

**WORK SESSION
MUNICIPAL BUILDING**

**December 20, 2022
DELRAN, NJ**

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 March 1, 2022 and posted on the bulletin board on the same date.

ROLL CALL: Mrs. Apeadu, Mr. Smith, Mr. Jeney, and Mr. Lyon were present. Mr. Burrell was absent.

ALSO PRESENT: Mr. Catrambone, Mayor, Ms. Rizzuto, Solicitor, Mr. D'Armiento, Engineer Mr. Bellina, Administrator, and Ms. Eggers, Township Clerk

Harbor District – Attorney Jeffrey Baron explained that he is submitting conceptual plans that show ideas for the redevelopment of Riverside Marina. Mr. Baron asked that the owner of Winter Sailing, Glenn Winter be sworn in.

Glenn Winter – Mr. Winter explained that he owns a full-service marina. He stated that there are a number of issues facing his business including a failing bulkhead. Mr. Winter is hoping to redevelop the harbor area by building housing and retail spaces which will generate funds so the marina can remain in operation.

Charles McKee – Mr. McKee stated that he owns Deepstar Marine Inc. He has been working with Mr. Winters for the last 5-6 years and is very knowledgeable regarding the poor condition of the bulkheads. Mr. McKee reported that when it comes to marinas, the rental fees for the boat slips don't cover the maintenance on the marina.

David Fleming – Mr. Fleming is an engineer working with Marathon Engineers. He explained that the proposed refurbishment of the area would include condominiums and some limited retail space. There would be three buildings, three stories high with adequate parking for residents as well as for marina patrons in addition to pedestrian walkways.

Mr. Baron explained that Delran Township would benefit by an increased tax revenue and asked if Delran Township would consider a resolution directing the Planning Board to undertake a redevelopment study for the site to see if it's an area in need of redevelopment.

After a few questions from council and the solicitor, Mr. Baron asked council to consider the request in a timely manner if possible.

Electric Vehicle Ordinance – Chris Dochney, CME Associates, Planner explained that the ordinance would just take the already existing, state law and put it into the township code. It would go to the Planning Board and then would come back to council to adopt as an ordinance. The process would take about six weeks. Mr. Jeney asked if there was anything Delran would need to do to make it more township focused. Mr. Dochney explained that, while there is an option to put in greater requirements regarding more electric vehicle parking, for the most part, you cannot

change the state law.

Solar Landscape Initiative – Mr. Bellina announced that there will be a public meeting on Monday, January 9, 2023 in the municipal building. Information will be posted to the township website very soon.

ORDINANCE(S) ON SECOND READING

TOWNSHIP OF DELRAN, NEW JERSEY

ORDINANCE 2022-20

BOND ORDINANCE AUTHORIZING THE UNDERTAKING OF VARIOUS ROADWAY IMPROVEMENTS IN AND FOR THE TOWNSHIP OF DELRAN; APPROPRIATING THE SUM OF \$325,000 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 \$308,750; 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 \$325,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$308,750; and
- (c) a down payment in the amount of \$16,250 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 \$325,000, to be raised by the issuance of bonds or bond anticipation notes in an amount not to exceed \$308,750, together with the sum of \$16,250, 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 \$308,750 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 \$308,750 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 \$65,000.

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.	Various Roadway Improvements as part of 2023 Road Improvement Program including, but not limited to, Stewart Avenue, Red Stone Ridge, Pine Valley Road, Drew Court and Randall Court, together with the completion of all work necessary therefor or related thereto	\$325,000	\$16,250	\$308,750	10 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 10 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 \$308,750 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. Smith made a motion to open the meeting to the public, seconded by Mrs. Apeadu. All were in favor, motion approved.

There were no comments.

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

Mr. Jeney made a motion, seconded by Mrs. Apeadu to adopt ordinance 2022-20 on second reading.

There being no questions, the roll was called.

Mrs. Apeadu, Mr. Smith, Mr. Jeney and Mr. Lyon voted aye

Ayes: 4

Nays: None

Motion Approved

Ms. Rizzuto explained that Delran Township would like to combine and maximize services with one RFP vs. having four or five different lawyers. She stated that the township can reject all bids, and go back out to bid for any type of service desired.

Mr. Catrambone clarified that this was not a rejection of all bids received, only the bids for attorneys.

Mrs. Apeadu made a motion to reject all bids for the attorney/solicitor positions, seconded by Mr. Smith. All were in favor, motion approved.

Mr. Jeney made a motion to authorize the township clerk to rebid the attorney positions, seconded by Mr. Smith. All were in favor, motion approved.

CONSENT AGENDA

- a. **Resolution 2022-219** Authorizing the Award of Contract for the Pumping Station Water Service Upgrades Project
- b. **Resolution 2022-220** Resolution Authorizing the Purchase Gov Pilot Software for the Township Under State Contract T3121/20-Tele-01509
- c. **Resolution 2022-221** Terminating all Participation under the SHBP for Delran Township
- d. **Resolution 2022-222** Terminating all Participation under the SHBP for Delran Township Sewer Authority
- e. **Resolution 2022-223** Resolution to Join Southern New Jersey Regional Employee Benefits Fund
- f. **Resolution 2022-224** Resolution appointing Joseph B. Bellina as the Fund Commissioner and Kareemah Press as the Alternate Fund Commissioner to the Southern New Jersey Regional Employee Benefits Fund
- g. **Resolution 2022-225** Authorizing 2022 Budget Transfers
- h. **Resolution 2022-226** Award Non-Fair and Open Contract for Police Uniforms
- i. **Resolution 2022-227** the Upfit of Police Vehicles under State Contract T-0106 Police and Homeland Security Equipment & Supplies
- j. Accepting the report of the CFO including the October YTD Revenue Report, YTD Budget Report and October Check Register.
- k. Authorizing the Payment of Bills including all purchases made under the Cooperative Purchasing Agreement
- l. Granting a mercantile license to: Auto Toy Store, 207-21 Carriage Lane

Mr. Jeney made a motion, seconded by Mrs. Apeadu to adopt the above Consent Agenda.

There being no questions the roll was called.

Mrs. Apeadu, Mr. Smith, Mr. Jeney, and Mr. Lyon, voted aye.

Ayes: 4

Nays: None

Motion Approved

REPORTS

Mr. Bellina – No report

Ms. Eggers – No report

Mr. Catrambone – Mr. Catrambone stated that it is great to see the town coming together during the holiday season, enjoying one another and their families.

Ms. Rizzuto – No report

Mr. D'Armiento – Mr. D'Armiento reported that Delran Township went out to bid twice for the Route 130 Sewer Line Project and did not receive any bids either time. CME is now in the process of breaking it out into two separate projects. It will be re-bid as soon as possible.

Mrs. Apeadu – Mrs. Apeadu wished everyone a happy holiday season.

Mr. Smith – Mr. Smith also wished everyone a safe and happy holiday season. He also reminded people to be careful of children who will be out of school for the holiday.

Mr. Jeney – Mr. Jeney wished everyone a healthy, happy new year and a very pleasant holiday season.

Mr. Lyon – Mr. Lyon wished everyone a happy holiday season with family and friends. He also stated that it was nice to see such a large showing by the community at the winter festival.

PUBLIC COMMENT

Mr. Smith made a motion, seconded by Mrs. Apeadu to open the meeting to the public for any questions. All were in favor; the motion was approved.

Patrick Duff, Haddon Heights, Mr. Duff advised that there is a very loud buzzing noise when you watch the township meetings on YouTube.

Mr. Duff asked if all of the legal services are being put under one bid. Ms. Rizzuto explained that

there are certain legal services that council would like to consolidate in order to cut costs. Ms. Rizzuto stated that it will be discussed in the next week or two as to which legal services that will include.

Mr. Duff stated that he is serving lawsuit paperwork this evening because the township attorney is not recognizing the notice. Ms. Rizzuto explained that the clerk received the paperwork and it will be processed in the normal course of business. There is no need for any further service.

Mr. Duff stated that Delran is threatening a defamation lawsuit against him for accusing the township of defrauding the JIF and the taxpayers in the Dunphy litigation. Mr. Duff went over the timeline for some of the discussions related to the Dunphy lawsuit.

Barb Littleton, Delran, Ms. Littleton asked whether Mr. Catrambone would consider having the monthly meetings with residents that he had mentioned in the past. Mr. Catrambone responded that he appreciated her input. Ms. Littleton stated that she feels the programs pertaining to the veterans should be more of a community effort and that Bob Gilbert doesn't get the credit he deserves. Ms. Littleton explained that everyone wants to make Delran a better place to live and we should put politics aside and do what's best for Delran.

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

Mr. Jeney made a motion to adjourn the meeting, seconded by Mrs. Apeadu All were in favor; the meeting was adjourned.

Submitted,

Jamey Eggers
Municipal Clerk