL FENCE LICENSING AGREEMENT

Whitesell had one small concern that the Township could revoke the license arbitrarily. They want to add language that states that the license could be revoked with notice if there is reasonable cause or default, preferably with an opportunity to cure. Mr. O'Donnell said this is reasonable. Council agreed on adding the language to that effect. Mr. O'Donnell will bring the new license agreement to the next work session.

NEWSLETTER

The next item on the agenda is the Newsletter. Ms. Pangia had a rough form that was updated with the new fall stuff and taking out the spring stuff and the change in the polling place. Mr. Paris asked if it could be sent to Ms. Kolodi and Mr. Morrow for their input. Ms. Pangia said she would e-mail the newsletter to Mr. Hatcher who could send it to Mrs. Kolodi and Mr. Morrow. We now have the date for co-mingling recycling and Mr. Hatcher will get the exact date to add to the newsletter.

STELLWAG FARMS REDEVELOPMENT

Mr. Catrambone stated that the Stellwag Farm redevelopment was not on the agenda but Council had the resolution moving the Stellwag redevelopment area designation forward. It was determined that this would be best suited for the Township and the Stellwag people have indicated they would like to work with the Township in moving this project forward. The Planning Board was assigned to review the plan that was created by the Township Planner. There were two public hearing with discussion as both, as required and the end result was the unanimous vote by the Planning Board to move forward that this area is indeed an area that is in need of redevelopment and that now gives Delran Township a seat at the table in the discussions of what is going to be there. It is not an indication of any plan and/or application. The plan is yet to be determined but the advantage is it will give Delran Township a seat at the table to be included in

the planning. The Planning Board recognized that without that input, the Planning Board would have to rule solely on the application that was presented to them. Council now has to memorialize that the required steps were taken and move forward.

A motion was made by Mr. Schwartz to designate a study area in need of redevelopment. The motion was seconded by Ms. Pangia. This is Resolution 2014-98.

RESOLUTION 2014-98

A RESOLUTION OF THE TOWNSHIP OF DELRAN DESIGNATING PROPERTY KNOWN AS BLOCK 116, LOT 23 AS AN “AREA IN NEED OF REDEVELOPMENT” PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1, ET SEQ.)

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”) authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute an area in need of redevelopment, the Township Council (the "Township Council") of the Township of Delran (the "Township") authorized and directed the Planning Board of the Township (the "Planning Board") to conduct a preliminary investigation to determine whether the area consisting of Block 116, Lot 23 (the “Study Area”), meets the criteria set forth in the Redevelopment Law and should be designated as an area in need of redevelopment; and

WHEREAS, the Planning Board caused CME Associates (the “Planning Consultant”) to conduct a preliminary investigation to determine whether the Study Area should be designated an area in need of redevelopment; and

WHEREAS, the Planning Consultant prepared a report and map depicting the Study Area prepared by the Planning Consultant, entitled “Stellwag Farms Redevelopment Needs Study (the “Report”), concerning the determination of the Study Area as an area in need of redevelopment and the Planning Consultant forwarded the Report to the Planning Board; and

WHEREAS, the Redevelopment Law requires the Planning Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an area in need of redevelopment, at which hearing the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and

WHEREAS, the Redevelopment Law further requires the Planning Board, prior to conducting such public hearing, to publish notice of the hearing in a newspaper of general circulation in the municipality once each week for two consecutive weeks, with the last publication made not less than ten days prior to such public hearing; and

WHEREAS, the Redevelopment Law further requires such notice to be mailed at least ten days prior to such public hearing to the last owner(s) of the relevant property(ies) according to the Township’s assessment records; and

WHEREAS, the Planning Board complied with the aforementioned public notice requirements; and

WHEREAS, during the course of two (2) public meetings, the Planning Board reviewed the Report, heard testimony from representatives of the Planning Consultant, accepted the Report into evidence, and conducted a public hearing during which members of the general public were given an opportunity to present their own evidence, to cross-examine the Planning Consultant and/or to address questions to the Planning Board and its representatives concerning the potential designation of the Study Area as an area in need of redevelopment; and

WHEREAS, the Planning Consultant concluded in the Report that there is evidence to support the finding that the Study Area satisfies the criteria for redevelopment area designation set forth in N.J.S.A. 40A:12A-5(e) and 5(h) and pursuant to N.J.S.A. 40A:12A-3, the designation of the Study Area as an area in need of redevelopment is necessary for the effective redevelopment of the area;

WHEREAS, after the conclusion of the public hearing described above, the Planning Board adopted a resolution (the “Board Resolution”) finding and concluding that: (i) the Study Area satisfies the criteria for redevelopment area designation set forth in N.J.S.A. 40A:12A-5(e) and 5(h) and pursuant to N.J.S.A. 40A:12A-3, the designation of the Study Area as an area in need of redevelopment is necessary for the effective redevelopment of the area; and

WHEREAS, as set forth in the Board Resolution, the Planning Board recommended that the Township Council designate the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, the Township Council agrees with the conclusion of the Planning Board that the Study Area meets the aforementioned criteria for redevelopment area designation, and the Township Council finds that such conclusion is supported by substantial evidence; and

WHEREAS, the Township Council now desires to designate the Study Area as an area in need of redevelopment, pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, the Township Council further desires to authorize and direct the Planning Consultant to cause a redevelopment plan to be prepared for the Study Area pursuant to N.J.S.A. 40A:12A-7f.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Delran, in the County of Burlington, New Jersey as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township Council hereby designates the Study Area as an area in need of redevelopment, pursuant to N.J.S.A. 40A:12A-6.
3. The Planning Consultant is hereby authorized and directed to cause a redevelopment plan to be prepared for the Redevelopment Area and present same to the Township Council pursuant to N.J.S.A. 40A:12A-7f
4. This resolution shall take effect immediately.

Roll Call: Ms. Pangia, Mr. Schwartz and Mr. Catrambone voted Aye.

Ayes: 3

Nays: 0

That resolution has to be sent to the property owner and the DCA.

Reports:

Mr. Hatcher stated that the Green Team requested that a grant be submitted for the planning of 10-15 trees. The grant was just sent in and Mr. Hatcher received an e-mail stating that we did not get the grant. Secondly, Mr. Curzie brought in a program about getting a Forestry Assistance Act. This would be a \$3,000 grant to get a Forester. There is about a 90 page attachment that would make this grant rather cumbersome. Mr. Hatcher has a phone call in to the person running the program and as soon as Mr. Hatcher hears from him, he will let Council know. It was asked if other towns have a Forester. Mr. Hatcher advised some other towns may have one. Mr. Winckowski advised that Foresters review land development plans to make sure if there are any specimen trees. Some towns have a lot of wooded area and it is to their advantage to have a Forester but Mr. Winckowski did not feel that Delran would benefit from one. Also Mr. Hatcher said that in most instances you have to have a Shade Tree Commission. Ms. Pangia said if this does not give us points for the Green Team then do not even pursue it. Mr. Hatcher was advised to talk to the person and report back to Council.

ENGINEER:

A final punch list needs to be done on Delran Community Park. The Contractor will have to deal with the items on the punch list. Mr. Hatcher asked how you clean the foul ball protection netting especially with all the trees in the area. Mr. Winckowski will ask Evesham how they clean theirs.

They are paving Brown Street and once the punch list is completed, the project will be completed.

The speed limit painting will be done. Mr. Winckowski asked do you want the speed limit on every block. Mr. Schwartz said one on each block and especially the park area. Mr. Hatcher said he would talk to the Chief and get his input. Council suggested that a sign be put up on Third Street stating this way to Chester Avenue for truck traffic. Mr. Winckowski will talk to the contractor if they will put up a sign.

Stewart Avenue is pretty much done and was successful. They said they wanted to reseed in the fall and try to get some grass growing. The check valve is working but Mr. Winckowski feels it needs a newer designed check valve. Mr. Winckowski does not think there is a clog as the pipe is dry. They will video the pipe.

The Bond Ordinance is done for Swedes Lake. There is permitting involved and it can probably be set up for a spring start.

Fairview Street is moving forward and they are nearly one-half done. The utility pole situation has been worked out.

Road Program for 2014 is Forge Road and various street intersections. This project is pending and awaiting authorization.

DVRPC - We will not be getting the Transportation and Community Development Funding for a planning study. The project is outside the scope of what they will fund.

Burlington County Municipal Park Grant FY2014 – We are still waiting to hear from the County.

FEMA – Hazard Mitigation Grant application was submitted. Waiting to hear what the next step is.

Shoreline Protection Program/NJDEP Coastal Engineering – There is no answer yet.

DOT grants – Initial grant for Tenby Chase Drive was received and we have to wait for the grant agreements and then move forward with the project. The Bond Ordinance has to be put in place for this project. Mr. Winckowski said we should award by Feb. 1, 2015.

The Township did not receive grant funding for Bikeway and Safe Streets to Transit.

We should receive the finalized agreement from Rutgers Cooperative Extension for the Water Quality improvements to Westover Drive & Tenby Swim Club improvements.

TAR property is still in limbo. Mr. Hatcher explained that we still have the open issue for a property that the Town sold back in the 70's and now Green Acres is holding everything up giving us our final dollars on Delran Community Park. Delran Township is trying to resolve the issue by trading the TAR property for the property that was sold around 1973.

An application for a grant to cover study for Abrasive Alloys has not been funded and probably will take some time until we hear anything.

Mr. Winckowski reported on the Riverside Park flooding issues and asked Council if at some point they want to make this an agenda item and go over all the aspects of all the problems in that area.

There is progress on the Waste Water Treatment plant upgrades. They have started the project and Council should start to see improvements in the next month or so.

Mr. Winckowski will send a report to Council on the 5th Street Pump Station. If NJEIT funding is used, then plans have to be submitted by January of 2015. The initial letter of intent is usually due by September.

Mr. Schwartz brought up grass cutting along the bank of the Rancocas Creek. The Township suspended cutting the grass in the hope of stopping some of the erosion. Mr. Schwartz asked is there any real engineering reason that is true. Mr. Winckowski stated as long as you do not cut

the grass too short it should not matter. The root system keeps it from eroding not the length of the grass. Mr. Schwartz then asked "should we cut the grass on the street side of the berm?" Mr. Schwartz stated that in his opinion it should be cut. Mr. Hatcher will reach out to Superintendent of PW Jerry DeSanto to cut crown to curb. Crown to the water cannot be cut.

Ms. Pangia - Ms. Pangia reported that the Green Team has asked about doing Community Park cleanups. The Green Team has decided not to do park cleanups until next year. Do we want to go back to the Green and say we want these projects done this year? Mr. Catrambone stated that Green Team has a job to do and if these park cleanups give us points, then the Green Team needs to provide us with levels of sustainability. Ms. Pangia said it does give us points for park cleanup. Ms. Pangia asked if we want to talk about park cleanups and Mr. Catrambone said that Boy Scouts are always looking for projects. Mr. Hatcher said that we have done this before and we provide gloves, trash bags, etc. and we have to bring in a PW employee to provide supervision. Mr. Catrambone said we should reach out to the Green Team again and if they are not willing then have PW spearhead a cleanup day with the Clean Communities grant.

It was also discussed that about four members are not part of the Green Team anymore. Council and or the Mayor needs to reappoint replacements. Ms. Pangia will reach out and revisit the cleanup and how many members they are short. Mr. Hatcher stated that if a cleanup is done in the fall, it has to be done before the leaves come down.

Ms. Pangia further reported that she had a conference call with the County about Creek Road and was told if Delran wants to do something about the speeding we can invest in an automated flashing sign or something to that effect. Ms. Pangia is going to go out with a police officer and try to check into the speeding.

Ms. Pangia said she is concerned about car washes held at the Firestone parking lot. It is private property and Firestone must be giving them permission; however, it is dangerous. Mr. Hatcher said that since a different group is coming each week that maybe the word has to be given to Firestone that what is being done is dangerous.

Ms. Pangia reported that she is concerned about the new piece of equipment at Conrow Park that you grab onto and it spins. Ms. Pangia feels that the bar is too high for most kids to reach. Mr. Hatcher will check into this piece of equipment. Mr. Hatcher also said that the water fountain at the park will be removed because it is broken. We replaced it many times but it keeps getting broken.

Mr. Schwartz - Mr. Schwartz stated that the police overtime did not make the agenda and he was disappointed. Mr. Catrambone asked Mr. Schwartz for specifics. Mr. Schwartz stated he want to have Council set a policy to not only pay the grant rate but to pay the officer the difference between the grant rate and their overtime rate. Mr. Hatcher said that a number of grants pay \$50 an hour to the officer and the officers do not want to work overtime for \$50 an hour. The Township did not want to make up the difference that the State pays to the police department. There is only one town in the County that exceeds the \$50 an hour. Mr.

Catrambone asked Mr. Schwartz if he wants to set the policy that the Township pay the difference. Mr. Schwartz feels that the Township should make up the difference in pay. Mr. Schwartz would like it to come to a vote at the next work session.

Mr. Catrambone - Mr. Catrambone reported that the Zoning Board is down two members. Two alternate members need to be replaced.

Mayor - Mayor Paris has the Freeholder's budget if anyone wants to see it. The Mayor had the liaison from the Governor's office Carolyn Potter come to Delran and the Mayor showed her the condition of Hartford Road and also took her to Community Park and the river.

Mr. Winckowski is going to send Mr. Hatcher an e-mail about the TAR property and then send it off to Ms. Potter to see if she can help us with this problem.

There is a family in Ashley Crossing that stated they have a hard time coming out onto Hartford Road. They asked if there could be a three-way stop sign. Mr. Winckowski said that it is highly unlikely that this can be done.

Mr. Hatcher reported that a civil service list came out for a police officer to replace Officer Hubbs and they have made a selection; however, there is not a spot in the police academy to send him. Burlington County does not have a police academy. The Mayor said he will get in touch with someone from Camden County.

A motion was made by Mr. Schwartz to open the meeting to the public. The motion was seconded by Ms. Pangia. There was no one from the public so Ms. Pangia made a motion to come out of the public session which was seconded by Mr. Schwartz. All were in favor.

Mr. Schwartz made a motion to adjourn at 9:30 pm. Ms. Pangia seconded the motion and all were in favor.

Respectfully submitted,

Adele Meiluta

