

**REGULAR TOWNSHIP MEETING
MUNICIPAL BUILDING**

**September 4, 2018
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 January 16, 2018 and posted on the bulletin board on the same date.

ROLL CALL: Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone.

MINUTES FOR APPROVAL

Approval of the minutes for the July 10, 2018 Action and Work Session Meeting.

MOVED BY _____ SECONDED BY _____

Roll Call: Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell, Mr. Catrambone

Ayes:
Nays:
Approved:

ORDINANCE ON FIRST READING

**TOWNSHIP OF DELRAN
ORDINANCE 2018-12**

ORDINANCE OF THE TOWNSHIP OF DELRAN AMENDING CHAPTER 394 OF THE CODE OF THE TOWNSHIP OF DELRAN, ENTITLED "FOOD AND BEVERAGE VENDING MACHINES"

MOVED BY _____ SECONDED BY _____

Roll Call: Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell, Mr. Catrambone

Ayes:
Nays:
Approved:

ORDINANCE ON SECOND READING

**TOWNSHIP OF DELRAN
BURLINGTON COUNTY, NEW JERSEY
BOND ORDINANCE NUMBER 2018-08**

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION/UNDERTAKING OF A SERVICE WATER SYSTEM UPGRADE AND AN AERATION BLOWER REPLACEMENT PROJECT, BY THE TOWNSHIP OF DELRAN, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY; APPROPRIATING \$1,950,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,950,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF

PUBLIC HEARING

MOVED BY _____ SECONDED BY _____

Roll Call: Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell, Mr. Catrambone

Ayes:
Nays:
Approved:

RESOLUTIONS

**TOWNSHIP OF DELRAN
RESOLUTION 2018-160**

**AUTHORIZING VARIOUS 2018 SEWER ADJUSTMENTS
FOR BLOCK 118, LOT 4, C361**

MOVED BY _____ SECONDED BY _____

Roll Call: Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell, Mr. Catrambone

Ayes:
Nays:
Approved:

**TOWNSHIP OF DELRAN
RESOLUTION 2018-161**

**RESOLUTION AUTHORIZING GRASS CUTTING FOR
15 MULBERRY STREET**

MOVED BY _____ SECONDED BY _____

Roll Call: Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell, Mr. Catrambone

Ayes:
Nays:
Approved:

**TOWNSHIP OF DELRAN
RESOLUTION 2018-162**

**APPROVING RAFFLE LICENSE #550 FOR
FRIENDS OF RON, INC.**

MOVED BY _____ SECONDED BY _____

Roll Call: Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell, Mr. Catrambone

Ayes:
Nays:
Approved:

**TOWNSHIP OF DELRAN
RESOLUTION 2018-163**

**A RESOLUTION REJECTING ALL BIDS RECEIVED FOR THE DELRAN
COMMUNITY PARK, PHASE V – JAKE'S PLACE PLAYGROUND PROJECT
PURSUANT TO NJSA 40A:11-13.2(a) AND AUTHORIZING RE-ADVERTISING
AND RE-BIDDING**

MOVED BY _____ SECONDED BY _____

Roll Call: Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell, Mr. Catrambone

Ayes:
Nays:
Approved:

MOTIONS

A motion authorizing the payment of bills including all purchases made under the Cooperative Purchasing Agreement

MOVED BY _____ SECONDED BY _____

Roll Call: Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell, Mr. Catrambone

Ayes:
Nays:
Approved:

A motion accepting the report of the Tax Collector and Township Clerk

MOVED BY _____ SECONDED BY _____

Roll Call: Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell, Mr. Catrambone

Ayes:
Nays:
Approved:

A motion accepting the report of the CFO including the August YTD Revenue Report, YTD Budget Report and August Check Register.

MOVED BY _____ SECONDED BY _____

Roll Call: Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell, Mr. Catrambone

Ayes:
Nays:
Approved:

A motion granting a mercantile license to:

1. Jay's Landscaping – 3003 Bridgeboro Road
2. Best Cut Lawn Care – 130 Hartford Road

MOVED BY _____ SECONDED BY _____

Roll Call: Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell, Mr. Catrambone

Ayes:
Nays:
Approved:

REPORTS

Clerk

Administrator

Solicitor

Fire Commissioners

Members of Council

Mayor

Public Portion of the meeting – Motion to open the meeting to the public

Motion to adjourn the meeting

MOVED BY _____ SECONDED BY _____

Roll Call: Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell, Mr. Catrambone

Ayes:

Nays:

Approved:

**TOWNSHIP OF DELRAN
ORDINANCE 2018-12**

**ORDINANCE OF THE TOWNSHIP OF DELRAN AMENDING CHAPTER 394 OF THE
CODE OF THE TOWNSHIP OF DELRAN, ENTITLED “FOOD AND BEVERAGE
VENDING MACHINES”**

WHEREAS, Chapter 394 of the Code of the Township of Delran, entitled “Food and Beverage Vending Machines,” regulates the use, operation, maintenance, licensure and requisite fees for food and beverage vending machines and licensure thereof pursuant to N.J.S.A. 26:3-69.1 et seq.; and

WHEREAS, Chapter 150 of the Code, entitled “Fees,” sets forth the various fees charged for services rendered by the departments of Township government; and

WHEREAS, it has come to the attention of the Township Council that the fees outlined in Chapter 394 for food and beverage vending machines do not reflect the fee structure as set forth in Chapter 150; and

WHEREAS, the Township Council has concluded that Chapter 394 needs to be amended to accurately reflect the fee structure as set forth in Chapter 150; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the Township and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law.

NOW THEREFORE BE IT ORDAINED, by the Township Council of Delran Township as follows:

SECTION 1: Section 394-5, entitled “Permits and licenses; fees,” of Chapter 394 of the Code of the Township of Delran is hereby amended, revised, and/or supplemented to read as follows:

“§ 394-5 Permits and licenses; fees.

For each food and beverage vending machine located in the Township of Delran there shall be a fee as set forth in Chapter 150. Said fee shall be paid in cash or certified check at the time of the filing of the application for the issuance of a food or vending machine permit.”

SECTION 2. Except as set forth in Section 1 above, the balance of Code of the Township of Delran shall not be affected by this ordinance.

SECTION 3. Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed as to said inconsistencies and conflict.

SECTION 4. 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 Council 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 5. Effective Date. This ordinance shall take effect immediately upon passage and publication according to law.

MEMBERS OF COUNCIL	AYE	NAY	ABSENT
Mr. Burrell			
Mrs. Kolodi			
Mrs. Parejo			
Mr. O'Connell			
Mr. Catrambone			

Introduced: August ____, 2018

Adopted: August ____, 2018

JAMEY EGGERS, MUNICIPAL CLERK

KEN PARIS, MAYOR

**TOWNSHIP OF DELRAN
BURLINGTON COUNTY, NEW JERSEY**

BOND ORDINANCE NUMBER 2018-08

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION/UNDERTAKING OF A SERVICE WATER SYSTEM UPGRADE AND AN AERATION BLOWER REPLACEMENT PROJECT, BY THE TOWNSHIP OF DELRAN, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY; APPROPRIATING \$1,950,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,950,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF DELRAN, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Township of Delran, in the County of Burlington, State of New Jersey (the "Township"). For the said improvement or purpose stated in Section 3 hereof, there is hereby appropriated the sum of \$1,950,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), no down payment is required as this bond ordinance authorizes obligations for infrastructure projects which are to be funded by a loan from the New Jersey Infrastructure Bank, and as the sewer utility is self-liquidating.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the said \$1,950,000, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,950,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$1,950,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued include, but are not limited to, the undertaking, construction, design, planning and installation of a service water system upgrade and an aeration blower replacement project.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$1,950,000.

(c) The estimated cost of said improvement or purpose is \$1,950,000.

(d) Such improvement or purpose set forth in Section 3(a) shall include, but is not limited to, as applicable, all necessary ancillary improvements, and all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Township Engineer and available for public inspection and hereby approved.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Burlington make a contribution or grant in aid to the Township, for the improvement and purpose authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Burlington. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Burlington, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The

Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expenses and is an improvement or purpose which the Township may lawfully undertake as a general improvement or purpose, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is forty (40) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law has not increased pursuant to N.J.S.A. 40A:2-44(c), as the sewer utility is self-liquidating and therefore deductible from the gross debt of the Township, and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$350,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.400-2. No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the “Code”). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvement or purpose described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds”, including “sinking funds”, “pledged funds” or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed \$1,950,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen

(18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvement or purpose described in Section 3 hereof is “placed in service” (within the meaning of Treasury Regulations §1.400-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: August 14, 2018**

**JAMEY L. EGGERS,
Clerk of the Township of Delran**

**ADOPTED ON SECOND READING
DATED: September 4, 2018**

**JAMEY L. EGGERS,
Clerk of the Township of Delran**

**APPROVED AFTER SECOND READING
DATED: September __, 2018**

KEN PARIS, Mayor

**TOWNSHIP OF DELRAN
RESOLUTION 2018-160**

**AUTHORIZING VARIOUS 2018 SEWER ADJUSTMENTS
FOR BLOCK 118, LOT 4, C361**

WHEREAS, Township Council has reviewed the sewer billing and other documentations submitted by the owners of various properties; and

WHEREAS, after discussion, Township Council agreed that the following adjustment be made for the 2018 sewer billing be made as listed below:

<u>BLOCK & LOT</u>	<u>ACCOUNT NUMBER</u>	<u>ADJUSTED QUARTERLY AMOUNT</u>
Block 118, Lot 4, C361	80251000	\$127.75 (15,000 Gallons) Residential

NOW, THEREFORE, BE IT RESOLVED that Township Council authorizes the Tax Collector to make to above adjustment.

Dated: September 4, 2018

**Jamey Eggers
Municipal Clerk**

**Gary Catrambone
President of Council**

**TOWNSHIP OF DELRAN
RESOLUTION 2018-161**

**RESOLUTION AUTHORIZING GRASS CUTTING FOR
15 MULBERRY STREET**

WHEREAS, Chapter 89 of the Code of the Township of Delran provides that all properties shall be clear of weeds and high grass in order to provide better health protection; and

WHEREAS, when the property owners shall refuse or neglect to clear such high grass and weeds as required by 89-1 within ten days, the Township has determined to take action to declare this a “health hazard” and immediately authorize the Public Works Department to arrange for the cutting of the grass at these properties and to put a lien on taxes in the amounts listed below for the initial cleanup as well as the follow-up costs for providing grass cutting during the season to insure that the health hazard does not return during the course of the year.

<u>Address</u>	<u>Initial Cutting/Yard Cleanup</u>	<u>Follow-up Cutting</u>
15 Mulberry Street	\$225.00	\$50.00

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Delran does authorize the Public Works Department to take the necessary action to provide for the cutting of the grass at the following properties as attached to this resolution and provide for this information to be forwarded to the Tax Office in order to put a lien on these properties until such time as they are maintained by the owners or responsible parties.

Dated: September 4, 2018

Jamey Eggers, Municipal Clerk

**Gary Catrambone
President of Council**

**TOWNSHIP OF DELRAN
RESOLUTION 2018-162**

**APPROVING RAFFLE LICENSE #550 FOR
FRIENDS OF RON, INC.**

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 550
Friends of Ron, Inc.

DATED: September 4, 2018

TOWNSHIP CLERK

President of Council

**TOWNSHIP OF DELRAN
RESOLUTION 2018-163**

**A RESOLUTION REJECTING SOLE BID RECEIVED FOR THE DELRAN
COMMUNITY PARK, PHASE V – JAKE’S PLACE PLAYGROUND PROJECT
PURSUANT TO NJSA 40A:11-13.2(a) AND AUTHORIZING RE-ADVERTISING
AND RE-BIDDING**

Whereas, Delran Township (the “Township”) received bids for the Delran Community Park, Phase V - Jake’s Place Playground Project on August 28, 2018; and

Whereas, only one bid was received; and

Whereas, the bid received from Viviano Construction, LLC exceeded the Township’s cost estimate for the Project and the Township Engineer has recommended that it be rejected accordingly; and

Whereas, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-13.2(a), the Township is permitted to reject all bids when the lowest responsive bid exceeds the Township’s cost estimate for the Project;

Now, therefore, be it resolved by the Mayor and Council of Delran Township that the sole bid received from Viviano Construction, LLC be rejected as per N.J.S.A. 40A:11-13.2(a) since it exceeds the Township’s cost estimate; and

Be it further resolved, that the appropriate Township officials are hereby authorized to re-advertise and re-bid this Project and to make any clarifications and/or revisions to the bid specifications, if necessary; and

Be it further resolved that the Township Clerk is hereby directed to forward a signed copy of this Resolution to the bidder for this Project.

Dated: September 4, 2018

Township of Delran

Gary Catrambone, Council President

Attest:

Jamey Eggers, Township Clerk

CERTIFICATION

The foregoing Resolution was duly adopted at a Meeting of Township Council of the Township of Delran held on the 4th day of September, 2018 at the Municipal Building, located at 900 Chester Avenue, Delran, New Jersey.

Jamey Eggers, Township Clerk