

**REGULAR TOWNSHIP MEETING
MUNICIPAL BUILDING**

**December 4, 2018
DELRAN, NJ**

CALL TO ORDER

SALUTE TO THE FLAG

SUNSHINE STATEMENT: Be advised the Township Council has given notice in accordance with the sunshine law in the following manner. Notice published 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, Mr. O'Connell and Mr. Catrambone were present. Mrs. Kolodi was absent.

ALSO, PRESENT: Mr. Platt, Solicitor and Ms. Eggers, Municipal Clerk.

APPROVAL OF MINUTES

Mr. Burrell made a motion, seconded by Ms. Parejo to approve the minutes for October 2, 2018 Public and Closed Session meeting.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

Mr. Burrell made a motion, seconded by Mr. O'Connell to approve the minutes for the October 9, 2018 Action and Work Session Meeting.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

ORDINANCE OF SECOND READING

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

BOND ORDINANCE 2018-13

**BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION
OF A PORTION OF FAIRVIEW BOULEVARD, BY AND IN THE
TOWNSHIP OF DELRAN, IN THE COUNTY OF BURLINGTON,
STATE OF NEW JERSEY; APPROPRIATING \$90,000**

**THEREFOR AND AUTHORIZING THE ISSUANCE OF \$85,700
BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF
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 improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Delran, in the County of Burlington, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$90,000, which sum includes \$4,300 as the amount of down payment for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of an appropriation in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$90,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$85,700 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$85,700 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are the reconstruction of a portion of Fairview Boulevard, including, but not limited to, as applicable, milling, striping, excavation, paving and/or repaving, drainage and curbing repair, as needed, and sidewalk improvements. The improvements and purposes set forth in Section 3(a) shall also including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$85,700.

(c) The estimated cost of said improvements or purposes is \$90,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, is the down payment in the amount of \$4,300 for said improvements or purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, the County of Burlington or any other source makes a contribution or grant in aid to the Township, for the improvements and purposes 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, the County of Burlington or any other source. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Burlington or any other source, 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 Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements which the Township may lawfully undertake as general improvements, 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 improvements or purposes 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 10 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 is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$85,700 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 \$15,000 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 purposes or improvements 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 improvements or purposes 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 improvements or purposes 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 Section 150-2 . 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 by this bond ordinance used to reimburse the Township for costs of the improvements or purposes 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 by this bond ordinance 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 improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$85,700. 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 18 months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

SECTION 10. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time, as necessary, a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. 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 ordinance.

Mr. O'Connell made a motion to open the meeting to the public, seconded by Mr. Burrell. All were in favor, motion approved.

There were no comments.

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

Mr. O'Connell made a motion, seconded by Mr. Burrell to adopt Ordinance 2018-13 on second reading.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

RESOLUTIONS

**TOWNSHIP OF DELRAN
RESOLUTION 2018-217**

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF
REVENUE AND APPROPRIATION IN ACCORDANCE WITH N.J.S.A. 40A:4-87:
2018 DISTRACTED DRIVING GRANT: U DRIVE, U TEXT, U PAY**

Mr. O'Connell made a motion, seconded by Mr. Burrell to adopt Resolution 2018-217.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-218**

**AUTHORIZING ROAD MORATORIUM ON
CERTAIN TOWNSHIP ROADWAYS**

Mr. Burrell made a motion, seconded by Ms. Parejo to adopt Resolution 2018-218.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-219**

**AUTHORIZING THE TAX COLLECTOR TO CREATE
SEWER ACCOUNT AND 2018 BILLING FOR 1101 PEACH TREE COURT**

Mr. O'Connell made a motion, seconded by Mr. Burrell to adopt Resolution 2018-219.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-220**

**REFUNDING 2018 MERCANTILE AND FOOD HANDLER
LICENSE FEE TO STAR RESTAURANT**

Mr. Burrell made a motion, seconded by Ms. Parejo to adopt Resolution 2018-220.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-221**

AUTHORIZING 2018 BUDGET APPROPRIATION TRANSFERS

Mr. O'Connell made a motion, seconded by Mr. Burrell to adopt Resolution 2018-221.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-222**

**REFUNDING CONSTRUCTION PERMIT 20170676
IN THE AMOUNT OF \$196.00 TO ROBERT DORISIO**

Mr. O'Connell made a motion, seconded by Ms. Parejo to adopt Resolution 2018-222.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-223**

**REFUNDING CONSTRUCTION PERMIT 20180591
IN THE AMOUNT OF \$3650.00 TO NVR/Ryan HOMES**

Mr. Burrell made a motion, seconded by Ms. Parejo to adopt Resolution 2018-223.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-224**

**AUTHORIZING THE CHIEF FINANCIAL OFFICER TO MAKE
YEAR END TRANSFERS, PAYMENT OF ALL NECESSARY BILLS AND
CANCELLATION OF UNEXPENDED IN EMERGENCY APPROPRIATION FOR
EMERGENCY MEDICAL SERVICES**

Mr. O'Connell made a motion, seconded by Mr. Burrell to adopt Resolution 2018-224.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-225**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
BRINE SYSTEM**

Mr. Burrell made a motion, seconded by Ms. Parejo to adopt Resolution 2018-225.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

MOTIONS

Mr. O'Connell made a motion authorizing the payment of bills including all purchases made under the Cooperative Purchasing Agreement. The motion was seconded by Mr. Burrell.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

Mr. Burrell made a motion, seconded by Ms. Parejo to accept the report of the Tax Collector and the Township Clerk.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

Mr. Burrell made a motion accepting the report of the CFO including the November YTD Revenue Report, YTD Budget Report and November Check Register. The motion was seconded by Ms. Parejo.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

REPORTS

Ms. Eggers – No report.

Solicitor – No report.

Fire Commissioners – Mr. Bauer reported that every year the county has a contest to see who has the first turkey fire and this year Delran won with a 4:30 am call. They had another call for a turkey fire at 10:30 am.

Ms. Parejo – No report.

Mr. Burrell – No report.

Mr. O'Connell – Mr. O'Connell thanked the Delran Board of Education for their invitation to attend the roll out of their STEM facility last Friday.

Mr. O'Connell thanked the Delran Fire Department for inviting them to their holiday party.

Mr. Catrambone – Mr. Catrambone stated that everyone was disappointed with the weather and the cancellation of the Winter Festival last weekend. We would like to thank all the volunteers that offered their services and worked very hard.

Mr. Catrambone mentioned the passing of past President George Bush. Mr. Catrambone stated that regardless of politics it was nice to see the country come together to honor his passing.

Mr. Catrambone wished everyone a happy and safe holiday.

PUBLIC PORTION

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

James Bauer, 816 Edgewood Avenue, asked if the Township has completed leaf collection.

Ms. Eggers reported that all leaves were to be out at the curb by December 1st and Public Works would be making one final round through town.

There were no additional comments.

Mr. Burrell made a motion to close the meeting to the public, seconded by Ms. Parejo. All were in favor, the motion was approved.

Mr. O'Connell made a motion, seconded by Mr. Burrell to adjourn the meeting. All were in favor, the meeting adjourned.

Submitted,

Jamey Eggers
Municipal Clerk