



TOWNSHIP OF DELRAN

WORK SESSION

AUGUST 22, 2023 | 7:00 PM

I. Call to Order

II. 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.

III. Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, Mr. Burrell

IV. Work Session

a. Update on the 2023 Road Improvement Project

V. Ordinance(s) on Second Reading

a. **Ordinance 2023-14** Bond Ordinance Authorizing the Completion of Sewer Utility Improvements (Creek Road Sewer Line Extension) 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 \$1,000,000; Making Certain Determinations and Covenants; and Authorizing Certain Related Actions in Connection with the Foregoing

i. PUBLIC HEARING

Moved By _____ Seconded By _____

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

Ayes:

Nays:

Approved:

VI. Ordinance(s) on First Reading

a. **Ordinance 2023-18** Ordinance of the Township of Delran, County of Burlington, State of New Jersey, Establishing in Chapter 303 Stormwater Management, New Article IX "Privately-Owned Salt Storage" of the Municipal Code of the Township of Delran

VII. Consent Agenda

- a. **Resolution 2023-127** Approving Raffle License #632 & 633 for Riverside Rams Booster Club
- b. **Resolution 2023-128** Refunding Outside Employment Escrow
- c. **Resolution 2023-129** Authorizing the Purchase of Idemia Livescan System and Printer
- d. **Resolution 2023-130** Authorizing the Purchase of Two (2) 2023 Ford F250 Pick Up Trucks T2100
- e. **Resolution 2023-131** Extending Municipal Support for Zacate, LLC to Receive One (1) Class 5 Cannabis Retailer License From the New Jersey Cannabis Regulatory Commission to Operate Within the Township of Delran, Subject to Township Land Use Approvals and Other Legal Requirements
- f. **Resolution 2023-132** Authorizing Execution of an Agreement with Burlington County Board of County Commissioners to Provide for the Reimbursement of \$918,466 for the Cost of Extending a Sewer Line to Rainbow Meadow Park
- g. Approval of Minutes: June 27, 2023 Work Session Meeting and July 11, 2023 Public Meeting
- h. Authorizing the Payment of Bills including all purchases made under the Cooperative Purchasing Agreement
- i. A motion granting a mercantile license to:
 - Top Pot Korean BBQ and Hot Pot, 1311 E Fairview Blvd.

Moved By _____ Seconded By _____

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

Ayes:

Nays:

Approved:

VIII. Reports

- a.** Township Administrator – Joseph B. Bellina
- b.** Clerk – Jamey Eggers
- c.** Mayor - Gary Catrambone
- d.** Solicitor – Mark A. Tabakin, Esq.
- e.** Engineer – Ed D’Armiento, CME Associates
- f.** Council Members

IX. Public Comments

X. Adjournment

TOWNSHIP OF DELRAN, NEW JERSEY

ORDINANCE 2023-14

BOND ORDINANCE AUTHORIZING THE COMPLETION OF SEWER UTILITY IMPROVEMENTS (CREEK ROAD SEWER LINE EXTENSION) 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 \$1,000,000; 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 \$1,000,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$1,000,000.

Section 3. The sum of \$1,000,000, to be raised by the issuance of bonds or bond anticipation notes, is 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 \$1,000,000 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 \$1,000,000 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 \$200,000.

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. | Creek Road sewer line extension to Rainbow Meadow Park and related improvements, together with the completion of all work necessary therefor or related thereto | \$1,000,000 | \$0 | \$1,000,000 | 30 years |

Section 8. The average period of useful life of the purpose 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 purpose, is not less than 30 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 \$1,000,000 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.

Date of Introduction: July 25, 2023

Date of Final Adoption: _____, 2023

**TOWNSHIP OF DELRAN
BURLINGTON, NEW JERSEY**

ORDINANCE 2023-18

**ORDINANCE OF THE TOWNSHIP OF DELRAN, COUNTY OF
BURLINGTON, STATE OF NEW JERSEY, ESTABLISHING IN CHAPTER
303 STORMWATER MANAGEMENT, NEW ARTICLE IX “PRIVATELY-
OWNED SALT STORAGE” OF THE MUNICIPAL CODE OF THE
TOWNSHIP OF DELRAN**

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Township of Delran, County of Burlington, State of New Jersey, that:

SECTION I. Chapter 303 Stormwater Management, of the Code of the Township of Delran is hereby supplemented and amended to create a New Article IX, “Privately-Owned Salt Storage”, to read as follows:

§ 303-40. Purpose.

The purpose of this article is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This article establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in Township of Delran to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 303-41. Definitions.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

DE-ICING MATERIALS

Any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

IMPERVIOUS SURFACE

A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

STORM DRAIN INLET

The point of entry into the storm sewer system.

PERMANENT STRUCTURE

Means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
3. The structure shall be erected on an impermeable slab;
4. The structure cannot be open sided; and
5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

RESIDENT

A person who resides on a residential property where de-icing material is stored.

§ 303-42. Deicing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
 - (1) Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 - (2) Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 - (3) Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;

(4) Loose materials shall be covered as follows:

- a) The cover shall be waterproof, impermeable, and flexible;
- b) The cover shall extend to the base of the pile(s);
- c) The cover shall be free from holes or tears;
- d) The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
- e) Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 1. Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;

(5) Containers must be sealed when not in use; and

(6) The site shall be free of all de-icing materials between April 16th and October 14th.

- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.
- C. All such temporary and/or permanent structures must also comply with all other local ordinances, including but not limited to Chapter 100 Buildings, Chapter 118 Construction Code, and Chapter 355 Zoning regulations.
- D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.

(1) Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

§ 303-43. Exemptions.

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials

from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in § 303-42 above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This article does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

§ 303-44. Enforcement.

This article shall be enforced by Delran Township Police Department and the Delran Township Code Enforcement Official, who shall both have the ability to file complaints under this article during the course of ordinary enforcement duties.

§ 303-45. Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as follows: **[insert penalty schedule]**.

SECTION II. Severability. Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION III. Effective Date. This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Vote taken on First Reading and Introduction:

| Council Member | Aye | Nay | Abstain | Recuse | Absent |
|----------------|-----|-----|---------|--------|--------|
| Apeadu | | | | | |
| Burrell | | | | | |
| Lyon | | | | | |
| Jeney | | | | | |
| Smith | | | | | |

Vote taken on Second Reading, Public Hearing and Adoption:

| Council Member | Aye | Nay | Abstain | Recuse | Absent |
|----------------|-----|-----|---------|--------|--------|
| Apeadu | | | | | |
| Burrell | | | | | |
| Lyon | | | | | |
| Jeney | | | | | |
| Smith | | | | | |

Introduced _____, 2023
Adopted _____, 2023
Published _____, 2023

SO ORDAINED.

Witnessed and attested by:

TOWNSHIP OF DELRAN

Jamey Eggers, Township Clerk

Mayor Gary Catrambone

Date Signed _____, 2023

CERTIFICATION

I HEREBY CERTIFY the foregoing to be a true copy of the Ordinance adopted by the Council of the Township of Delran at a duly noticed regular meeting held on _____, 2023, after a public hearing was held and all interested persons were given an opportunity to be heard on this ordinance.

Jamey Eggers, Township Clerk
Township of Delran

**TOWNSHIP OF DELRAN
RESOLUTION 2023-127**

**APPROVING RAFFLE LICENSE #632 & 633
FOR RIVERSIDE RAMS BOOSTER CLUB**

BE IT RESOLVED that the application for raffle license pursuant to the Legalized Games of Chance Act of the State of New Jersey set forth below is hereby approved.

Raffle License 632 & 633
Riverside Rams Booster Club

| Council Member | Yes | No | Abstain | Recuse | Absent |
|---------------------------|-----|----|---------|--------|--------|
| Apeadu | | | | | |
| Smith | | | | | |
| Jeney | | | | | |
| Lyon | | | | | |
| Council President Burrell | | | | | |

Dated: August 22, 2023

Witnessed by:

**Jamey Eggers, Township Clerk
Township of Delran**

**SO RESOLVED.
TOWNSHIP OF DELRAN**

Council President Tyler Burrell

Date signed: August _____, 2023

**TOWNSHIP OF DELRAN
RESOLUTION 2023-128**

REFUNDING OUTSIDE EMPLOYMENT ESCROW

WHEREAS, the Township requires escrow funds to be submitted for Police Outside Employment; and

WHEREAS, the Chief Financial Officer has determined that certain balances are no longer necessary.

NOW, THEREFORE, BE IT RESOLVED that the escrow funds, as stated below, be refunded and a signed copy of the resolution forwarded to be Chief Financial Officer.

| Name and Address | File # | Amount |
|--|---------------|---------------|
| Henkels & McCoy 985 Jolly Road Blue Bell, PA 19422 | PD16-05 | \$55.00 |

| Council Member | Yes | No | Abstain | Recuse | Absent |
|---------------------------|-----|----|---------|--------|--------|
| Apeadu | | | | | |
| Smith | | | | | |
| Jeney | | | | | |
| Lyon | | | | | |
| Council President Burrell | | | | | |

Dated: August 22, 2023

SO RESOLVED.

Witnessed by:

TOWNSHIP OF DELRAN

**Jamey Eggers, Township Clerk
Township of Delran**

Council President

Date signed: August ____, 2023

**TOWNSHIP OF DELRAN
RESOLUTION 2023-129**

**RESOLUTION AUTHORIZING THE PURCHASE OF
IDEMIA LIVESCAN SYSTEM AND PRINTER**

WHEREAS, the Township of Delran desires to purchase items as follows through State Contract:

VENDOR: Idemia Identity & Security USA LLC
11951 Freedom Drive, Suite 1800
Reston, VA 20190

VENDOR #: V00001446

ITEMS: IDEMIA LiveScan System and Printer

TOTAL COST: \$ 22,953.00

WHEREAS, the Chief Financial Officer has certified in writing that the funds are available.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Delran does herby authorizes the purchase of the specified items under State Contract.

| Council Member | Yes | No | Abstain | Recuse | Absent |
|---------------------------|-----|----|---------|--------|--------|
| Apeadu | | | | | |
| Smith | | | | | |
| Jeney | | | | | |
| Lyon | | | | | |
| Council President Burrell | | | | | |

Dated: August 22, 2023

Witnessed by:

**SO RESOLVED.
TOWNSHIP OF DELRAN**

**Jamey Eggers, Township Clerk
Township of Delran**

Council President Tyler Burrell

Date signed: August ____, 2023

**TOWNSHIP OF DELRAN
RESOLUTION 2023-130**

**RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2)
2023 FORD F250 PICK UP TRUCKS T2100**

WHEREAS, the Township of Delran desires to purchase the following items through NJ State Contract:

VENDOR: Chas S. Winner Ford
d/b/a Winner Ford
250 Haddonfield-Berlin Road
Cherry Hill, NJ 08034

VENDOR #: A88726

ITEMS: Two (2) 2023 Ford F250 Pickup Trucks

TOTAL COST: \$112,726.00

WHEREAS, the Chief Financial Officer has certified in writing that the funds are available.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Delran does hereby authorizes the purchase of the specified items under State Contract.

| Council Member | Yes | No | Abstain | Recuse | Absent |
|---------------------------|-----|----|---------|--------|--------|
| Apeadu | | | | | |
| Smith | | | | | |
| Jeney | | | | | |
| Lyon | | | | | |
| Council President Burrell | | | | | |

Dated: August 22, 2023

Witnessed by:

**SO RESOLVED.
TOWNSHIP OF DELRAN**

**Jamey Eggers, Township Clerk
Township of Delran**

Council President Tyler Burrell

Date signed: August ____, 2023

**TOWNSHIP OF DELRAN
RESOLUTION 2023-131**

**RESOLUTION EXTENDING MUNICIPAL SUPPORT FOR ZACATE, LLC TO RECEIVE ONE (1)
CLASS 5 CANNABIS RETAILER LICENSE FROM THE NEW JERSEY CANNABIS REGULATORY
COMMISSION TO OPERATE WITHIN THE TOWNSHIP OF DELRAN, SUBJECT TO TOWNSHIP
LAND USE APPROVALS AND OTHER LEGAL REQUIREMENTS**

WHEREAS, in 2020, New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c.16 (*N.J.S. 24:6I-31*, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (“CREAMM”) (the “Act”), which legalizes the recreational use of marijuana by adults who are 21 years of age or older and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act authorizes municipalities to adopt ordinances and regulations governing the number of cannabis establishments allowed to operate within their boundaries, as well as the location, manner and times of operations of such establishments; and

WHEREAS, on November 22, 2021, the Township Council of the Township of Delran adopted Ordinance 2021-13 which established up to four (4) Class 5 Cannabis Retail licenses for cannabis establishments to operate within the Township; and

WHEREAS, Township Ordinance 2021-13 establishes land use and development regulations for the locations and operations of (among other things) Class 5 Cannabis Retailer licenses, including zone district limitations and specific requirements for business location, lot size, building size, building structure, buffering, signage, allocation of building use, site plan approval, product consumption and odor control; and

WHEREAS, the Township has received inquiries from prospective licensees regarding the process for obtaining municipal support for Class 5 Cannabis Retailer establishments to operate within the Township and in response, the Township has requested that it be provided with sufficient information that would allow it to perform due diligence relative to evaluating a prospective licensee’s potential ability to successfully, effectively and safely operate a retail cannabis dispensary within the Township; and

WHEREAS, in particular, a prospective licensee entity known as Raddle, LLC with a business location and mailing address of 5 Greentree Center, 525 Route 73N, Suite 103, Marlton, NJ 08053, had previously submitted sufficient materials such that the Township adopted Resolution 2022-98 on May 24, 2022, expressing municipal support for Raddle, LLC as set forth therein; and

WHEREAS, Raddle, LLC has changed its corporate entity name to Zacate, LLC (the “Retail Cannabis Applicant”) and the Township by Resolution 2022- 217 adopted December 13, 2022 acknowledged the corporate name change and transferred its approval from Raddle LLC to the Retail Cannabis Applicant, which entity has a business location and mailing address of 5 Greentree Center, 525 Route 73N, Suite 103, Marlton, NJ 08053; and

WHEREAS, The Township’s Resolution provided that municipal support could be extended past July 1, 2023 if the Retail Cannabis Applicant made a request for renewal to the Township and provided proofs that it is diligently seeking retail licensure from the State of New Jersey and has provided sufficient information to support the Township Council’s renewal through a duly adopted Resolution; and

WHEREAS, the Retail Cannabis Applicant has made a request for an extension by correspondence dated May 22, 2023, and also provided additional information to support an extension of the municipal support resolution.

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

1. The above recitals are hereby incorporated as if restated herein in full;
2. The Township finds that Zacate, LLC, the Retail Cannabis Applicant, has presented the Township with sufficient information to provide for an extension of its municipal support, and that municipal support shall be extended, *nunc pro tunc*, and will expire on December 31, 2023 unless Zacate, LLC has:
 - a. Made a request for renewal to the Township, is diligently seeking retail licensure from the State of New Jersey and has provided sufficient information to support the Township Council’s renewal through a duly adopted Resolution; or,
 - b. Has completed the State licensure process in toto for the purpose of operating a retail cannabis business in Delran Township, has obtained and provided the duly issued State license to the Township and has begun the process of obtaining land use approvals from the Township;
3. All other conditions and terms of Resolution 2022-217 remain in full force and effect and are incorporated herein as if restated in full;
4. A certified copy of this Resolution shall be provided to Zacate, LLC; and
5. This Resolution shall take effect immediately.

| Council Member | Aye | Nay | Abstain | Recuse | Absent |
|----------------|-----|-----|---------|--------|--------|
| Smith | | | | | |
| Jeney | | | | | |
| Apeadu | | | | | |
| Lyon | | | | | |
| Burrell | | | | | |

Witnessed by:

**SO RESOLVED.
TOWNSHIP OF DELRAN**

**Jamey Eggers, Township Clerk
Township of Delran**

**Council President Tyler J. Burrell
Date Signed: August _____, 2023**

I certify that the above is a true copy of the resolution adopted by the Township Council of the Township of Delran, Burlington County, New Jersey on August _____, 2023.

**Jamey Eggers, Township Clerk
Township of Delran**

**TOWNSHIP OF DELRAN
RESOLUTION 2023-132**

**RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH BURLINGTON COUNTY
BOARD OF COUNTY COMMISSIONERS TO PROVIDE FOR THE REIMBURSEMENT OF \$918,466
FOR THE COST OF EXTENDING A SEWER LINE TO RAINBOW MEADOW PARK**

WHEREAS, in 2001, the Burlington County Board of Chosen Freeholders, now Board of County Commissioners (hereinafter the “Board”), acquired Block 119, Lots 21.02, 21.03, 21.04 and 21.05 in Delran Township for recreation and conservation purposes and in 2016 completed the first phase of park development the property now known as Rainbow Meadow Park (hereinafter the “Park”); and

WHEREAS, the Board wishes to provide sewer service to the Park for a restroom facility to be constructed in the next phase of Park improvements and to the former agricultural buildings operated by the New Jersey Agricultural Society, Farmers Against Hunger Program; and

WHEREAS, in 2020, the Board authorized an agreement with Delran Township (the “Township”) through which the Township agreed to provide engineering services for design and permitting of the sewer line and the Board reimbursed the Township for the cost of the engineering services; and

WHEREAS, the Township has obtained the necessary permits to proceed with the construction of the sewer line extension and is willing to construct the line and provide engineering services associated with the bidding, construction and with construction administration services (the “Project”); and

WHEREAS, the Board by Resolution No. 2023-00395 adopted June 28, 2023, has authorized entering into an agreement with the Township whereby the Board would bear the cost of the services to be provided by the Township; and

WHEREAS, the Township estimates the costs of the Project to be \$918,466.00; and

WHEREAS, the Board has provided certification that the funds are available for this Project; and

WHEREAS, the Township believes that it is in the public interest to the residents of the Township and of Burlington County to provide sewer service to the Park; and

WHEREAS, the Township wishes to authorize an agreement with the Board to provide for the construction engineering services and construction administration services for the Project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Delran, in the County of Burlington, State of New Jersey, that the Mayor is hereby authorized to execute an agreement with the Burlington County Board of Commissioners, subject to final approval of the Township Solicitor as to form and content, whereby the Township shall bid, construct, and provide construction administration services for the sewer extension to the Rainbow Meadow Park, in accordance with all applicable federal, state and local laws and regulations and the Board shall reimburse the Township for the cost of same.

| Council Member | Aye | Nay | Abstain | Recuse | Absent |
|----------------|-----|-----|---------|--------|--------|
| Smith | | | | | |
| Jeney | | | | | |
| Apeadu | | | | | |
| Lyon | | | | | |
| Burrell | | | | | |

SO RESOLVED.

Witnessed by:

TOWNSHIP OF DELRAN

Jamey Eggers, Township Clerk
Township of Delran

Council President Tyler J. Burrell
Date Signed: August _____, 2023

I certify that the above is a true copy of the resolution adopted by the Township Council of the Township of Delran, Burlington County, New Jersey on August _____, 2023.

Jamey Eggers, Township Clerk
Township of Delran