

**WORK SESSION
MUNICIPAL BUILDING**

**December 7, 2011
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 December 23, 2010 and posted on the bulletin board on the same date.

ROLL CALL: Mrs. Kolodi, Mr. Schwartz, Ms. Pomeranz, Mr. Catrambone and Mr. Morrow were present.

ALSO, PRESENT: Mr. Hatcher, Administrator, Mr. Valesi, Engineer, Mr. Long, Solicitor and Ms. Eggers, Municipal Clerk

RECONSTRUCTION OF TENBY CHASE DRIVE

Mr. Paris asked Mr. Valesi if he had a chance to take a look at the road and whether we should consider doing pieces of the road.

Mr. Valesi stated that the road needs to be reconstructed and he recommends we phase the project and do larger sections of the road. If the road is really bad, we may want to look at doing something in house to keep it together until we can do the reconstruction.

Mr. Paris asked if we could make a commitment to this road and start as early as we can in 2012.

Mr. Hatcher stated that if Council agreed to put a substantial amount of money in the temporary capital important fund then we could start as early as January. The difficulty is we would be committing to funds in the temporary budget before we really understand what the total budget looks like.

Mr. Valesi stated that they have an estimate for the reconstruction and they can break it into sections and provide the information to Mayor and Council.

Mr. Hatcher stated that the storm drains in the area are also bad especially along the fields.

Mr. Morrow stated that we will wait to hear back from the Engineer.

MERCANTILE LICENSE FEES

Mr. Schwartz stated that he feels since the fees have not been changed since 1993 and costs continue to increase, we could justify increasing the fees 100% across the board.

Council agreed and we will adopt an ordinance in early 2012. We will also include a letter with the renewal explaining the increase.

TRANSFER RESOLUTION

Mr. Hatcher stated that we have already done one transfer resolution and we may need to adopt an additional transfer resolution before the end of the year. We have taken a look at the line items and they seem to be pretty good but we may want to look at buying additional salt. In the past, we have adopted a resolution allowing the Chief Financial Officer to make year end transfers as necessary that occur after the public meeting.

Ms. Pomeranz asked where we take the money from to transfer into accounts that need funds.

Mr. Hatcher stated that we transfer the funds from other line items that have excess funds that are not needed.

Council agreed to adopt the resolution at the December public meeting.

SALARIES NON-UNION EMPLOYEES

Mr. Paris stated that he is going to take the lead on this issue. There are a lot of things that we need to take into consideration such as the economy, the impact of the sewer increase to the residents, the economic times with the surrounding towns coming in with no increase. He feels the employees are doing an excellent job and should be given an increase. He recommended that we adopt an ordinance for a 1.5% increase across the board for all non-union employees.

Ms. Pomeranz asked what the employees believed they were going to receive.

Mr. Hatcher stated that there was nothing communicated to the employees.

Ms. Pomeranz stated that this was an increase that the employees should have received as of January 1st.

Mr. Hatcher stated that with the past with non-union employees we have waited on the increase until the budget was adopted.

Ms. Pomeranz asked what was budgeted in 2011 for the salary increase.

Mr. Paris stated that when we adopted the budget, 3% was placed for the salary increase.

Ms. Pomeranz asked what happens to the funds that were going to be used for salary increases if they are not used.

Mr. Hatcher stated that the funds are currently in a line item titled salary adjustment. If the funds are not all used, they will lapse to surplus.

Mr. Long stated that the number in the budget is a not to exceed number.

Ms. Pomeranz stated that she feels that if the amount is already budgeted and the taxes were based on that amount then the employees should receive that increase. She stated that she understands that it is more about looking forward than looking back.

Mr. DeSanto stated that he understands everything they are saying but he does not feel it is fair. Everyone else received a 3% salary increase and only the non-union employees are being affected.

Kathy Walter, Public Works employee, stated that the Township has been holding onto that money for an entire year so they are receiving interest on those funds.

Mr. Paris stated that the interest rates are very low. We are doing better than other towns and keeping everyone employed.

Kathy stated that we are being penalized for something out of our control because we were not given the increase at the beginning of the year with everyone else.

Ms. Pomeranz asked what the total dollar amount of the 3% increase.

Mr. Hatcher stated that 3% is roughly \$25,000, so 1.5% would be roughly 12,500. Mr. Hatcher stated that there are also two employees whose increase would come out of the sewer budget.

Mr. Paris stated that it is not an easy decision to make, but it is hard to justify a 3% rate increase at this time.

Larry Jack, Supervisor in Public Works, stated that many of the employees under him are making very close to the same salary. He stated that our salary has nothing to do with the increase in the sewer rates.

Mr. Paris stated that with the big increase in sewer rate it would be hard for the residents to hear we are giving 3% salary increases.

Larry Jack stated that he would understand if no employees received the increase he would understand but for only the non-union to be affected is not fair. He asked why Council waited so long to introduce the salary ordinance for the non-union employees for the last two years.

Mr. Morrow apologized and stated that 2010 Council was preoccupied with the takeover of the Sewerage Authority. Mr. Morrow stated that his goal is to continue to keep everyone employed.

Ms. Pomeranz stated that she feels the non-union employees should receive the 3% pay increase. She also stated that next year we should address this issue in the beginning of the year instead of waiting the entire year.

Mr. Hatcher stated that he has three ordinances prepared for tonight based on an increase of 1.5%, 2% and 3%. He would like Council to introduce the ordinance tonight.

Kathy Walter stated that the employees have also been affected by the contribution towards health benefits and also the pension increase.

Mr. Catrambone asked if it makes sense to look forward to next year.

Mr. Hatcher stated that we will be in negotiations with four unions next year. Council normally does not issue salary increases for any employees before negotiations are over.

Mrs. Kolodi asked if each employee has a cap on his or her salary.

Mr. Hatcher stated that most of the employees we are dealing with do not have steps in their position.

Mr. Catrambone stated that he understands both sides but we need find a number that works for everyone.

Mr. Schwartz stated that it is hard with the economy but he also understands both sides.

Mr. Catrambone made a motion to introduce the following ordinance based on a 2% increase for non-union employees.

**TOWNSHIP OF DELRAN
ORDINANCE 2011-25**

**AN ORDINANCE TO ESTABLISH SALARIES FOR VARIOUS OFFICIALS OF
THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, STATE OF NEW
JERSEY AND REGULATING THE MANNER OF PAYMENT OF SAME.**

The motion was seconded by Mr. Schwartz.

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz and Mr. Catrambone voted aye. Ms. Pomeranz and Mr. Morrow voted nay.

Ayes: 3
Nays: 2

Motion Approved

RIGHT-OF-ENTRY 73 JANEWAY

Mr. Hatcher stated that he needed to execute this agreement in order to move forward. The property owner was not comfortable with us removing the landscaping along the pipe. What we have decided to do was fix the pipe at both ends and authorize the right-of-entry agreement to fix the one area on the property that is sinking. He wanted to make Council aware of the issue.

Mrs. Kolodi asked if that will work.

Mr. Valesi stated that the work has been completed and they will continue to monitor the pipe.

Mr. Long stated that if it becomes an emergency then we can go to court in order to receive the easement.

DELRAN COMMUNITY CALENDAR – DELRAN BUSINESS ASSOCIATION

Mr. Hatcher stated that they asked to postpone this discussion until January since they could not be in attendance tonight.

DOONEY'S SEWER SERVICE AGREEMENT

Mr. Long stated that everything we have agreed to has been incorporated into the agreement and we are ready to move forward with the execution. He asked that we pass a resolution tonight authorizing the execution of the agreement.

TOWNSHIP OF DELRAN RESOLUTION 2011-153

BE IT RESOLVED by the Mayor and Council of the Township of Delran that the Council President is hereby authorized and directed to execute the sewer agreement with Dooney's Pub & Grill.

Mrs. Kolodi made a motion, seconded by Ms. Pomeranz to adopt Resolution 2011-153.

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz, Ms. Pomeranz, Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 5
Nays: None

Motion Approved

MAIN STREET GREEN ACRES REPORT

Mr. Schwartz stated that he was approached several months ago with concerns over fire safety on this property. He was advised after talking with the local Fire Department that Green Acres properties fall under the State Forest Fire Service. They did come out and inspect the property and made some recommendations. Based on the letter they recommended that the brush be cut back 10 feet from the property line. He asked if this is something the Public Works Department can handle.

Mr. Hatcher stated that he also has some concern if we are going to begin doing this on all Green Acres property because we have hundreds of acres. It has always been our policy to allow Green Acres property to remain as is.

Mr. DeSanto stated that most Green Acres property backs up to residential neighborhoods. He will take a look at the area and report back to Council.

REPORTS

Mr. Hatcher – Mr. Hatcher stated last year in the audit we were cited for not reporting the health insurance upon retirement effect on the community. At the time, we were moving to the state and they were going to calculate the cost. Unfortunately, we offer a different benefit than the state, so we need to have our own report completed. He received a few quotes and the low quote was for \$3,750.00. He would like to get things started on this project. We have the money in the budget to pay for this service. Council agreed to move forward.

Mr. Hatcher stated that two years ago, we provided funds for the change in the computer system and we are ready to move forward. The ordinance has \$39,787 and the proposal is for \$37920. Council agreed to move forward with this project.

Mr. Hatcher stated that one of things that the state requires is for the Township to offer a cafeteria plan. This allows employees to have the money taken out before taxes. Bowman & Company has drafted the plan and we would like to adopt the plan at the public meeting. Council agreed.

Mr. Hatcher stated that he will need Mr. Long to look at the changes to the 457 deferred compensation plan with Valic. The changes are required to be adopted before December 31st. We also need to update the personnel policy and he will need Mr. Long to review the package.

Mr. Hatcher stated that Hunter's Glen sent in two checks both of which stated that they were for their 3rd quarter taxes. The tax office sent the second check back to the mortgage company. They ended up delinquent in their fourth quarter taxes and stated that when they send that second check they wanted it applied to their fourth quarter taxes. They are now asking that the penalty of \$4941.33 in interest be waived because we did not apply the check. There was no indication that the check should have been

applied to the fourth quarter taxes. Mr. Hatcher stated that he does not feel that we should waive the interest.

Mr. Long requested that we move this to closed session because we are currently in litigation with the property.

Mr. Valesi – Mr. Valesi stated that we wanted to update everyone on the Myers Tract progress. Currently we have been authorized to perform the design and permitting phase of the project. When we delineated the flood plain we came up with a much more favorable building envelop for the property. In the next two weeks, we will be submitting the study to the DEP which will confirm the flood plain line. The fields remain in the same position but we were able to reconfigure the fields and put the tot lot in a better location. He wanted to run this new plan by Council so that we can move forward. We anticipate an April 1st start date. The first phase will include the roadway into the facility, the parking lot, the special needs field and the infrastructure and grading of the remainder of the property.

Mr. Paris asked if this put the Township in a good position for the County grant.

Mr. Valesi stated that he feels that it puts us in a very good position.

Mrs. Kolodi asked if there has been any update on the concern with only having one driveway in and out.

Mr. Valesi stated that they have done a preliminary traffic study and it will operate at a level C, which is a very acceptable level. The traffic light on Hartford Road will operate at a level D at peak hours on Saturdays. This level is also acceptable and will mean a delay of about forty seconds.

Mr. Valesi stated that we are moving along well with the road program. Parry Road is completed except for the lining. Third Street should be paved next week. We were able to increase the scope of Swedes Run Drive to Kathleen Avenue. The paving should be completed next week.

Mr. Valesi stated that we are still waiting for DEP permits for the improvements to Hartford and Conrow Road and also Westover Drive.

Mr. Valesi reported that we have not heard back from FEMA regarding the letter of intent for improvements to storm drains along the creek.

Mr. Valesi stated that we will be submitting a grant for Safe Streets to School for the sidewalk improvements to Chester Avenue.

Mr. Morrow asked when we should hear from the Department of Transportation on the outstanding grants.

Mr. Valesi stated that we should be hearing very soon.
Mr. Schwartz asked Mr. Valesi if he has any report on Swedes Lake.

Mr. Valesi stated that they have not found any problem that would create the lake to not operate properly.

Mr. Hatcher stated that they have a meeting scheduled tomorrow.

Ms. Eggers – Ms. Eggers reminded everyone that public meeting this month for December is Wednesday the 21st. Ms. Eggers stated that we also need to determine the meeting schedule for next year. Council agreed to keep the days the same but move the time to 7:00 P.M.

Ms. Eggers stated that we need to pick a date for reorganization. Council agreed to hold the reorganization meeting on January 4th at 6:30 P.M.

Mr. DeSanto – Mr. DeSanto stated that we should be completed leaf collection by the end of next week. In the past, we have put a chipper out to go through the town before the holiday if Council agrees.

Mr. Paris stated that if we have done this in the past he has no problem.

Ms. Pomeranz – Ms. Pomeranz suggested that Mayor and Council have name tags made so that when they are at public events they can be identified. Council agreed.

Ms. Pomeranz asked if everyone had a chance to look at the path from Leon Avenue field to Swedes Lake.

Mr. Morrow stated that he does not feel that there is anything Public Works is going to be able to do with that path. It seems to be an old path created by people cutting through the wooden area. It is not an official opening to the park.

Ms. Pomeranz stated that she agrees there is not much we can do but it does appear to be an official opening. There are signs and trash cans along the path.

Mr. Schwartz stated that his main concern is with the pipe at the bottom and maybe once the Engineer has a chance to review the area we will have more information.

Ms. Pomeranz stated that she has been in touch with a contact at the Army Corps of Engineer who is reaching out to the state. She reached out to them today but they have no update. She has also reached out to the Department of Environmental Protection and sent them all the information that she has. Hopefully by the next meeting she will have additional information.

Ms. Pomeranz stated that there is a company called Finn Credit that provides tax credits. If we wanted to participate, the company would approach local businesses and they

would pay a one time fee to join the program. Residents then would receive a card and if they shop at the participating businesses, they would have their card swiped and receive a tax credit based on the program. The company would take a fee on the on every transaction and the remaining credit would be calculated quarterly and applied to the tax bill. Ms. Pomeranz stated that if we are interested we can have them attend a work session to make a presentation. Council agreed to the presentation.

Ms. Pomeranz stated that she met with a resident on Notre Dame Drive regarding complaints about the fields. Ms. Pomeranz stated that the resident claims that the fence does not belong to her that it belongs to the Township. Ms. Pomeranz asked if we own the fence would we consider replacing it with a privacy fence and also using temporary speed bumps on the entrance into the parking lot.

Mr. Hatcher stated that the fence was installed before he worked here but it is his understanding that the Township installed the fence on her property at her request.

Council agreed that they do not wish to make any improvements at this time.

Mr. Catrambone – Mr. Catrambone stated that the website is back up and running but we really need to look at replacing the site.

Mr. Paris stated that he has asked Mr. Hatcher to talk to surrounding municipalities and start to receive quotes on a new site.

Mr. Hatcher stated that he has received several quotes that came in around \$3500 to \$4000.

Mrs. Kolodi asked if we would be interested in having a high school student design the site.

Mr. Catrambone stated that it is possible but we need to make sure it has all the functions that we need. He would like to take a look at some of their work. Mr. Catrambone stated that he would like to continue to push the advertisements on the site to help pay for the new site.

Mr. Schwartz – Mr. Schwartz stated that there are a few items that we have been discussing and he wanted to see if there has been any resolution.

One is the contradiction between the zoning and traffic ordinance regarding commercial vehicles. The other issue is the new case law regarding billboards.

Mr. Valesi stated the court has upheld a lawsuit where a town prohibited billboards. We may want to look into this in the next year.

Mrs. Kolodi – Mrs. Kolodi asked if anyone responded to the e-mail regarding the feral cat program.

Mr. Morrow stated there was no need to respond, they were only issuing their opinion on the ordinance.

Mr. Paris – Mr. Paris reported that there is a large pot hole in the Heritage Square Shopping Center near the veterinarian.

Mr. Paris stated that the driveway that leads into the trucking company near Pizza Amore is filled with dirt and stones that end up in the street. He asked if they could maintain that area.

Mr. Paris stated that he reached out to NJ America Water Company regarding the emptying of the water tower. They will take care of any damage that occurred. He also mentioned that we would like an emblem on the water tower and they will consider putting one on the tower. We are also setting up a meeting regarding the street openings.

Mr. Morrow – Mr. Morrow stated that he is putting together some ideas of what we can do with Faunce Street Park that he will present next year; however, there are a few issues that need to be addressed right away. One is there is no sign prohibiting vehicles from entering into the park and vehicles are driving into the park. We could look at also putting the chain back up at the entrance.

PUBLIC PORTION

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

There were no comments.

Ms. Pomeranz made a motion to end the public portion. The motion was seconded by Mr. Schwartz. All were in favor, motion approved.

Mr. Catrambone made a motion to enter into closed session for discussion on litigation with Hunter's Glen, TAR Construction and contract issues, seconded by Mrs. Kolodi. All were in favor, motion approved.

Mr. Catrambone made a motion to end closed session and reopen the meeting to the public. The motion was seconded by Mrs. Kolodi. All were in favor, motion approved.

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

Respectfully submitted,

Jamey Eggers, Township Clerk