

**WORK SESSION  
MUNICIPAL BUILDING**

**AUGUST 12, 2014  
DELRAN, NJ**

**SUNSHINE STATEMENT:** Please be advised that proper notice has been given by the Township Council in accordance with the sunshine law in the following manner. Notice mailed to the Burlington County Times and Camden Courier Post on December 26, 2013 and posted on the bulletin board on the same date.

**Roll Call:** Ms. Pangia, Mr. Schwartz, Mr. Morrow and Mr. Catrambone were present. Mrs. Kolodi was absent.

**ALSO PRESENT:** Tim O'Donnell, Attorney, Mr. Hatcher, Administrator and Ms. Eggers, Township Clerk.

**Jake's Place Memorandum of Understanding**

This updated MOU was received today. Mr. Catrambone read the Addendum with the language which was requested by Council as follows:

1. The design, construction and all decisions related to the building of the playground must be approved by the Township prior to implementation.
2. The cost of BJP utilizing the services of Township professionals will count towards the Township's 35% total expected amounts to be raised for the cost of the playground construction.
3. BJP must request to utilize the playground site for fundraising for each instance it intends to do so and each request is subject to approval by the Township.
4. In the event that the project is terminated or not completed, all funds fundraised and/or contributed by the Township shall revert back to the Township.

Ms. Pangia made a motion to accept the Memorandum of Understanding with the changes which was seconded by Mr. Schwartz and also authorizing the Mayor to execute the Memorandum with the approved changes.

Roll Call:

**Whitesell Fence Licensing Agreement**

Mr. Hatcher advised that this is the licensing agreement that was reviewed by the Attorney. Whitesell wanted to make sure that if the Township wanted to revoke the license they be given sixty days' notice and also the Township can revoke for a default in the licensing agreement and also probably cause. A motion was made to authorize the Mayor to sign the license agreement for Whitesell in regard to the use variance.

Mr. Schwartz made the motion which was seconded by Mr. Morrow.

Roll Call: Ms. Pangia, Mr. Schwartz, Mr. Morrow and Mr. Catrambone voted Aye.

Ayes: 4  
Nays: 0

### **Hunters Glen Apartments**

Mr. Hatcher was asked to give some background information and stated that years ago apartments paid for their own trash removal and there was a court decision with respect to a challenge for towns having to provide that service. A decision was made at the state level that municipalities had to pay for trash removal and we have been reimbursing Hunters Glen for their trash removal for some time. Previously, we had a couple of options one of which we could provide this service ourselves. We investigated that with our trash hauler and it was too expensive because there are all dumpsters in that complex. We could also have out on a contract with other towns (MACCS) and we reviewed that possibility but Hunters Glen had a slightly better cost than MACCS. Hunters Glen owns a number of apartment complexes and has a contract for all of his complexes and therefore had a better price; therefore, we stayed with Hunters Glen trash haulers and reimbursed them. One of the issues that is in question is paying for the recycling. When these laws came into effect towns had the right to provide the service and we did not do that because it was too expensive. However, if we did do that the County would pick up recycling but you would have to buy the dumpsters and put them all through the Hunters Glen complex. That also created a problem because in order to get enough dumpsters, they would lose parking spots. However, when I reviewed their reimbursement package, they submitted a rather large recycling charge of over \$9,000 for electronics because you can no longer put electronics in the waste stream. I did ask Al Marmero and essentially it is a little bit of a gray area but he felt we probably need to pay for it or the other avenue we could in the future re-evaluate MACCS. It is going to force Hunters Glen had a little bit with having locations for the dumpsters. The bill also includes their regular recycling but that has always been a minimum charge as it has not been that much for cardboard and things along that line. The increase is due to the electronics. Jerry DeSanto said he thinks they have been stockpiling TV's for some time and they did try to push them on the Township but Mr. DeSanto said "absolutely not" as we do not take your TV's. The County told Jerry that it is up to the resident to take their electronics to wherever they had to. Mr. DeSanto set Hunters Glen up with the individual who collects our TV's and Mr. DeSanto was told that it was mess out at Hunters Glen. Our guy would not touch it and said someone should call the County on them. Ms. Pangia asked if they could bring them down on our Clean Communities day and Mr. DeSanto said he could not accept that many TV's. Mr. Paris said that they should have been doing this all along instead of stockpiling them. Mr. DeSanto said he never told Hunters Glen they could not bring them to the Township Building until he found out how many they had and we could not handle that amount.

Mr. Catrambone said it looks like we have two problems. First is the backlog and then going forward what do we do? Mr. Schwartz asked what should the resident do if they have a TV to be disposed. Mr. DeSanto said they could bring it here to the building as

we are one of the few towns that offer this service. In some town the resident would have to take the TV to Good Will, the County or wherever they bought the TV. We are one of the few town that does not incur a cost when residents bring in their electronics and one of the reasons is we keep a good site and also residents can bring in anything that you can plug in not just TV's. Hunters Glen had strictly TV's. The person that collects our electronics told Mr. DeSanto that if he were to take all of those TV's and put them on the Township's site, he would drop us as a client and would then start charging us if he did come.

Mr. DeSanto said we have no problem taking the TV from the residents of Hunters Glen but not from the apartment complex. We need to educate the residents of Delran as well as the residents of Hunters Glen about recycling all other types of electronics. Mr. Catrambone asked if we are obligated legally to pay the \$9,000. Mr. Debrosse stated that the law probably leans more in favor of the Township paying even though it is not clearly stated. Mr. Hatcher asked if Council would authorize to pay the portion of the bill for trash collection and hold off on the \$9,000 for this bill list. Council had no problem with the trash collection portion of the invoice for Hunters Glen. Mr. Catrambone said that the bill for recycling that needs to be paid or be negotiated. Mr. Hatcher said that if Hunters Glen offers their residents an option to recycle their TV's and would bring them to the Township weekly, then we would have no problem with a weekly delivery. Mr. Hatcher said that he will reach out to Hunters Glen and see if the bill can be negotiated, and then report back to Council on the outcome.

David Reissman of 700 Fifth Street asked Council if the apartment complex gets the same information on recycling as the residents get in the mail. Council answered that the apartment complex does not get that information.

### **Sewer issue on Starke Lane**

Mr. Catrambone asked Mr. Hatcher to bring Council up to speed on this item. Mr. Winckowski stated that Starke Lane is a cul-de-sac off of Creek Road and a plumber called CME after talking to Jeff Williams at the Sewer plant. Mr. Winckowski went on to say that right now there is sewer on half of Starke Lane and there are four to five homes that are on septic. The plumber is looking to get permission to connect one of the homes that has a septic system to Delran's sewer system by taking their laterals and running them down the street and tying individually into the sewer mains. Normally the lateral comes straight out from the house as it is not a good idea to have laterals with bends and curves running down the street. The plumber is asking for two people to be connected but there are still another two or three that would not be connected. The plumber was told he had to extend the main which will be more costly than what he wants to do. Mr. Williams and Mr. Winckowski do not agree with the plumber.

Council thanked Mr. Winckowski for his opinion. Therefore, Council agreed that it should be done the right way and if the resident wants to tie in then the main will have to be extended. Mr. Hatcher will advise the plumber of Council's decision.

## **Discussion Fee Estimate for Route 130 Sidewalks**

Mr. Winckowski advised that a grant was received for Safe Streets to Transit in the amount of \$250,000. Mr. Winckowski advised that they applied basically to put sidewalks in wherever they are missing along Route 130 in Delran but the grant will not cover all of it. The engineer recommended phasing the project such as doing the northbound side of the street first and then if the grant is received again do the other side. Mr. Winckowski showed Council on a map that the sidewalk would run from Cinnaminson to Tenby Chase, then just before you get to Golden Corral and the pad site in front of Heritage Square which will be a Patient First so they can do the sidewalk. On the other side of the street sidewalks would be installed from Chester to Fairview. Mr. Hatcher said if Council is in agreement, the Bond Ordinance will be prepared for the next public meeting. Mr. Winckowski will look into perhaps getting \$33,000 to finish Fairview Street. The first reading of the ordinance will be at the September work session.

## **Mercantile License Fees**

Councilman Schwartz had asked previously to look into Mercantile License fees. The recommendation was to do a one-time increase over incrementally increasing the fees over time. Councilman Schwartz stated that the reason he asked for an increase is because in 2012 there was an increase but previously there had not been an increase in the fees for over twenty years and his reasoning was that the increase every year could be based on Cost of Living. Councilman Schwartz further stated that if it cannot be done in increments, then he proposes a 5% increase at this time. Mr. Catrambone stated that he agrees with an increase of 5% and every couple of years re-visit it. Everyone on Council agreed that a 5% increase seemed reasonable. This is to take effect for the upcoming year.

Christmas Tree sales need a zoning permit but do not have to get a Mercantile License. Council wants the attorney to look into having anyone selling Christmas Trees in town get a mercantile license.

## **REPORTS**

Superintendent of PW Jerry DeSanto advised that the issue on Hartford will be addressed. PW will try to overlay it because the price was very high and Mr. DeSanto feels his crew can handle the work. Mr. DeSanto will work out traffic control with the police department and figures the work will take about a week. Mr. Hatcher said that in November we will probably have to transfer some money into PW account as this work was not anticipated in last year's budget. Mr. DeSanto anticipates the work costing between \$3,000 and \$5,000. The other issue is Fairview Street and PW would like to remove the old fence and just put a gate. Mr. Hatcher said he looked at the fence with Mr. DeSanto and agrees that it should be removed. Mr. Morrow mentioned a huge pine tree that has fallen over at Faunce Park and feels that it should be looked at and perhaps removed. Mr. Morrow feels it is dangerous.

Mr. DeSanto also asked if he can put an ad in the paper for a new hire since one of the workers has retired. Mr. Hatcher asked if Council was comfortable with continuing this position in the budget.

Mr. Schwartz asked if Lake Lonnie emergency access was taken care of and Mr. DeSanto said it was. Secondly, Mr. Schwartz had concerns about the outfall valve that was recently replaced and it looks like there was a ton of debris and it looks like possibly someone may have tampered with it again. Mr. DeSanto said it would check it out the next morning.

Mr. Hatcher said that he had an inquiry from one of Emergency Services about getting a pre-emption device for the traffic light at 130 and Chester Avenue due to the Squad and the Fire Company going down there. It is a device that would allow them to affect the light change. Mr. Hatcher finally got through to the right person and they started an investigation into the feasibility and they will get back to us. They also made it clear that if they get back to us and say yes it is authorized they will not share in the cost of the device. They would provide us with the information as to how to do it. Mr. Hatcher said he made absolutely no commitments other than to say he would look into it to see if it could be done and it can be done if DOT gives approval. Mr. Hatcher did tell the person who asked that he had a response and that it would not be paid for by DOT and Mayor and Council have not discussed the issue and have not indicated that they would fund it. When it is discussed, we could discuss including the police in the project as well. Mr. Hatcher thinks it would be a good idea, if it could be worked out.

Mr. Hatcher said an old item he had was he inquired about the bus stops that were requested near Home Depot and if Council does not have an interest in it, Mr. Hatcher will write a letter to them advising them there is no interest in a bus stop near Home Depot.

The Solicitor had no report this evening.

The Engineer reported that he sent out the report and will go through it briefly. The Contractor will work on open issues at Community Park and hopefully by September it will be completed.

Road Program – The punch list was submitted to the contractor and these items need to be completed before the final payment is released.

Stewart Avenue – CME is working on get the close out for the first public meeting in September.

Swedes Lake – Working on project design and permit application.

Fairview Street – Most of the work has been done. Some punch list work remains to be completed.

Road Program for next year – Mr. Winckowski asked if Council was expecting this work to be done this year. Council answered yes but the engineer felt a spring start would be more advantageous. Councilman Schwartz asked if the intersections will survive another

winter as some of them are very bad. Reasons were discussed why the project should not be started late fall and run into the winter months. Mayor Paris wanted something to be put on the web site stating that the intersections and Forge Road will be done in the spring.

Lona Pangia asked if did we ever follow up with the parking on Fairview St. Mr. Hatcher said he checked with the Police Chief and said that the police are following up. Hunters Glen asked if the mammogram van can be moved to Hunters Glen because some of the residents do not drive. It will come back to us in December but they asked if it could be at Hunters Glen in September.

Jake's Place first fund raiser will be September 27 called Build a Better Delran and they have flyers available. It will be a 5K in Cherry Hill. Calvary Church will be working with the Township on the Trunk or Treat activity. The people going into the park, will be asked for a donation for Jake's Place.

Councilman Tom Morrow asked Jeff who is responsible for the cars that pull up in front of the Shop Rite. Mr. Hatcher said if they are in the fire lane, it is a police matter. Mr. Morrow wants the Township to talk to the owners of Shop Rite and maybe put some poles their so people can't pull their cars up.

Mr. Morrow asked the engineer if we could get something for the Riverside Park area on the CDBG grant. Mr. Morrow said Norman Avenue is really bad.

Mr. Morrow asked Mr. DeSanto if he went out to bid on the leaf trucks. Mr. DeSanto stated they are out for bid now.

Mr. Morrow said he spoke to a member of the Green Team about putting some trash cans on Fairview Street. The Green Team will look into it.

Mr. Schwartz has one item that deals with the fence ordinance change. We had hoped to have the second reading of the fence ordinance changed and he assumes the discussion will be moved to the next work session.

Mr. Schwartz stated that the anomaly in the fence ordinance may have just been a typo. Basically the Construction Code office was told to suspend permit applications for fences that fall between the guidelines of what is written in the Code Book and what they had previously been issuing which Council is hoping to put back in the Code Book. Mr. Schwartz wanted to know if Council could vote on enforcement of the gray area between 5' and 6' height.

Mr. Catrambone took over and advised everyone that the first reading was passed and then it had to be sent to Planning Board for approval, it was again approved by Planning Board. However, the attorney was told to place the ad and it was too late for this work session. It is scheduled for the first meeting in September. Mr. Catrambone thinks the ordinance is "stupid" therefore enforcing the ordinance is "stupid". The Township did issue the permit to put their fence up. The question to the attorney is "What can we do"

The attorney advised that legally the ordinance is what it is. It is up to the town to determine what they want to put their priorities on in terms of enforcement of every ordinance. You can ask the resident to take the fence down. The resident went to Zoning to get a variance and Zoning denied the variance to them. You cannot even get a 5' fence any more for a privacy fence. The attorney said it is fair to not send someone out to enforce this ordinance. There has been a nuisance complaint on this 6' fence on this fence. It was asked if Council can refer back to Zoning to agree and give the resident a zoning variance. We gave the resident a permit to put the fence up. We issued a permit for a fence that they should have not been put up. The Attorney advised that Council should recommend to the Zoning Board can be told to issue the variance. The Zoning Board would have to have a new public meeting. Council has to put a new ordinance in place allowing a 6' fence. Mr. Winckowski advised that they give the resident a 60 day extension and by that time the new ordinance would have to be in place. The zoning officer issued the first violation.

Ronald Rossi of 400 Leon Avenue said no violation was issued. The neighbor complained. Mr. Rossi went for a variance and it was not issued. The attorney advised for the resident to wait for the violation that may or may not come and will probably have 60 days to rectify it and by then and new ordinance should be in place.

Mr. Catrambone recommend that we put a piece of software on Jamey's computer known as Adobe Professional which would be helpful to her office.

Mr. Hatcher said he had one more item and that is they had the Sewer TV truck and is doing the line in front of the Sewer Plant and doing the line that goes from the Storm Sewer all the way out to the flapper and all the way out to Alden and Norman. The reason for the delay was that the TV Truck was down.

Mayor Paris asked about the collapsed area of Conrow. Jim Winckowski sent in an application and will find out for the next meeting.

Mayor Paris asked the officers to talk to their kids at the playground at SummerHill Basketball Courts about leaving their trash.

Last but not least is for Delran Day on September 28 and they need volunteers. One meeting will be held and they are looking for volunteers.

A representative came in after the RAC meeting and advised that their meeting was over. September 28 is the Town Wide Yard Sale and the rain date if October 4. A few members volunteered for Trunk or Treat. One of the permits that we issued for the use of fields, sent us a check. We do not charge for use of fields. Mr. Parento asked if he could ask the writer of the check if they want to donate it to some event in town or should they return it. Mr. Hatcher will look into having them donate it to Jake's Place. Jake's Place will have a Chapter 159 which is a resolution that will set up the account and the money stays alive until such time you need to spend it for the purpose which it was set up.

Summer Camp is going very well and roughly 200 kids are showing up every day. They had some kids from Cinnaminson and Riverton but their grandmother brought them to the camp. However, they were told it is open to Delran children only. Mr. Hatcher said he would like to sit down with Michelle and Joe Parente and iron out any of the problems with summer camp. Mayor Paris asked to thank Michelle for doing a good job.

A motion was made to open the discussion to the public. Mr. Schwartz made a motion to go into public and the motion was seconded by Mr. Morrow. All were in Favor.

Mary and Joe Parento of 25 Bridgeboro Street asked about Cleveland Avenue next to the Fire House and it is really bad. The patching just get torn up. Mr. DeSanto said it is another Hartford Road but unfortunately it is not a main road. The emergency vehicles travel on that road. Mr. DeSanto was asked to fill a couple of pot holes but that is not going to last. Jim Winckowski said by filling in pot holes you are just putting a band aid on top of another band aid. There are several holes out there. Mr. Winckowski will take another look at it. Ms. Pangia asked if Public Works could do something other than just patching the pot holes. Mr. DeSanto said they could but they are running out of time and money. It will take five guys a week to fix Hartford. Then grass and chipping will fall behind. Mr. DeSanto said he would look at it and maybe try to work it in.

Bob Kennedy 18 Silverwood asked about insurance for special needs. The AA put them under their insurance for \$193 for the year which is reasonable. Mr. Kennedy asked what is the problem with the AA getting a check for this amount. The Council approved the cost of the insurance. Mr. Winckowski and Mr. Kennedy walked the Community Park along with some of the directors of baseball and softball and they have some ideas before the punch list is done. Is that an option? Mr. Hatcher said the punch list are items that were approved and not additional items. Mayor Paris said he has no problems with the AA walking the field and maybe suggesting something as an improvement and if it is something that can be worked in with the next phase or something. Mr. Catrambone stated that the suggestions may not be something that the contractor has to do. Mr. Kennedy said that maybe some of the minor things will be done at the AA expense. The AA will check with Council before they do anything at the field to make sure everyone is on the same page.

Mr. Kennedy asked Ms. Pangia about the Trunk or Treat and advised the parents of the head count so they know how much candy to bring. They will close the gates so cars cannot leave as soon as they get the candy.

Mr. Kennedy asked about the house near Walgreens and said it is looking bad. Mr. DeSanto said now it is being cut and a lien is put against the property. Taxes are being collected on the property.

The sign at Frank DiLuzio field is deteriorating and it is expensive to have it fixed and/or replaced. Mr. Kennedy said if they have it replaced can it be changed to Frank DiLuzio Memorial Field. A new sign will cost about \$3,000. Mr. Hatcher said if Council wants to change the name then can just change it.

Ron Rossi asked what can be done about the fence. Mr. Catrambone said he could not give him legal advice but if the Township were to give a citation they would have to give you time to rectify the situation. Mr. Catrambone said to wait to see what kind of time line is given to rectify it. The code will be changed but it will be read at the September meeting. A citation might not ever be issued.

Walt Bauer has a key to the Community Park; however, the Fire Department should have a key in case there is a fire.

Dave Reissman 700 Fifth Street said that in regard to the Community Park there is a mess back behind in the Recycling Center. Maybe the fence around the property that belongs to the County, could be extended to keep people from cutting through to the Community Park. People also cut through Canal's lot. Mr. Hatcher will reach out to these two entities to see if something can be done to deter people and kids from cutting through to get to the Park.

Mr. Schwartz made a motion, seconded by Mr. Morrow to enter into closed session to discuss Sale of Municipal Assets and Personnel Issues. All were in favor, motion approved.

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

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

Respectfully submitted,

Adele Meiluta