

**WORK SESSION  
MUNICIPAL BUILDING**

**December 12, 2017  
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 January 11, 2017 and posted on the bulletin board on the same date.

**ROLL CALL:** Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone were present.

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

### **MODEL ORDINANCE REGARDING SALE OF DOGS/CATS**

Mr. Catrambone stated that we have asked our Attorney to review the model ordinance and outline any concerns.

Mr. Shotts stated that as the ordinance is currently drafted, his analysis is that the ordinance does not meet the rational basis test and would be unconstitutional. The ordinance is overly broad and by definition makes any commercial seller a puppy mill. This ordinance could be challenged and would not hold up in court.

Mr. Catrambone stated that this does not mean we are in favor of puppy mills. We currently have two pet stores in town, one of which does not sell dogs and cats and the other just held a re-grand opening and will only be selling rescue animals. At the present moment, there are no pet stores that would be impacted by the ordinance. It doesn't make sense to pass a law that our Attorney is advising would not hold up in court.

Jeanne Clayton, co-founder of NJ Residents Against Puppy Mills, stated that she understands their concerns and reported that the ordinance has been challenged about ten times throughout the country and has been upheld every time.

Mr. Shotts asked if there have been any in NJ.

Larry, a volunteer with the Humane Society of the United States, reported that there is one pending challenge in NJ. It is their opinion that the challenge has more to do with an issue with the lease for the pet shop than the legality of the ordinance. It has not been challenged in the other one hundred and fifteen municipalities in NJ that have adopted the ordinance.

Jeanne Clayton stated that animals have continuously been let down by every level of government. There are Federal and State laws that are not either not enforced or not strong enough. Right now pet stores can get away with anything. They are petitioning counties and municipalities to adopt this ordinance. Their purpose and goal is enhancing the life of animals.

Mr. Paris stated that the Mayor and Council feel the same way but we have to rely on the advice of the Township Attorney.

Mr. O'Connell asked if the ordinance that was adopted by Moorestown Township is the same as the one proposed for Delran.

Jeanne Clayton stated that it may not be exactly the same but she can forward a copy.

Mr. O'Connell stated that this is definitely something that the Township supports we just need to make sure we are protected from litigation.

Larry stated that the Humane Society has a team of that is dedicated to working with municipalities on their ordinance language. He can provide that information to the Township.

Mr. Burrell stated that we are all in support of the ordinance and asked if the legal team work with their representatives on the language.

Larry stated that he will have the representative from the Humane Society contact the Township Attorney.

Mr. Schwartz stated that one of his concerns, even though he agrees with the ordinance, is that whether this is in our jurisdiction. Maybe a better route is to petition the state.

Mr. Shotts stated that he is correct that in order for a municipality to adopt a law, they have to be authorized to do so under the State Legislature.

Mr. Schwartz stated that since this doesn't really apply to Delran, should we put the Township and residents at risk for litigation.

Mr. Catrambone thanked them the representatives for attending tonight

#### **HARDSHIP WAIVER – 58 FOXGLOVE DRIVE & 107 FOXGLOVE DRIVE**

Mr. Catrambone stated that this seems like the standard request and unless there is any objection, we will allow the hardship waiver.

Mr. Schwartz made a motion to approve the hardship waiver, seconded by Mr. O'Connell. All were in favor, motion approved.

#### **DISCUSSION ON KIOSK FOR DELRAN COMMUNITY PARK**

Mr. Catrambone stated that this would serve a number of purposes including thanking the contributors to the park. Mr. Catrambone asked what needs to be discussed tonight.

Mr. Hatcher stated that the first step is to determine that Council wants a kiosk. We received some estimates but after talking the Mr. DeSanto, Public Works Superintendent we are thinking about building it ourselves. The next step would be to discuss what type and what goes on the kiosk.

Mr. Burrell asked where the kiosk would be placed.

Mr. Hatcher stated that it would be before the concessions/restroom building on the right. We also discussed having the kiosk match the front entrance sign. If Council is in favor of a kiosk, he will come back with better cost estimates.

After discussion, Council agreed that they are in favor of a kiosk.

Mr. Catrambone stated that Mr. Hatcher will work with Mr. DeSanto and Mr. Winckowski and come back with a proposal and updated cost estimates for further discussion.

Mr. Winckowski asked if they are looking for a kiosk that can have interchangeable information or a monument sign.

Mr. Catrambone stated that it in the pictures provided they seem to have both. They would like to have an area that they can serve a type of bulletin board.

### **2018 ROAD PROGRAM DISCUSSION**

Mr. Catrambone stated that we have done a total reassessment of the roads and asked Mr. Winckowski to discuss.

Mr. Winckowski stated that in list he provided the roads are listed as Teir 1 and Teir 2. He wouldn't focus as much in that as he would the cost of the roads. What Council needs to determine is how much they want to budget for roads and whether they want to focus on roads in the same area or have him work with Mr. DeSanto and choose the top roads that fit within the budget. It is hard to quantify whether grouping roads that are close together will save the Township money and right we are seeing bids come lower than anticipated. If Council does want to start grouping roads, he provided a handout showing groups we would likely to together. Mr. Winckowski stated that in talking with Mr. DeSanto, the top five worst roads in town are Lichtenthal Street, Front Street (Brown St. to Main St.), River Drive, Windmoor Road, Antietam Road and Litle Avenue. Not on the list is Hartford Road (Bridgeboro Road to Moorestown border). We currently have just under \$200,000 in Municipal Aid grants for Hartford Road and have a pending application which we anticipate will come in another \$200,000. The total cost for Hartford Road is approximately \$600,000 so the Township will need to budget the remainder.

Mr. DeSanto stated that we feels if we groups road together he feels we are going to run into issues because we are not paving the worst roads.

Mr. Schwartz asked if Mr. Winckowski looked at Greenwood Avenue.

Mr. Winckowski stated that there is one bad area that looks like maybe there was a road opening done but he didn't feel the road was in bad shape.

Mr. Schwartz stated that we still have Brown Street that remains where half a road was completed.

Mr. Winckowski stated that he didn't feel the remainder of Brown Street was that bad and could wait until we did Juniata and Ithaca but Front Street is in bad shape. Mr. Winckowski stated that

we need to start looking at a five year plan and then revisit it every year to make sure nothing has changed.

Mr. O'Connell stated that he agrees that we need to do the worst roads.

Mr. Catrambone stated that maybe we are premature at the clustering but we need to look at how we get there.

Mr. Winckowski stated that once we finish all the Tier 1 and 2 roads, then we can look at groups. We will also need to address Stewart Avenue, which will include major drainage improvements.

Mr. Hatcher stated that Conrow Road is will also become an issue.

Mr. Winckowski stated that Conrow Road should be the next Municipal Aid road after Hartford Road.

Mr. Schwartz stated that since bids are coming in cheap and cost to borrow money is cheap, what dollar amount are we comfortable spending right now. We may want to look at doing as much as we can while the costs are down.

Mr. Catrambone stated that he suggests we find a number that feels comfortable and then discuss the roads that fit within the budget.

Mr. Winckowski stated that River Drive is bad but the County's trail proposal includes improvements between Norman and Alden Avenue. We don't want to repave a road and then have it ripped up, which is why it's in Tier 2. If we include Norman Avenue this year, we can do some patch work on River Drive.

Mr. Paris suggested Little Avenue, Lichtenthal Street and Norman, which is approximately \$1,000,000.

Mr. Winckowski suggested they choose at least one additional road.

Mr. Catrambone stated that it sounds like we want to continue to be as aggressive as possible and get to a place where we can start to cluster roads.

Mrs. Kolodi stated that she wants to be clear that the worst roads are Lichtenthal Street, Front Street, Windmoor Road, Antietam Road, Little Avenue and Norman Avenue.

Mr. Hatcher stated that if we were to do all those roads and budget \$200,000 for Hartford Road, it would cost approximately \$2,000,000. We are looking into going to permanent financing for the debt service we already on the books at having that start as the debt service for the municipal building ends.

After additional discussion, Mr. Catrambone suggested that we continue to focus on the six roads discussed tonight and discuss this again at the 1<sup>st</sup> work session in January once we have the report back on the core samples and have better estimates. He asked Mr. Hatcher to also report on the debt service at the January meeting so we can determine a budget amount.

## **NATIONAL PURCHASING CONTRACT – SPORTS LIGHTING**

Mr. Hatcher stated that we have a grant for sports lighting on two fields at Delran Community Park. We can bid the project but it's possible we will only receive one bid as we did for the first round of lighting. Musco Lighting has already won the competitive bid under the National Contract and NJ has recognized national contracts and spelled out the procedures that need to the Township needs to follow under Local Finance Notice 2012-10. We have reached out the vendor to begin gathering the documents needed and they have been provided. Part of the requirement is also to show that there will be a cost savings by using the National Contract rather than going through the bid process which can be difficult. The Township Engineer has provided an estimate of \$180,000 for the project and the national bid is just under \$178,000. With Council's approval, we are recommending that we move forward with the National Contract. Once we have met all the criteria, we will come back to Council for approval. Council agreed to move forward with the National Contract for sports lighting.

## **REPORTS**

**Ms. Eggers** – No report.

**Mr. DeSanto** – Mr. DeSanto stated that he feels grouping the roads is not the way to go. When sitting for a deposition for a trip and fall, they look at the roads selected and why. It puts us in a position where we have to explain why we are fixing a road that is not the worst road. He just wanted to bring this to Mayor and Council's attention.

Mr. DeSanto stated that they had some issues with the lights for the tree at the Winter Festival. After Christmas, he would like to purchase 2,000 LED lights for the tree. He asked whether Council wants color lights or white lights.

Council agreed that the RAC should decide whether to use white lights or colored lights.

**Mr. Hatcher** – Mr. Hatcher stated that at the last work session he discussed changing the e-mail host to Office 360. We will be making the switch this year since there are sufficient funds in this year's budget to make the change.

**Mr. Winckowski** – Mr. Winckowski reported that they are working with the contractor to close out the 2016-2017 Road Program. They are also working to get the permit completed for the next round of the Route 130 Sidewalk Grant.

**Mr. Shotts** – No report.

**Mr. O'Connell** – Mr. O'Connell thanked that Delran Seniors for the invitation to the invitation to attend their Holiday Party last night. It was a wonderful event.

**Mr. Burrell** – No report

**Mr. Schwartz** – Mr. Schwartz wished everyone a safe holiday.

**Mrs. Kolodi** – Mrs. Kolodi stated that she received a question from a resident asking when leaf collection ends.

Mr. Catrambone stated that they need to get their leaves out as soon as possible.

Mr. DeSanto stated that they will continue to pick up leaves as long as the weather holds out.

**Mr. Catrambone** – Mr. Catrambone asked if we reached out to the owners of the private road behind Mancine Optical regarding the large pot hole.

Mr. Hatcher stated that he will check on that issue.

Mr. Catrambone stated that Heritage Square parking lot is also an issue.

**Mr. Paris** – Mr. Paris thanked Mr. DeSanto and the Public Works for placing the brine on the roadways before the last storm. This was the first time we used it and he believes it will help save money in man power and salt.

Mr. Paris wished everyone a safe and healthy holiday.

### **PUBLIC PORTION**

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

Tim Weir, 205 Arch Street, recommended we do a candy cane theme for the tree next year. Mr. Weir asked Mr. Catrambone to clarify the next work session date before the end of the year.

Mr. Catrambone clarified that there are no more work session for 2017. The next meeting will be the Reorganization Meeting on January 2<sup>nd</sup> at 6:30 P.M. followed by the Regular Meeting a 7:00 P.M.

Mr. Weir thanked Council and wished everyone a happy holiday.

Bob Gilbert, 75 Stewart Avenue, stated that anyone who knows a veteran in the State of NJ, they are entitled to a \$3,000 tax state deduction. He has forms if needed and it must be on file with the State before you file your taxes.

Mr. Gilbert stated that it has been reported that there is a new parasite that could affect anyone that served in Vietnam. The parasite can stay dormant for decades. There is a blood test that can check for this and also an ultra of the liver. It is a terminal cancer if not detected.

Mr. Gilbert wished everyone a Merry Christmas.

Linda Gilbert, 75 Stewart Avenue, spoke regarding the ordinance prohibiting the sale of dogs of puppy mills. Although all her animals have been rescues and she doesn't agree with puppy mills, she doesn't see where the Township has the right to tell a pet store what they can and can't sell.

Michael Gorostiza, 23 Cranberry Lane, stated that he was curious if the Township ever explored the possibility of having outside sources help fund our road program through possible advertising on roadways.

Mr. Catrambone stated that it is an interesting concept and something we would have to explore. We have done this with the Delran Community Park and we are always pursuing grants for roadways.

Silvia Gorostiza, 23 Cranberry Lane, suggested that we look at bringing a Farmer's Market to Delran.

Mr. Catrambone stated that we have held a Farmer's Market in the past but it is very time consuming. This would be something that falls under the RAC or Green Team.

Mr. Paris stated that we will make this recommendation to RAC.

Mr. O'Connell made a motion to close the meeting to the public, seconded by Mrs. Kolodi. All were in favor, the motion was approved.

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

Respectfully submitted,

Jamey Eggers, Township Clerk