

**REGULAR TOWNSHIP MEETING
MUNICIPAL BUILDING**

**July 24, 2012
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 December 23, 2011 and posted on the bulletin board on the same date.

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

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

Mayor and Council presented Frank DiLuzio with a plaque and proclamation for his many years of service to the Delran Recreation Advisory Committee. The Delran Soccer Club also presented Frank DiLuzio with a plaque.

Mr. Morrow made a motion seconded by Ms. Pomeranz to approve the minutes for June 6, 2012, June 20, 2012, June 26, 2012 and July 11, 2012.

There being no questions, the roll was called.

Mr. Schwartz, Ms. Pomeranz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

ORDINANCE ON SECOND READING

TOWNSHIP OF DELRAN, NEW JERSEY

ORDINANCE 2012-6

**AN ORDINANCE OF THE TOWNSHIP OF
DELRAN, COUNTY OF BURLINGTON, NEW
JERSEY, APPROPRIATING \$30,000 FROM THE
TOWNSHIP OPEN SPACE FUND FOR THE
UNDERTAKING OF RECREATIONAL
IMPROVEMENTS TO THE LEON STREET FIELDS**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. There is hereby appropriated the sum of \$30,000 from the Open Space Fund of the Township for the undertaking of certain recreational improvements to the Leon Street Fields including, but not limited to, installation of fencing and backstops and the undertaking of other field improvements, in an amount equal thereto.

Section 2. It is hereby determined and stated that the improvements set forth in Section 1 are general capital improvements and not a current expense.

Section 3. The capital budget is hereby amended to conform with the provisions of this 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 Municipal Clerk and available for inspection.

Section 4. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect after final adoption and publication as required by law.

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

There were no comments.

Mr. Schwartz made a motion to close the public portion, seconded by Ms. Pomeranz. All were in favor, motion approved.

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

There being no question, the roll was called.

Mr. Schwartz, Ms. Pomeranz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

ORDINANCES ON FIRST READING

**TOWNSHIP OF DELRAN, NEW JERSEY
ORDINANCE 2012-7**

**AN ORDINANCE REVISING CHAPTER 89-2 FOR PURPOSES OF
RECOGNIZING THE ADMINISTRATIVE AND MANAGEMENT COSTS
INCURRED BY THE TOWNSHIP OF DELRAN TO ENSURE THE
PROTECTION OF PROPERTY; CLEARING OF WEEDS, HIGH GRASS,
LEAVES AND RUBBISH ON COMMERCIAL AND RESIDENTIAL
PROPERTIES WITHIN THE TOWNSHIP**

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

There being no question, the roll was called.

Mr. Schwartz, Ms. Pomeranz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

RESOLUTIONS ON CONSENT AGENDA

Resolution 2012-86 Releasing Planning Board Escrows

Resolution 2012-87 Releasing Zoning Board Escrows

Resolution 2012-88 Refunding Duplicate Tax Overpayment

Resolution 2012-89 Removing lien placed on property at 4209 Bridgeboro Road for grass cutting

Resolution 2012-90 Refunding inspection escrow to NJ American Water Company

Resolution 2012-91 Permitting Tenby Chase Swim Club to use bleachers owned by the Township

Mr. Morrow made a motion, seconded by Mr. Schwartz to adopt the resolutions.

There being no questions, the roll was called.

Mr. Schwartz, Ms. Pomeranz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

RESOLUTION 2012-92 Certification of the 2011 Annual Audit

Mr. Morrow made a motion, seconded by Mr. Schwartz to adopt the resolution.

There being no questions, the roll was called.

Mr. Schwartz, Ms. Pomeranz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

RESOLUTION 2012-93 Approving the Corrective Action Plan for the 2011 Annual Audit

Ms. Pomeranz made a motion, seconded by Mr. Morrow to adopt the resolution.

There being no questions, the roll was called.

Mr. Schwartz, Ms. Pomeranz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

MOTIONS

Mr. Schwartz made a motion authorizing Sockler Reality Services to perform an appraisal of Block 46, Lot 9, 5011-5033 Route 130 South in the amount of \$7,500.00. The motion was seconded by Ms. Pomeranz.

There being no questions, the roll was called.

Mr. Schwartz, Ms. Pomeranz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

Mr. Morrow made a motion to appoint the following member to the Planning Board.

Robert Porreca as a Class IV member for a term to expire 12/31/2015
Cyndi Rovinsky as a Class IV member for a term to expire 12/31/2015

The motion was seconded by Ms. Pomeranz

There being no questions, the roll was called.

Mr. Schwartz, Ms. Pomeranz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

Ms. Pomeranz made a motion confirming the following previously approved hardship waivers:

123 Natalie Road
211 Wildflower Place
125 Natalie Road
52 Foxglove Drive
85 Foxglove Drive
177 Natalie Road

The motion was seconded by Mr. Morrow.

There being no questions, the roll was called.

Mr. Schwartz, Ms. Pomeranz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

Ms. Pomeranz made a motion approving the following hardship waivers:

211 Lawrence Lane
224 Lawrence Lane
325 Natalie Road

The motion was seconded by Mr. Schwartz.

There being no questions, the roll was called.

Mr. Schwartz, Ms. Pomeranz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

Ms. Pomeranz made a motion, seconded by Mr. Morrow, authorizing the Engineer to move forward with the design and plans for the Sewer Plant upgrades.

There being no questions, the roll was called.

Mr. Schwartz, Ms. Pomeranz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

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

There being no questions, the roll was called.

Mr. Schwartz, Ms. Pomeranz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

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

There being no questions, the roll was called.

Mr. Schwartz, Ms. Pomeranz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

Ms. Pomeranz made a motion granting the mercantile licenses listed below. The motion was seconded by Mr. Schwartz.

1. POPO Motors, 207A-1 Carriage Lane
2. Optimal Energy, 1812 Underwood Blvd., Unit 7

There being no questions, the roll was called.

Mr. Schwartz, Ms. Pomeranz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

REPORTS

Mr. Hatcher – No report.

Mr. Coluzzi – No report.

Mr. Bauer – Jim Bauer, Fire Commissioner reported that the fire calls have declined in the month of July. On the other hand, the EMS calls have increased.

Mr. Schwartz – Mr. Schwartz reported that he has received inquiries from residents of Riverside Park regarding the flooding issues. In addition to the grant applications that are pending, he has been working with Assemblyman Singleton and his office to meet with the head of the NJ Department of Environmental Protection. There has not been a date scheduled. At the August work session, the Engineer will be providing a cost estimate for the repairs to the valves at the end of Stewart Avenue.

Mr. Schwartz stated that there will also be a meeting with Assemblyman Singleton, NJ Transit and the surrounding communities to discuss the concerns on the River Line. If any resident has any information about the security along the River Line, he asked that they send it to him as soon as possible.

Mr. Schwartz stated that two Sundays ago he had the privilege of representing Council at a candlelight walk for a family in Riverside Park that lost their dog. He stated that it was an inspiration to see all the residents that attended the walk.

Mr. Morrow – Mr. Morrow stated that this town was very fortunate to have a resident like Frank DiLuzio. He has sacrificed his time and his family's time to touch the many lives of the children and families in this community.

Mr. Morrow reported that our capital improvement program for road repair and storm drainage repair will begin shortly.

Ms. Pomeranz – Ms. Pomeranz stated that her son has been through the sports program in this community and Mr. DiLuzio has been involved for many years. He has done a great job.

Ms. Pomeranz reported that at the last meeting a resident brought up an issue with the C271 form and she wanted to make it clear what those forms were. She

stated that business entities that are awarded contracts that are not fair and open are required to complete those forms. She stated that we award all contracts under a fair and open process and wanted to assure everyone that things are being done properly.

Ms. Pomeranz asked that when Mr. Schwartz schedules the meeting with Assemblyman Singleton regarding the flooding Riverside Park that she be notified so she can attend.

Mr. Catrambone – Mr. Catrambone stated that resident involvement in this community makes a difference. A small group of residents came to Council with a plan for the improvements to Leon Avenue Field. Tonight, we adopted an ordinance appropriating funds for those improvements. The residents also got together and held a fundraiser that brought in an additional \$5,000.

The residents of Roland Street are very happy that the work has begun for the road improvements. We will also begin shortly on the improvements to the intersection of Hartford and Conrow Road.

Mr. Catrambone reported that a resident will be heading a “Drive Like Your Kids Live Here” campaign for the first week in September. This is a national campaign and if anyone is interested, we have the information available.

Mr. Paris – Mr. Paris reported that we have three events coming up in the Township. This Friday, we will be breaking ground on the Myers Tract Recreational Improvements. The ceremony will take place at 1:00 P.M.

The next event is Delran Day, which takes place in September. We are looking for volunteers for the event and if anyone is interested, they can contact the Township.

The Fire Department will be holding their 3rd Annual 5K Run/Walk on September 9, 2012. Registration to participate is now available.

PUBLIC PORTION

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

Bill Pfeffer, 43 N. Chester Avenue, stated that it has been fourteen months since the major floods along the river. He stated that in reviewing the minutes he has found twenty-three references to the flooding and nothing has been put into action to address the concerns. There is still a potential for more damaging floods. It was not until January that the Army Corps of Engineers was contacted resulting in their recommendations. The recommendations address both long term and short term solutions. The short term solution recommended by the Army Corps is to raise the berm along River Drive where necessary and to repair the flapper valves that empty into the creek. At the last meeting, he asked

Council what their plan was and the response was they are looking for grant funds. In the meantime, we are bonding for roads, the purchase of land and improvements to Leon Avenue Field, totaling several million dollars. None of these projects even come close to the impending threat of another major flood. The health, safety and welfare of the residents should be paramount and supersede any projects that Council has on their list at this time. He hopes that Council has not turned their back on the residents in Riverside Park. He asked that Council give their best answer as to why nothing has been done to help these residents.

Mr. Catrambone reported that the Engineer, at the last work session, reported to Council that there would be a cost savings if we did replace both the valve at Swedes Lake and at the end of Stewart Avenue together. Council agreed that they wanted to move forward with this and the Engineer will be providing the cost estimates at the next work session. This would be the first step to help the flooding issues. We will need to work with the DEP to receive permits for the projects.

Mr. Pfeffer stated that it has been fourteen months and we are just asking the Engineer to look at the issues. We are entering hurricane season and these homes are in jeopardy.

Mr. Catrambone stated that we have been working on this since the meeting with Army Corps of Engineers. We have repaired a collapsed drain on Stewart Avenue.

Mr. Pfeffer stated that this Council needs to take immediate action to fix the flapper valve at the end of Stewart Avenue and Alden Avenue.

Mr. Catrambone stated that Council was assured that the one at the end of Alden Avenue was working but they will look at this.

Mr. Morrow stated that this issue has been going on for years. This valve has been broken for twenty years. The banks have been eroding for forty years. Unfortunately, a project like this takes a lot of time but we are moving as quickly as we can.

Mr. Pfeffer stated that the berm has been raised several years ago.

Mr. Paris stated that when the Army Corps came out we had already applied for grants. We are trying to do everything we can to get funding for this project.

Ms. Pomeranz stated that no one ever reached out to the Army Corps of Engineers; we just kept telling the residents that we would. When she was elected, she contacted them and they scheduled a meeting. When they issued the report, we never even discussed it.

Mr. Catrambone stated that the result is that the Army Corps of Engineers recommended that we apply for grants, which we already did. They also recommended that we undertake a multi-million dollar project to build up the banks and replace the flapper valves. We have initiated the replacement of the flapper valves but nothing moves quickly. Mr. Catrambone recommended that the residents attend the next work session so that the Engineer can address the concerns.

Mr. Pfeffer stated that two additional storm drains were installed at Lake and Alden Avenue. They run to another storm drain that goes nowhere. He feels that someone needs to check into this.

Mr. Hatcher stated that was the only relief we had. The water used to drain into a lake in the backyard of a residential property. The Township never obtained permission and the property owner requested that we disconnect the pipe. According to the Engineer, this was the only option.

Mr. Pfeffer asked exactly what grants we are applying for to address the flooding.

Mr. Hatcher stated that the Shore Protection Grant is the main one.

Mr. Pfeffer stated that the pipes leading to the valves are also in disrepair.

Mr. Catrambone stated that we have asked the Engineer for a report.

Ms. Pomeranz asked Mr. Pfeffer to attend the next work session to provide the information that he has regarding the flooding.

Mr. Schwartz reported that there will be a meeting with the DEP to address these issues within the next few weeks.

Mr. Pfeffer stated that he does not understand why we waited until now to get things done instead of the day after the floods last April.

Mr. Pfeffer stated that he noticed that Mr. Catrambone, Mr. Morrow and Mayor Paris all serve on the Planning Board.

Mr. Catrambone stated that Mr. Morrow is the Mayor's designee on the Planning Board. Normally, it would be himself and Mr. Morrow that normally attend the meeting.

Mr. Pfeffer stated that also Mr. DeSanto, Public Works Supervisor, also serves on the Planning Board.

Mr. Catrambone stated that he no longer serves but the position requires that it be a Township Official.

Mr. Pfeffer asked the total project cost for Roland Street.

Mr. Hatcher stated that it is approximately \$74,000.

Mr. Pfeffer stated that it appears the bond ordinance is for higher than the project.

Mr. Hatcher stated that it is a reimbursement grant and we will not bond the amount we receive through the grant.

Don McCabe, Faunce Street, read a portion of the letter that Mayor and Council received from the Army Corps of Engineers regarding the flooding. The letter suggests that the berm be raised and the outfall valves be replaced. Mr. McCabe stated that the letter suggests we may never receive funding for this project but it does state that we may be reimbursed. He suggested that we review the letter to see if we can be reimbursed. Mr. McCabe stated that we should use the five million dollars that we have in surplus to fix this issue.

Mr. Catrambone stated that we will review the report.

Mr. Hatcher stated that we do not have five million dollars in surplus. Approximately \$2,700,000 was used in the budget to help stabilize taxes.

Mr. McCabe asked if we use the mulch that is outside in the parking lot for our playgrounds.

Mr. Hatcher stated that we do not because it does not meet the safety standards required. We use it for landscaping and also provide it to the residents.

Mr. McCabe asked if Council looked at whether the police uniforms are made in the USA.

Mr. Catrambone stated that he will look into this and let him know.

Mr. McCabe asked if they have given any consideration to providing the Historical Society with funding through the Open Space fund.

Mr. Catrambone stated that we have talked about it and if the Historical Society approaches Council with a plan, they will review it.

Mr. McCabe requested that Council consider setting aside some of the funds in Open Space for the Historical Society.

Mr. McCabe stated that the land on Fairview Street that was preserved as open space by the Township was landlocked and they would not have been able to build homes on the property.

Mr. Morrow stated that the developer had obtained approvals and they were putting in a road.

Charles Gilbert, 75 Stewart Avenue, stated that when the water entered his house last April, there was no rain. Something is not working. When the water is bubbling under the streets, it does damage to the asphalt. The water is contaminated and we have children playing in it. There are health issues and it has to be addressed now. In October, there was another flood and water was rushing down the street when there was no rain. He had three feet of water in his basement. The foundations can not take it any more. He stated that when these houses collapse, the Township will end up buying them.

Mr. Catrambone stated that there are so many roadblocks with a project like this. We are going to start with fixing the valve.

Mr. Gilbert stated that the creek has not been dredged in over forty years.

Mr. Morrow stated that they are not doing any studies on the creek for dredging.

Mr. Gilbert stated that when the next flood comes they will be under water again and the basement walls can not take it anymore.

Richard Grockenberger, 84 Alden Avenue, addressed his concerns in regards to the smell from the Sewer Plant and the flooding. He stated that the flapper valve at the end of Norman Avenue is a concern. A few weeks ago, there was an article in the paper that NJ is sinking. The area will continue to flood and they really need some help.

Anthony Ogozalek, 401 Main Street, stated that the Attorney needs to be read his rice rights.

Mr. Ogozalek asked how many properties back up to the Fairview property that the Township purchased.

Mr. Morrow stated forty-five homes.

Mr. Ogozalek stated that the acquisition of this property has been discussed for a long time. He asked Mr. Morrow if his property backs up Fairview property and whether he had a sign on his property against the development of the ground.

Mr. Morrow stated yes his property does back up to the Fairview property and he had a sign on his lawn against the development. He also went along with many residents to the County to fight against this development.

Mr. Ogozalek stated that in his opinion he used his office to acquire this piece of ground.

Mr. Paris stated that when he first ran for Council, he met Mr. Morrow, who was a resident at the time, and along with many of the residents in the area, he had concerns over the development of this property. He recommended that Mr.

Morrow get involved because he cared and had passion for his community. Mr. Morrow addressed these issues before he was on Council.

Mr. Ogozalek asked how the sewer department operates, like if someone wants to appeal their bill.

Mr. Catrambone stated that would be handled at the work session.

Mr. Ogozalek stated that the sewer plant is not in need of the improvements that were approved tonight; he feels that Council is just spending money.

Mr. Ogozalek stated that the police uniforms are purchased in Maple Shade and are made in the USA.

Nicholas Retzko, 68 Alden Avenue, stated that fixing the valve will not solve the problems. If the valves are closed, the water will come out of the street. When there is development in town all that water empties into Riverside Park. There is also leakage in the sanitary sewer system. We have sewer water flooding the streets and the basements. It is time for some action to take place. The water is not draining off the streets even when the tide goes down.

Mr. Retzko asked why we pay \$900 per month to store a jetter truck at Riverside Marina. That is \$10,800.00 per year.

Mr. Hatcher stated that the jetter needs to be stored in a heated garage during the winter. This agreement has been in place for many years.

Mr. Retzko questioned why we are paying this in the summer while the truck is parked at the Sewerage Plant.

Mr. Catrambone stated that they will look into this issue.

Mr. Catrambone stated that Council was under the impression that if we fixed the valve we would solve some of the issues. Now, Mr. Retzko is stating that fixing the valves will not fix the problem. Mr. Catrambone asked that he attend the next work session or write a letter with his concerns.

Carol Lipinski, 48 Alden Avenue, stated that the problem with the pipes draining into the creek is that they are too low. Fixing the flapper valve will stop the water from coming in when it is high tide and there is not rain. The problem is that when it rains and it is high tide the valve will close and therefore water can not get out. We need another remedy to fix that issue.

Charles Gilbert, 75 Stewart Avenue, stated that three people on Alden Avenue have been abandoned their homes. That will continue to happen if we do not fix this problem. Mr. Gilbert stated that he lost over \$30,000 worth of stuff in his basement and was only reimbursed \$15,000 from the flood insurance. They

were also infested with fleas when sand washed in during the last flood. The residents want to see results; they are getting tired of the empty promises.

Mr. Catrambone stated that when he ran four years ago along with the Mayor they wanted to stabilize taxes. It took four years to accomplish that. He recommended that the residents attend the meetings where we spend many hours addressing these issues.

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

Mr. Hatcher reported that the tax bills will be late. The County just introduced their budget last week. It will most likely be a month late and the residents can check the website for updates.

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

Submitted,

Jamey Eggers
Municipal Clerk