

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, 2010 and posted on the bulletin board on the same date.

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

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

Mr. Paris presented a Proclamation on behalf of Mayor and Council for Constitution Week.

Mr. Catrambone made a motion seconded by Mr. Schwartz to approve the minutes for July 13, 2011 and July 26, 2011.

There being no questions, the roll was called.

Mr. Schwartz., Mrs. Reed, Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 4

Nays: None

ORDINANCE ON SECOND READING

**TOWNSHIP OF DELRAN
ORDINANCE 2011-16**

**AN ORDINANCE REVISING EXISTING CHAPTER 306, ARTICLE I OF
THE CODE OF THE TOWNSHIP OF DELRAN ENTITLED "STREET
OPENINGS."**

WHEREAS, the Mayor and Township Council of the Township of Delran, a municipal corporation in the County of Burlington, State of New Jersey, finds that the public health, safety, and general welfare of the community shall be promoted by the amending of the Street Opening Permit ordinance; and

WHEREAS, the Mayor and Township Council of the Township of Delran find that street opening permit applications of a larger scope should be reviewed by the Township Engineer; and

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

SECTION 1: §306-1 through §306-16 of the Township Code of Delran, entitled "Street Openings" shall be replaced with the following language:

§306-1 Definitions.

The following words used in this article shall have the meanings ascribed to them in this section, except in those instances where the content clearly indicates otherwise:

APPLICANT - Any person who makes application for a permit.

EMERGENCY - Any unforeseen circumstances or occurrence, the existence of which constitutes a clear and immediate danger to persons or properties.

PERMITTEE - Any person who has been issued a permit and is obligated to fulfill all the terms of this article.

PUBLIC UTILITY - Public utility is as defined under Title 48 of the New Jersey Statutes.

STANDARD SPECIFICATIONS - The New Jersey State Highway Department Standard Specifications of Road and Bridge Construction 1961 and current addendum.

S.Y. - Square yards.

§306-2 Permit required.

It shall be unlawful at any time for any person to cut, break, excavate or open any street of the Township, or any portion thereof, including, but not limited to pavement, curbing, or sidewalk, for the purpose of installing, replacing, maintaining and repairing underground facilities, or for any other purpose, without first making a written application to the Township Clerk and receiving a permit for such work.

§306-3 Restriction on issuance of permits.

Upon certification by a duly adopted resolution of the Township Council, upon the completion of the construction, reconstruction, maintenance, resurfacing or other like or similar activity upon a roadway or a byway with the Township, the Township Council may, by resolution, provide that a road opening permit shall not be authorized or allowed to be issued for a specified period of time, not exceeding five years, in order to preserve and protect the interests of the Township in such roadway or byway.

§306-4 Application for permit.

A. The application for a permit to make an opening or excavation in any street shall be made to the Township Clerk, in writing, dated and signed by the applicant. It shall state the road or street proposed to be opened or excavated and shall indicate the exact location by length, width and depth of the intended excavation. It shall also specify the object or purpose of the proposed excavation.

B. In cases where the proposed opening involves construction of longitudinal pipe mains serving more than one property, the Township may also require the applicant to submit plans showing the information required above and also the relationship of the proposed installation to the existing pavement, other utilities, the street right-of-way lines and any other physical features which might be affected by the proposed construction.

C. In cases where the proposed opening involves excavation of 20 square yards, or more, the application for a permit, and any other materials required by §306-4(B), should also be forwarded to the Township Engineer for review. For applications which are required to be reviewed by the Township Engineer, all inspections of the street opening shall also be performed by the Township Engineer.

§306-5 Deposits required.

A. Before the issuance of any permits, the applicant shall deposit with the Township Clerk of the Township the amounts set forth in § 150-10, Street openings; deposits required.

B. The above deposits shall reasonably approximate the cost of the installation of final resurfacing by the Applicant. However, such deposits as indicated in the formula in § 150-10 shall be increased by 25% so that the total amount that the applicant shall deposit with the Township shall be in an amount equal to 125% of the estimated cost. The additional 25% is required because the fee calculated and collected at the time of the issuance of the permit is based upon an estimate of the area to be patched, and as-built conditions may vary from estimates. The Township shall release all deposits to the Applicant upon completion of resurfacing and all other restoration within the Township right-of-way and final acceptance is provided by the Director of Public Works or the Township Engineer.

§306-6 Fees.

In addition to the above deposit, the applicant shall pay a cash, nonreturnable inspection fee as specified in § 150-10.

§306-7 Guarantee Bond.

When the amount of the deposit as determined under § 306-5 above would exceed \$1,000, the applicant may, at his or her option, furnish a guarantee bond instead of making the required deposit. A minimum of 10%, or \$500.00, whichever is more, must remain posted in the form of cash. Such bond shall unconditionally guarantee that the applicant will make the proposed street opening, backfill the same and restore the pavement in accordance with the requirements of the Township.

§306-8 Permit specifications; time for completion.

A. The permit issued shall designate the number of square feet to be excavated, the location of same and the time within which the work contemplated thereunder shall be completed. The work shall be performed within the time specified in the permit.

B. In the case of an opening which restricts vehicular traffic to less than two ten-foot-wide travel lanes, excavation and backfill shall be made within a single eight-hour period, except under special occasions or circumstances where underground conditions or structures warrant a longer period of time. In other cases, as determined by the Director of Public Works or the Township Engineer, it shall be made within one week's time, except where underground conditions or structures warrant a longer period of time.

C. Street openings shall be resurfaced within the period of time designated by the Township at the time the application is approved. Prior to resurfacing, the backfill shall be maintained in order to prevent depressions or bumps in the street surfaces, and suitable material shall be applied thereto to keep down dust until a temporary patch is installed.

D. All curbing or sidewalk damaged or disturbed as part of the road opening must be replaced within 48 hours from completion of work within the excavation, unless otherwise approved by the Director of Public Works or Township Engineer. All replaced concrete shall be 4,500 psi. All sidewalk shall be 4 inches thick except driveway aprons, which shall be 6 inches thick and include welded wire mesh. All curb sections shall be of the same type and dimensions as that of any existing curb immediately adjacent thereto.

§306-9 Resurfacing procedures.

A. Paved roadway surfaces shall be cut vertically with a sharp tool, along straight lines, before excavating. Material excavated from the trench opening shall not be replaced as backfill unless specifically permitted by the Public Works Superintendent. In cases where it is required that the excavated material be replaced, new clean granular backfill material shall be used. Fill material shall be deposited in ten-inch layers, each layer to be thoroughly tamped with pneumatic or mechanical tampers. The compacted backfill shall be brought to within two inches of the existing surface, and a two-inch-thick layer of compacted cold patch material, Grade A or B, shall be applied as soon as practical, but no later than at the end of the workday.

B. The temporary paved surface shall be maintained at a permanent level for a period of 30 days, unless specifically approved by the Director of Public Works or Township Engineer, after which time the Applicant shall replace the temporary patch with permanent resurfacing.

C. Permanent pavement repair shall consist of 6 inches of Bituminous Stabilized Base Course (Mix I-2) and 2 inches of Fine Aggregate Base Course, or FABC (Mix I-5). The Bituminous Stabilized Base Course may be reduced to 4 inches on a residential access street, as determined by the Township Engineer. All seams shall be filled with seam sealer.

§306-10 Ditch restrictions.

A. No ditch shall be dug within 10 feet of any street without first obtaining the approval of the Township Engineer. Such approval shall not be given unless, in his or her opinion, the ditch will not endanger the construction of the road which it will adjoin.

B. No existing ditch adjoining a street and within 10 feet thereof shall be excavated to a depth lower than that now existing without first obtaining the approval of the Township Engineer. Approval shall not be given unless, in his or her opinion, the lowering of the depth of the ditch will not endanger the construction of the road which it adjoins.

§306-11 Obstructing public travel.

Any person making any opening or excavation in any street in the Township shall carry out the work as expeditiously as possible and in such manner as to cause the least public inconvenience and to permit the use of the sidewalk by pedestrians, the roadway by vehicles and the flow of water along the gutters.

§306-12 Warning devices; protection of public.

All openings, diggings, excavations, equipment and barricades, including earth, dirt and stone or other materials removed from the excavation, shall be carefully guarded at all times to prevent accidents, and a sufficient number of lighted lanterns, flares or torches shall be maintained between sunset and sunrise by the contractor, or person to whom such permit has been granted, to designate such openings or obstruction during the hours of darkness. Where any excavation or trench is to extend across any road or street, only one-half of the same shall be made at one time, and it shall be properly backfilled before the other one-half is excavated so as not to interfere with traffic.

§306-13 Protection of property.

All existing pavements, road surfaces, sidewalks, curbs, gutters, pipes, manholes, drains, conduits or other installations or fixtures, and property liable to be injured, damaged or destroyed shall be properly protected by the person doing any work for which a permit has been granted during the time when such work is being performed.

§306-14 Failure to comply with requirements.

In the event that the permittee shall fail to properly compact backfill or restore with a temporary patch in accordance with the terms of this article and within the time set forth in the application, the Township may use such portion of the deposit as may be necessary to properly complete this work.

§306-15 Exceptions.

A. Municipal utilities or authorities. When the applicant is a Township municipal utilities authority, sewer department or water company, the Township Council may waive any or all of the provisions of this article.

B. Waiver of deposit.

(1) Public utilities. When the applicant is a public utility, the Township Council Public Works Superintendent may waive the deposit requirements for the completion of permanent resurfacing if the public utility has in the past demonstrated to the satisfaction of the Public Works Superintendent its competence in restoring the surface in accordance with the resurfacing procedures as set forth in § 306-9.

(2) Other applicants.

(a) Deposit requirements may be waived as to other applicants when jointly approved by the Township Engineer, the Public Works Superintendent and the Township Administrator. In determining whether or not such a waiver shall be granted, the Township Engineer, the Public Works Superintendent and the Township Administrator shall consider the applicant's previous experience with road openings in the Township and their completion of permanent resurfacing in accordance with § 306-9 and, in the case of an applicant who is proceeding with an approved land subdivision, whether or not the applicant's performance bonds, as posted, give sufficient protection to the Township to insure the final proper permanent resurfacing of the roadways in question.

(b) Other applicants requesting a waiver from the Township Engineer, the Public Works Superintendent and the Township Administrator shall be required to demonstrate to the satisfaction of the Township Engineer, the Public Works Superintendent and the Township Administrator that the posting of the required deposit would constitute an undue and unnecessary burden and hardship to the applicant and, further, that the applicant has demonstrated, either in the Township or elsewhere, its competency to restore the permanent road surface in the manner required by § 306-9, and will be responsible in the event of a failure of any road resurfacing.

(3) Revocation of waiver; hearing; posting of deposit.

(a) In the event that any applicant who has received a waiver shall fail during the course of work in any respect to comply with the provisions of this article, then, and in that event, the Township Engineer, the Public Works Superintendent and the Township Administrator, or any one of them, may, on one day's notice, revoke the waiver and stop all further proceedings of the work. The applicant, upon request to the Township Administrator, shall be afforded a prompt hearing before the Township Engineer, the Public Works Superintendent and the Township Administrator concerning the alleged failure to proceed in accordance with this article.

(b) A hearing shall be held only if requested by the applicant; otherwise, the applicant shall not proceed until such time as he or she has posted the necessary deposit requirements, in accordance with this article. In the event that after a hearing the Township Engineer, the Public Works

Superintendent and the Township Administrator determine that the failure of the applicant to comply with the terms and provisions of this article are such that he or she should not be permitted to continue, the applicant then shall be given three days to post the required deposit.

(c) Failure of the applicant to post the required deposit shall constitute a violation of this article, and the penalties as provided in § 1-5, Violations and penalties, of this Code, shall apply.

(4) Report to Township Council of waivers granted and revoked.

(a) In the event that any applicant other than a public utility shall be granted a waiver from the deposit requirements of this article, the Township Engineer, the Public Works Superintendent and the Township Administrator shall prepare and file with the Mayor and Council a report setting forth such waiver and the reasons therefore.

(b) In the event that the Township Engineer, the Public Works Superintendent and the Township Administrator shall subsequently revoke any waiver heretofore granted, a report to that effect shall also be filed with the Mayor and Council setting forth the reasons for such revocation.

§306-16 Emergencies.

In the event of an emergency where circumstances will not warrant delay to first secure a street opening permit, a street may be opened without a permit, provided that such opening shall be confined in size to the area necessary to take care of the emergency. A street opening permit for such emergency opening, plus any additional area that it may be necessary to open, shall be secured before the close of business on the next business day of the Township following the opening. Each day's delay in securing the street opening permit following an emergency street opening shall be deemed a distinct and separate violation of this article.

SECTION 2. Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

SECTION 3. Severability. If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not effect the remaining provisions of this ordinance. The governing body of the Township of Delran declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

SECTION 4. Effective Date. The ordinance shall take effect immediately upon passage and publication according to law.

Mr. Catrambone made a motion to open the meeting to the public, seconded by Mrs. Reed. All were in favor, the motion was approved.

There were no comments.

Mr. Catrambone made a motion to close the public portion, seconded by Mrs. Reed. All were in favor, motion approved.

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

There being no question, the roll was called.

Mr. Schwartz, Mrs. Reed, Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 4
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
ORDINANCE 2011-17**

**AN ORDINANCE REVISING EXISITNG CHAPTER 150-10 OF THE
CODE OF THE TOWNSHIP OF DELRAN ENTITLED “STREET
OPENINGS; DEPOSITS REQUIRED; INSPECTION FEE”**

WHEREAS, the Mayor and Township Council of the Township of Delran, a municipal corporation in the County of Burlington, State of New Jersey, found that the public health, safety, and general welfare of the community would be promoted by the amending of the Street Opening Permit ordinance; and

WHEREAS, the Township of Delran did amend the Street Opening Permit ordinance through Ordinance 2011-16; and

WHEREAS, the Mayor and Township Council of the Township of Delran find that the amendments to the Street Opening Permit ordinance now necessitate amendments to the ordinance regarding fees and deposits for street openings; and

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

SECTION 1: §150-10 of the Township Code of Delran, entitled “Street openings; deposits required; inspection fee” shall be replaced with the following language:

§150-10 Street openings; deposits required; inspection fee.

Area of Patch (square yard)	6-Inch Stabilized Base & 2-Inch FABC	4-Inch Stabilized Base & 2-Inch FABC
Less than 5	\$75, plus \$48 per square yard	\$75, plus \$36 per square yard
Between 5 and 20	\$300, plus \$39 per square yard (greater than 5)	\$300, plus \$30 per square yard (greater than 5)
Over 20	\$810, plus \$36 per square yard (greater than 20)	\$810, plus \$27 per square yard (greater than 20)

A deposit shall be required in the amount of \$10 per square foot of sidewalk that is proposed to be replaced.

A deposit shall be required in the amount of \$25 per linear foot of concrete curbing that is to be replaced.

In addition to the above fees, there shall be a nonrefundable cash inspection fee of \$50.

SECTION 2. Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

SECTION 3. Severability. If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional,

such decision shall not effect the remaining provisions of this ordinance. The governing body of the Township of Delran declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

SECTION 4. Effective Date. The ordinance shall take effect immediately upon passage and publication according to law.

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

There were no comments.

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

Mrs. Reed made a motion, seconded by Mr. Catrambone to adopt the ordinance on second reading.

There being no question, the roll was called.

Mr. Schwartz, Mrs. Reed, Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 4
Nays: None

Motion Approved

TOWNSHIP OF DELRAN, NEW JERSEY

ORDINANCE 2011-18

BOND ORDINANCE AUTHORIZING VARIOUS RECREATIONAL IMPROVEMENTS TO THE MYERS TRACT PROPERTY IN AND FOR THE TOWNSHIP OF DELRAN; APPROPRIATING THE SUM OF \$2,200,000 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 \$1,852,500; 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 \$2,200,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$1,852,500; and
- (c) a down payment in the amount of \$97,500 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$1,852,500, to be raised by the issuance of bonds or bond anticipation notes, together with a Recreational Development Grant from the County of Burlington in the amount of \$250,000 and the sum of \$97,500, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$1,852,500 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 \$1,852,500 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 \$250,000.

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>Grants/Aid</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Completion of Various Recreational Improvements to the Myers Tract Property in the Township, all as more particularly described in the plans and specifications on file with the Township Administrator	\$2,200,000	\$97,500	\$250,000	\$1,852,500	15 years

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

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

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$1,852,500 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

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

Section 14. The Township hereby covenants as follows:

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

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

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

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

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

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

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

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

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

Lisa Pagano, Navy Drive, stated that she is a little concerned about the development of the property. She stated that she is concerned about the nature aspect and also traffic issues. She asked why we are planning on the astro turf baseball field.

Mr. Morrow stated that the area where the fields will be placed is already cleared, there will be open space preserved. Mr. Morrow stated that the turf field is being done with a county grant for handicap children.

Mr. Paris stated that he took a lot of pride in doing this project. There are not many programs for special needs children in the county. We received a grant for a turf field from the county and when the field is not being used for the special needs program it will be utilized by the Athletic Association.

Mrs. Pagano asked if Council would take into consideration the lighting on the fields and also the wildlife.

Mr. Catrambone stated that only one field will be turf and the remaining baseball/softball fields will be grass.

Bill Pfeffer, Chester Avenue, asked how much money is currently in the open space fund.

Mr. Hatcher stated that the amount changes everyday and he does not have that information with him tonight but he can get the information to him tomorrow.

Mr. Coluzzi asked that Mr. Pfeffer ask his questions to the Council President. If we do not have the information tonight, we will get him the information.

Mr. Pfeffer asked Mr. Morrow if he has any idea how much money is in the Open Space fund.

Mr. Morrow stated that he does not.

Mr. Pfeffer asked what interest rate we are receiving on the 2.2 million dollars we intend to borrow.

Mr. Hatcher stated that we will not have that answer until we go out to bond. This is only the first step in the process. At the next work session, we will discuss this issue further.

Mr. Morrow stated that the open space funds can only be used to purchase and develop open space.

Mr. Pfeffer asked if this money is above what we paid to purchase the property.

Mr. Morrow stated yes we have already bonded for the purchase of the property, this is for the development.

Mr. Hatcher stated that the intent was to use the open space money to pay the debt service on the property. We received a \$800,000 grant from the state and \$300,000 from the County towards the purchase of the property. We will also be leveraging the amount for the development along with grants that we hope to receive. We have already received a \$250,000 grant from the county.

Mr. Pfeffer asked how many acres the property is.

Mr. Morrow stated roughly thirty some acres.

Mr. Pfeffer asked what was the total purchase price of the property.

Mr. Morrow stated 1.8 million dollars.

Mr. Pfeffer asked if an engineering study has been done on the estimated cost of the project.

Mr. Morrow stated that we have some estimates but will know more during the development phase.

Mr. Pfeffer asked if we know what the insurance will cost on the property.

Mr. Morrow stated no.

Mr. Pfeffer asked if there are any state mandates that will go along with this park since it will be handicap accessible.

Mr. Morrow stated that there are none that he is aware of but we will comply with any mandates.

Don McCabe, Faunce Street, stated that the price per acre is \$50,000 which seems high. He asked if we did any study on handicap usage.

Mr. Morrow stated no.

Mr. McCabe stated that a grant is not free; the residents will pay for it whether it is a state, county or federal grant. Mr. McCabe stated that his tax bill went up \$425.00.

Mr. Paris stated that he understands that the grants are taxpayers money but they would go to another community if we did not obtain the funds.

Mr. McCabe asked if we were going to assess an ad valorem tax on the residents, which is stated in the bond ordinance.

Mr. Hatcher stated that the language is in the ordinance to protect the bond holder. It guarantees that we will pay the bond. The voters of this town voted on the open space tax.

Mr. McCabe stated that we are in an economic crisis and he does not feel we need this.

Joe LaMonica, Navy Drive, asked if there was going to be a soccer field at this complex.

Mr. Morrow stated that there will be one multi purpose field at the facility.

Mr. LaMonica stated that we have a shortage of soccer fields.

Mr. Morrow stated that when this development is complete we would be looking at converting the other complexes to create more soccer fields.

Pat Pomeranz, Alden Avenue, stated she is concerned about the traffic because we will only have one way in and one way out. She asked if there was any consideration on buying the parcel on Hartford Road to have two lanes in and two lanes out.

Mr. Morrow stated that he understands the concern and we will continue to look into options. We have not had any discussions on the purchase of the property.

Barbara Gallagher, Sharrow Vale Road, asked if there are any provisions to have any towns or organizations contribute to the maintenance of the fields.

Mr. Coluzzi stated that we can discuss this in the public portion of the meeting.

Mrs. Reed made a motion to close the public portion, seconded by Mr. Catrambone. All were in favor, motion approved.

Mrs. Reed made a motion, seconded by Mr. Catrambone to adopt the ordinance on second reading.

There being no question, the roll was called.

Mr. Schwartz, Mrs. Reed, Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 4

Nays: None

Motion Approved

RESOLUTIONS ON CONSENT AGENDA

Resolution 2011-97 Reducing the Performance Bond for Golden Corral

Resolution 2011-98 Releasing the Maintenance Bond for Taco Bell

Resolution 2011-99 Releasing Sewer Escrows

Resolution 2011-100 Refunding Sewer Overpayment

Resolution 2011-101 Releasing Zoning Board Escrow

Resolution 2011-102 Approving Raffle License #414 for the Delran Emergency Squad

Resolution 2011-103 Awarding the Contract for Police Uniforms to Oakwood Uniform & Equipment in the amount of \$21,320.00

Resolution 2011-104 Extending the grace period for 3rd Quarter Taxes to September 16, 2011

Resolution 2011-105 Authorizing Renewal of Membership in the Burlington County Joint Insurance Fund

Resolution 2011-106 Honoring the 10th Anniversary of September 11th

Mr. Catrambone made a motion, seconded by Mrs. Reed to adopt the resolutions.

There being no questions, the roll was called.

Mr. Schwartz., Mrs. Reed, Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 4
Nays: None

Motion Approved

MOTIONS

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

There being no questions, the roll was called.

Mr. Schwartz., Mrs. Reed, Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 4
Nays: None

Motion Approved

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

There being no questions, the roll was called.

Mr. Schwartz., Mrs. Reed, Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 4
Nays: None

Motion Approved

REPORTS

Mr. Hatcher – No report.

Mr. Coluzzi – No report.

Mr. Catrambone – Mr. Catrambone stated that the website will back up no later than Thursday. There was an issue switching to the new site.

Mr. Catrambone stated that our thoughts go out to Mal Anderson, President of the Historical Society; he had a procedure today and everything went well.

Mr. Schwartz – Mr. Schwartz stated that he is happy to report that the Yansick and Moreland Drive project is complete. He is glad to see the first of several roads being repaved in Ward 1.

Mr. Schwartz stated that he had an opportunity to speak to Mal Anderson this morning and asked that everyone keep him in their prayers.

Mr. Schwartz stated that he wanted to commend Inspector Hullings on his report they received on the earthquake.

Mr. Schwartz stated that he would like to thank the Chief of Police for working with the residents on Fifth Street regarding the speeding issues.

Mrs. Reed – Mrs. Reed stated that we will be continuing Council on your corner. We had one this past weekend at the Delran Coffee Shop and the Mayor and Councilman Morrow will be holding one this Sunday at Throwbacks.

Mr. Morrow – No report.

Mr. Paris – Mr. Paris thanked Mr. Hullings for the report on the earthquake. He was happy to hear everything was under control in Delran.

Mr. Paris stated that his thoughts are also with Mal Anderson.

Mr. Paris stated that Delran Day is September 25th. It is a fun event for everyone. If anyone is interested in volunteering, they can contact the municipal building. This event does not cost the residents anything; it is all done by donations.

Mr. Paris stated that he and Councilman Morrow will be out at Throwbacks on Sunday at 10 A.M. Residents are invited to address any concerns or talk with them on a one on one basis.

Mr. Paris stated that we have a new flag hanging in the lobby. The flag was donated by Fred Wolfe, a past resident of Delran. The flag was framed by donations from the vendors. It is a beautiful addition to the municipal building.

Mr. Paris stated that he is also happy to hear that Yansick and Moreland Drive is completed. The residents are very happy and he hopes it controls the speeding.

PUBLIC PORTION

Mrs. Reed 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.

Barbara Gallagher, Sharrow Vale Road, asked if Council who will be responsible for the maintenance of the Myers Tract and whether other towns that have access to the field will contribute.

Mr. Morrow stated that the Township will be responsible for the maintenance but we can discuss having other towns that use the park contribute.

Mr. Hatcher stated that this park will be a Green Acres Park and it will be open to the public for everyone to use not just residents of Delran.

Bill Pfeffer, Chester Avenue, asked if the municipality has kept up with the state pension contributions over the past five years.

Mr. Morrow stated yes we have.

Mr. Pfeffer asked if we know when the last assessment took place in the Township.

Mr. Hatcher stated that it took place in 2004 and went on the books in 2005.

Mr. Pfeffer asked if there is a specified time when properties need to be reassessed.

Mr. Hatcher stated that there is not a specified time but the Tax Assessor has approached Council about doing a reappraisal. This will help us not get hit with appeals.

Mr. Pfeffer asked if Council is prepared to have, a dramatic decrease in revenues if that should happen.

Mr. Hatcher stated that there will not be a decrease in revenue. If the assessments go down the tax rate will go up. The same amount of money needs to be collected.

Mr. Pfeffer stated that during the economic crisis, it is his opinion that Council should be looking at stabilizing taxes or reducing them. He would also ask that Council look at restructuring the Township, which could save a lot of money.

Mr. McCabe, Faunce Street, asked if the Township did any work on the damage on his property. He would like to know who did the work.

Mr. Hatcher stated that it was not the Township but he will reach out to the Engineer to find out and he will let him know.

Mr. McCabe stated that he would like to meet with the contractor to show them what needs to be done.

Mr. McCabe stated that taxes are getting to the point that people can not handle. He does not even see anyone looking at reducing the taxes. We are fixing roads that do not need to be fixed right now. He knows people that are going to lose their homes yet our kids can play on astro turf fields. We have no compassion. He would like to see Council do something. Mr. McCabe asked if we are going to do a forensic audit of the Sewer Authority.

Mr. Coluzzi stated that this has been answered several times.

Mr. McCabe asked if we have a pay to play ordinance.

Mr. Catrambone stated that we have the strictest pay to play laws aloud by law. Mr. Catrambone stated that he is taken aback by his use of no compassion. This Council has indeed stabilized on a municipal level. The open space tax is being collected whether it is used or not. To paint this Council as not compassionate is not a fair assessment. So much is not under Council's control.

Joe LaMonica, Navy Drive, thanked Council for bringing Golden Corral to Delran, this will help with our taxes.

John Repholz, 213 Diane Avenue, asked if we can do anything to better improve the streets.

Mr. Hatcher stated that we do not have the machinery or the man power to keep up.

Mr. Repholz specifically asked about Swedes Run Drive.

Mr. Morrow stated that that road will be included in the 2011 road program.

Pat Pomeranz, Alden Avenue, asked if there is any update on the flooding on River Road.

Mr. Morrow stated that the last update we received was that our Engineer was going to meet with Riverside Township to discuss how they are handling their FEMA project. This is going to take some time.

Mr. Hatcher stated that Riverside's project is completely different. We are going to look at putting together an application to FEMA to address some of the issues. Council should have a report in several weeks.

Pat asked if the Engineer or Public Works looked at the drainage issue.

Mr. Morrow stated that Jerry DeSanto did point out a drain that was closed years ago and they will continue to look into the issue.

Pat stated that every time it rains the area between Stewart and Alden Avenue floods.

Mr. Morrow stated that we are trying hard to come up with ways to help the issue.

Pat asked where we stand on the Conrow Road project.

Mr. Morrow stated that we are about six months away from receiving permits. This project should be completed next year.

Tom Karwacki, Leon Avenue, asked Council about the increase in the school tax.

Mr. Morrow stated that this Council has no authority over the school tax. He needs attend a School Board meeting.

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

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

Submitted,

Jamey Eggers
Municipal Clerk