

Merchantville, NJ

September 25, 2006

A regular meeting of Borough Council was held at 7:30 PM, Monday, September 25, 2006. Mayor Patrick J. Brennan presided. Pledge of Allegiance and Silent Prayer were observed. Announcement was made that the meeting had been advertised in accordance with the regulations prescribed by the "Open Public Meetings Act".

ROLL CALL:

Council Present: Finnegan, Fields, Pagano, Alloway, Zeiders and North
Borough Clerk Thomas and Solicitor Higgins were present.

PUBLIC:

Alice Diamond, 105 Westminster Avenue, stated that AST failed to complete a project at the College of New Jersey. Also stated that AST has not completed projects it started in both Barnegat and Plainfield. Council needs to assert its rights and obtain proper financial reports from AST to determine if they are capable of performing the work required. If Council doesn't feel comfortable reading and understanding these financial reports, a Redevelopment Authority could be appointed in its stead. **Gail Ford**, 135 North Centre Street, asked, based on the Request for Qualifications, how was AST chosen as redeveloper for the Town Centre East project. **Mr. North** explained the Request for Qualifications process that the Borough underwent. Three proposals were received in response to the Borough's request. AST had a net worth of approximately \$1 million greater than Fieldstone (another submitter); Fieldstone failed to provide an updated financial report (only a 2002 version).

Robert Disch, 23 East Chestnut Avenue, inquired to the process for changing the Zoning Code. Borough Code does not address underground fumes with regard to a parking garage. Mr. Disch provided a sample ordinance to Council. **Mayor Brennan** stated that the Planning Board must first make a recommendation before a change can occur.

Isabelle Watson, 12 East Park Avenue, asked Mr. North for clarification of his statements at the last Council meeting regarding Merchantville being "absorbed" if we don't move forward with our redevelopment projects. **Mr. North** explained that the Governor is proposing larger towns absorbing smaller towns in order to minimize services, such as Fire, Police and EMS. Mrs. Watson doesn't believe this will happen to Merchantville and continued that the State threatens to do this approximately every 10 years for the past several decades. Mrs. Watson compared Merchantville to Cranbury and stated that Cranbury is identical now to the way it was 60 years ago. Mr. North continued that taxes are an issue in a small town [Merchantville] and we therefore must be proactive. Council can only do so much to address the local tax rate. Will introducing ten new stores relieve Merchantville of this tax burden? Mr. North responded that the retail stores are part of a greater project that also includes housing units. Mrs. Watson walked throughout town and found several empty storefronts including Mr. Cuzzupe's Centre Street property. **Mayor Brennan** stated that Mr. Cuzzupe is in the process of refurbishing the two store

fronts and they are rented upon completion. There will be retail on the ground floor, per the zoning code, with apartments on the upper floors. It appears that there been changes to the Maple/ Chapel Redevelopment Plan. Mr. Brennan stated that no plans have been accepted or rejected yet. Mrs. Watson read a statement aloud to Council regarding the Town Centre East property stating it was too dense and tall for such a small town. Added that recently performed drilling at the Town Centre East site and discovered water at a depth of 15 feet near the Johnson house on Park Avenue. Mrs. Watson would like Borough Council to save 17 East Park Avenue, as it is a part of the town and its folklore. Also suggested that something similar to the Maple Mews (3 bedroom units) be constructed at the Town Centre East site to encourage families to purchase them. Mrs. Watson opposed building of any kind on the Verizon lot.

Marvin Gaskill, 102 East Chestnut Avenue, stated that he believed that there was activity on the Maple/ Chapel Redevelopment Property. Mr. North stated that Council has asked for Request for Proposals. Mr. Gaskill asked about the driveway between the redevelopment property and 57 Chapel Avenue. Mayor Brennan stated that the driveway is part of the redevelopment property and that the Borough would honor its agreement with Deborah Binder, 57 Chapel Avenue, regarding her parking situation.

Joseph Brickley, Deputy Merchantville Fire Chief, stated that there is an ongoing problem with one specific borough property. To date in 2006, one in five calls has been to 606 West Maple Avenue, the majority of which have been "nuisance" calls. Midnight calls to 606 West Maple Avenue are killing the Fire Company's membership. Mr. Brickley asked Council for help with a solution to the 606 West Maple Avenue problem. Suggested possibility of utilizing an Oxbox system for housing central keys similar to what is used at Chestnut Station. **Mr. Pagano** asked what the main issue was with 606 West Maple Avenue. Mr. Brickley stated that maintenance is the major problem with the site. With regards to the fire siren, the timer is approximately 15 years old. The insular is at least 30 years old and no longer in production; Jan Communications has been contacted in an effort to get it serviced. Thanked Council for the old Police Explorer.

Tom Evaul, 125 Saint James Avenue, does the Borough owns a fair amount of land within the Town Centre East Redevelopment Zone. Are we planning on giving this land to a developer and do we know the value of this land? **Mayor Brennan** stated that the land has been assessed. Is the developer trying to acquire other lots within the zone via negotiation of market price? Mayor Brennan answered that was correct and if negotiations are not successful then appraisals will be ordered and the eminent domain process will be utilized using funds of the developer. Mr. Evaul asked about tax benefits to the Borough. Mr. Brennan responded that a low dollar figure for the project would be about \$20 million dollars equaling about a \$14 million ratable added to the Borough's tax rolls.

APPROVAL OF MINUTES: None

OLD BUSINESS:

PROCUREMENT CARD POLICIES & PROCEDURES: Mayor Brennan asked that the procedures be provided at least one week in advance so that Council members can thoroughly review them.

NEW BUSINESS:

AST DEVELOPMENT: Mr. North stated that letters had been received from several concerned citizens regarding the Town Centre East project and AST was invited to attend the meeting to respond to certain allegations.

Edward Stutz and Alan Brandies, AST Development Corporation, read a letter aloud to Mayor and Council in response to the letters sent to Borough Council mentioning a project at the College of New Jersey. Mr. North asked Mr. Stutz if this project was a state contract. It was, yes. As a result of the outcome, has AST been disbarred by the State. Mr. Stutz responded that they have not been disbarred and they are still able to be bonded and perform work in New Jersey. Has there been significant change to the AST financial statement since the original proposal? Mr. Stutz responded no, there has not.

Mayor Brennan asked Mr. Stutz to provide estimated financial statements for the year ending 2005, and estimated tax numbers based on Merchantville's tax rates.

RESOLUTION – PURCHASE POLICE CRUISER: On the motion of Mr. North, a second of Mrs. Fields and a unanimous roll call vote, Council approved the following resolution:

R06-84

RESOLUTION AUTHORIZING CONTRACT WITH CERTAIN APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a

WHEREAS, the Borough Council of the Borough of Merchantville, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29©, may by resolution and without advertising for bids , purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the; and

WHEREAS, the Borough Council of the Borough of Merchantville has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the borough Council of the Borough of Merchantville intends to enter into a contract with Winner Ford of Cherry Hill, New Jersey through this resolution and properly executed contracts, which will be subject to all the conditions applicable to the current State contracts; and

NOW THEREFORE, BE IT RESOLVED, the Borough Council of the Borough of Merchantville authorizes the Purchasing Department to purchase a 2006 Ford Crown Victoria from Winner Ford of Cherry Hill, State Contract Vendor #A45069, pursuant to all conditions of the individual State contract; and

BE IT FURTHER RESOLVED, that the Borough Council of the Borough of Merchantville pursuant to N.J.A.C. 5:30-5.5(b), has received a certification as to the availability of funds from the Chief Financial Officer in the amount of \$19,500.13.

RESOLUTION – REFUND POLICE OVERPAYMENT: On the motion of Mr. North, a second of Mr. Pagano and a unanimous roll call vote, Council approved the following resolution:

**R06-85
RESOLUTION**

WHEREAS, the Borough Council of the Borough of Merchantville desires to reimburse out-of-pocket discovery costs to:

Stark & Stark, Attorneys at Law
40 Lake Center Executive Park, Suite 130
Marlton, New Jersey, 08053

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to refund the amount of \$30.00 to Stark & Stark.

APPOINTMENT – DOMINICK ITZI [PUBLIC WORKS HELPER I]: On the motion of Mr. Finnegan and second of Mr. Alloway, Council approved the appointment of Dominick Itzi as a Public Works Helper I.

CHANGE OF STATUS – JOSEPH BAKAJ [PUBLIC WORKS HELPER IV]: On the motion of Mr. Finnegan and second of Mrs. Fields, Council approved the appointment of Joseph Bakaj as a Public Works Helper IV.

CHANGE OF STATUS – MICHAEL REILLY [SERGEANT]: On the motion of Mr. North and second of Mr. Pagano, Council approved the appointment of Michael Reilly as Police Sergeant.

APPROVAL OF FIRE COMPANY APPLICATIONS - DEBUS, DAN; CLARK, JOHN; COUZENS, DAVID; PERNO, ANTHONY III: On the motion of Mr. Zeiders and second of Mr. North, Council approved the Fire Company applications of Dan Debus, John Clark, David Couzens and Anthony Perno III. Mr. Debus currently has a suspended driver's license and may not operate Borough vehicles until he is reinstated by the NJMVC. All applicants must first pass a medical examination.

DONATE 1991 CHEVROLET CAPRICE TO CAMDEN COUNTY FIRE POLICE: On the motion of Mr. North and second of Mr. Pagano, Council unanimously approved donating the 1991 Chevrolet Caprice (Detective's vehicle) to the Camden County Fire Police.

DISCUSSION – ELEVATOR CHAIR LIFT: Mayor Brennan stated that the chair lift is about 15 years old and requires service; currently the borough is charged both travel time and labor when a repairman comes out to fix the lift. An annual service contract is \$80 per month, parts not included. Mayor Brennan suggested that an analysis be done regarding to determine if entering into a yearly agreement would benefit the borough financially. Preventive maintenance is also something that should be investigated.

PROCLAMATION – NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH: On the motion of Mr. Pagano and second of Mrs. Fields, Council unanimously approved a proclamation recognizing National Domestic Violence Awareness Month. Mayor Brennan read the proclamation aloud.

PROCLAMATION – NATIONAL BREAST CANCER AWARENESS MONTH: On the motion of Mrs. Fields and second of Mr. Alloway, Council unanimously approved a proclamation recognizing National Breast Cancer Awareness Month. Mayor Brennan read the proclamation aloud.

PAYMENT OF BILLS – PETTY CASH: On the motion of Mr. Alloway, second of Mr. Finnegan and a unanimous roll call vote, Council unanimously approved the following bills for payment:

R06-86

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING PAYMENT OF VOUCHERS REPLENISHING THE BOROUGH CLERK HEALTH CO-PAY PETTY CASH FUND AND THE POLICE HEALTH CO-PAY PETTY CASH FUND

WHEREAS, the Department of Accounts and Auditing has examined the following Petty Cash vouchers amounting to \$350.00 and finds same to be correct:

CHECKS DELIVERED TO BOROUGH OF MERCHANTVILLE CURRENT FUND:

Police Health Petty Cash Fund (#06-182 – 06-188)	150.00
Clerk's Health Petty Cash Fund (06-85 – 06-91)	<u>200.00</u>
TOTAL:	<u>\$350.00</u>

NOW, THEREFORE, BE IT RESOLVED that these Petty Cash vouchers be approved for payment.

ANNOUNCEMENTS:

ANNUAL 5 K RUN AND CRAFTS FAIR: Scheduled for [Saturday] September 30.

COMMUNITY CENTER: Mr. North read a letter from the Merchantville Junior Women's Club requesting the use of the Community Center fields on October 21 from 8 am until 2 pm for a pumpkin festival. The proceeds will be donated to the children's specialized hospital. Mr. North stated that if the Community Center is being rented then Wellwood Park could be utilized. On the motion of Mr. North and second of Mr. Pagano, Council approved the use of the Community Center fields on October 21 by the Junior Women's Club.

MERCHANTVILLE TOWN CENTRE EAST PROJECT UPDATE: Mayor Brennan stated that the Planning Board will be meeting on October 10 at Borough Hall regarding the Town Centre East Application. **Mr. Zeiders** asked if AST will provide fiduciary documents showing ability to complete project as well as expected tax profits resulting from the project. Mayor Brennan added that the sample ordinance addressing underground parking provided by Mr. Disch will be passed on to Mr. Sikorski and Remington & Vernick.

Glenwood Avenue: Mr. Finnegan stated that the borough experienced heavy rains last week and Glenwood Avenue drained without problem. Mr. Brennan asked that residents of Glenwood Avenue be updated via flyer.

PRIVATE SESSION: On the motion of Mr. North and second of Mr. Zeiders, Council adjourned to a Private Session to discuss matters of personnel.

ADJOURNMENT: When Council reconvened, on the motion of Mr. Zeiders and second of Mr. North the meeting was adjourned at 9:10 PM.

OREN R. THOMAS IV
BOROUGH CLERK