

**PUBLIC MEETING  
MUNICIPAL BUILDING**

**February 1, 2022  
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 December 28, 2021 and posted on the bulletin board on the same date.

**ROLL CALL:** Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell were present.

**ALSO PRESENT:** Mr. Catrambone, Mayor, Mr. Siciliano, Solicitor, and Ms. Larkin, Deputy Clerk.

Mr. Burrell made the following statement:

Please note that there may be limited discussion about the agenda items voted on today because they are either routine or have been discussed in the prior work sessions. At the work session meetings Council debates and diligently analyzes the detail of every action in conjunction with our professionals and staff. At the public meeting we are taking formal action after hours of those discussions.

Mr. Burrell noted that Council will also walk on an executive session at the end of the meeting which will be Resolution 2022-39 to discuss potential litigation involving OPRA.

**ORDINANCE(S) ON SECOND READING**

**TOWNSHIP OF DELRAN  
ORDINANCE 2022-01 CALENDAR YEAR 2022  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Council of the Township of Delran, in the County of Burlington finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$470,005.24 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Council of the Township of Delran, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Township of Delran shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$470,005.24, and that the CY 2022 municipal budget for the Township of Delran be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mr. Jeney made a motion to open the meeting to the public, seconded by Mr. Smith. All were in favor, motion approved.

There were no comments.

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

Mr. Jeney made a motion, seconded by Mr. Smith to adopt Ordinance 2022-01 on second reading.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

## **RESOLUTION(S)**

**Resolution 2022-32** Appointing a Qualified Purchasing Agent (QPA) and Increasing the Bid and Quote Thresholds Accordingly

Mr. Lyon made a motion, seconded by Mr. Smith to adopt the Resolution 2022-32.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

## **CONSENT AGENDA**

- a. Resolution 2022-33** Approving Raffle License 603 and Bingo License 2021-02 for the Church of Resurrection
- b. Resolution 2022-34** Authorizing the Cancellation of Taxes of a Totally Disabled Veteran Located at Block 91, Lot 6 Partial Tax Year 2021 and Thereafter
- c. Resolution 2022-35** Authorizing the Cancellation of Taxes of a Totally Disabled Veteran Located at Block 118.17, Lot 21 Partial Tax Year 2022 and Thereafter
- d. Resolution 2022-36** Authorizing the Cancellation of Taxes of a Totally Disabled Veteran Located at Block 182, Lot 2 Partial Tax Year 2021 and Thereafter
- e. Resolution 2022-37** Release Sewer Escrow 1012 Oak Avenue S2017-03
- f. Resolution 2022-38** Authorizing the Execution of the Shared Services Agreement between the Township of Delran and the Township of Mount Holly for the Purchase of Brine Material

Mr. Jeney made a motion, seconded by Mr. Smith to approve the Consent Agenda.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

## **MOTIONS**

Mr. Lyon made a motion, seconded by Ms. Parejo accepting the report of the Tax Collector and Township Clerk

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

Mr. Jeney made a motion, seconded by Mr. Smith granting a mercantile license to:

- Amazon.com Services LLC 400 Delran Parkway
- Yavuz Accounting Services, LLC, 5020 Route 130 North

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

## **REPORTS**

**Mr. Bellina** – Mr. Bellina stated that in his first week he is becoming acclimated with the folks here and stated that the staff could not be more accommodating.

Mr. Bellina stated that by the end of this week or beginning of next week we will be in high gear working on the 2022 Budget. He will be meeting with the Auditors tomorrow.

**Ms. Eggers**– No report.

**Mr. Catrambone** – Mayor Catrambone thanked Delran Public Works, Police Department, Fire Department and EMS for their incredible work over the weekend with the storm.

Mr. Catrambone stated that today is the beginning of Black History Month and the focus this year is Black Health and Wellness and highlights the accomplishment of black doctors and researchers throughout history and today.

**Solicitor** – No report.

**Ms. Parejo** – No report.

**Mr. Smith** – Mr. Smith stated that with a lot of snow remaining, there is the potential for melting during the day and refreezing during the night. Please be careful during the night and early mornings on streets and sidewalks.

**Mr. Jeney** – Mr. Jeney echoed the Mayor comments.

**Mr. Lyon** – Mr. Lyon echoed the comments regarding Public Works and Emergency Services. They did a commendable job as this was a tricky storm with temperatures and wind. By Monday, the roads were in great shape.

Mr. Lyon reminded residents to stay healthy as we navigate hopefully what will be the end of the pandemic.

**Mr. Burrell** – Mr. Burrell echoed the comments of Mayor and Council. Public Works and the Emergency Responders did an excellent job with the storm.

### **PUBLIC PORTION**

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

Mr. Burrell read the rules of decorum.

Barb Littleton, Delran resident, asked if any Council members were Zoning Board members that voted on the Dunphy lawsuit.

Mr. Burrell stated that no Council members were on the Zoning Board at the time of the settlement. Mr. Jeney and Mr. Smith were both previous members of the Zoning Board.

Ms. Littleton asked if Council prepared an analysis on the Dunphy claims to identify what the total deductible would be if we went through the insurance.

Mr. Burrell stated that there was a memo prepared by the Solicitor that provided a cost benefit analysis on each claim.

Ms. Littleton asked if she heard correctly, in a previous meeting they indicated that no one other than the employees that touch cash are bonded individually.

Mr. Burrell stated that the Solicitor did provide that general information to the best of his knowledge.

Ms. Littleton asked if the Communications Director is a contractor.

Mr. Burrell stated yes, she is not an employee.

Ms. Littleton asked if the Communications Director makes a statement on social media in her official capacity and the Township is sued, how will they pay out the claim?

Mr. Burrell stated that he can not comment of potential claims as it will depend on the facts of the claim as to what would be covered and under what insurance.

Ms. Littleton asked if the Communications Director has insurance.

Mayor Catrambone stated yes.

Ms. Littleton asked what experience the Communications Director had prior to last year when she was hired by the Mayor.

Mayor Catrambone stated that last year it was to serve as a proof of concept and done on a much simpler basis as the pay scale was smaller. Her experience was varied in numerous businesses performing numerous duties. It worked out very well in his opinion.

Ms. Littleton stated that according to the OPRA request, the Communications Director has her business license approved four days before the contract was signed. Ms. Littleton stated that she is confused to what work she was doing before being appointed.

Mr. Burrell stated that he is not in a position to answer that question.

Patrick Duff, Haddon Heights resident, stated that the Township has put out various statements and he is wondering when a statement is read at a Township meeting, is it always posted online.

Mr. Burrell stated that normally they are all posted. It is an administrative function.

Mr. Duff asked if they remember any statements that were read and not posted for the public.

Mr. Burrell stated that he believes almost every statement is posted.

Mr. Duff stated that the only statement he can identify that has not posted is the statement read into the record into the Dunphy settlement which showed a \$300,000 settlement.

Mr. Burrell stated that he believed it was posted online but he did prepare a statement a statement and read it into the record at the public meeting.

Mr. Duff stated that it was not posted online.

Mr. Duff asked the Mayor if he believes that his post online about Mr. Duff sparked the hit blog against him.

Mayor Catrambone stated that he has no idea what sparked that blog.

Mr. Duff stated that what Ms. Littleton was trying to get at during her comments were that both Mr. Jeney and Mr. Smith were on the Zoning Board and voted against the Dunphy application. Then they both voted for the settlement as members of Council. Mr. Duff stated that they should have recused themselves and he believes their votes should voided. Mr. Duff stated that the

Township should have went through the insurance company. Mr. Duff stated that he spoke with the JIF and they stated that when a claim is received the insurance provider thoroughly investigates the allegations contained within the complaint. If the investigation determines that the actions of those involved were illegal or resulted from willful misconduct of their roll within the municipality, coverage can and will be denied. So basically, what they were saying is that if the claims presented by Dunphy's were found to be true, the insurance company would not have covered the claims. Mr. Duff stated that he would like to call for an investigation into the fact that we didn't print the Dunphy's statement as it was a cover up and not reported to the insurance company.

Mr. Burrell stated that he can not speak to why the statement was not posted on the website.

Mayor Catrambone stated that the other statements Mr. Duff was referring to were posted in the Mayor's Message. The statement on the Dunphy's settlement was read into the record at a public meeting.

Mr. Siciliano stated that the self-serving statement by Mr. Duff was filled with so many inaccuracies and incorrect assumptions and conclusions. He does not feel that it is appropriate to attempt to answer those falsehoods.

Mr. Burrell stated that at no point was this an attempt to cover anything up, in fact if it was there would not have been such an extensive statement read into the record.

Tony Egan, 108 Shelly Lane, stated that he should like to yield his time to Mr. Duff.

Mr. Siciliano stated that five minutes are allotted per speaker. He cannot yield or assign his time.

Mr. Egan asked what Mr. Siciliano has to hide since he doesn't want to speak with Mr. Duff.

Mr. Siciliano stated that he has nothing to hide.

Mr. Egan stated he will use his time to tell Council that Public Works did a great job with the snow removal and has nothing but praise for the department.

Mark Oberg, resident, stated that Council has the opportunity to go to the insurance company when any type of legal action is filed against the Township. Mr. Oberg asked how long the Township waited to notify the insurance company that there was the potential for a lawsuit to be filed by Dunphy's.

Mr. Burrell stated that he does not have that information in front of him tonight.

Mr. Oberg stated that it was not immediately and probably even after the settlement.

Mr. Siciliano stated that is not correct. There is nothing in the record to indicate that it wasn't timely or that it was after the settlement.

Mr. Oberg asked if Mr. Siciliano will apologize on the record if it is found to have been after the settlement. There were two individuals that were named in the complaint that voted for the settlement and should have recused themselves. It is a matter of ethics as someone named in the suit should not be negotiating the settlement.

Mrs. Morgan, 104 Fox Chase Drive, stated she moved here and it just appears that everything is ridden with scandal. She sees things on Facebook and now she is hearing about these lawsuits and she feels that there is a lot a mistrust. If there is anyone that can speak to how they plan to rebuild that trust.

Mr. Burrell stated that he appreciates her concern and understands where she is coming from. He cannot change the minds of the people. The only thing that Council can do is continue to provide the services that the residents want and continue to do the work that they do to make the community a better place.

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

Mayor Catrambone stated that he has been holding back his comments. The accusations that have been made and not even issues anymore yet continue to be discussed. Specifically, one of the accusers were told back in December that there were no violations of ethics by the Department of Community Affairs regarding the handling of the contracts for the Carli Lloyd event but there is a refusal to acknowledge that truth. At no point was that information shared with the residents but instead individuals continue to ask the same questions and state incorrect information in blogs and in meetings even though the answers have been provided. The other thing that is really important is the cost to the Township for all of this above and beyond the stress to the Township employees and staff. This is also cost the Township a significant amount financially in terms of the numerous OPRA requests we have received. This all started with a question about the sponsorship of the fireworks, which was about \$12,000. As of right now, the total cost for the OPRA requests we have received from October through December have cost the Township taxpayers \$20,973.71. Unfortunately, there doesn't appear to be an end in sight. The event was not, as accused, a political or campaign event. No money was given to anyone running for office nor collected for any candidate. The first lady of NJ attended the event because she and the Governor are co-owners of the Gotham Football Club as well as personal friends of Carli Lloyd. Mr. Catrambone reminded everyone that the Dunphy's litigation is settled. The settlement does not indicate any fault. If we continue to drag this on it should have cost the Township double in legal fees. At the advice of legal, we evaluated the cost to fight the case and determined it would be fiscally more responsible to settle. Mr. Catrambone stated that he never trespassed on the property. He took the photos from the street. No allegations were ever filed, this was just the threat of a law suit. Mr. Catrambone stated that he would happy to answer any legitimate questions by residents.

### **EXECUTIVE SESSION**

At this time, Mr. Burrell asked for a motion to adopt Resolution 2022-39 authorizing the executive session.

**TOWNSHIP OF DELRAN  
RESOLUTION 2022-39**

**AUTHORIZING EXECUTIVE SESSION TO DISCUSS THE FOLLOWING: POTENTIAL  
LITIGATION – OPRA**

**WHEREAS**, N.J.S.A. 10-4.6 et seq. (Open Public Meeting Act) provides for the exclusion of the public from public meeting for certain reasons; and

**WHEREAS**, it is necessary to close the work session meeting of February 1, 2022 for the following reason:

1. Potential Litigation – OPRA

**NOW THEREFORE BE IT RESOLVED** that the meeting is closed for the reasons above in accordance with the Open Public Meeting Act.

Ms. Parejo made a motion, seconded by Mr. Jeney to adopt Resolution 2022-39.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye

Ayes: 5

Nays: None

Motion Approved

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

There was no action taken after executive session.

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

Respectfully submitted,

Jamey Eggers, Township Clerk