

Merchantville, NJ

January 12, 2009

A regular meeting of Borough Council was held at 7:30 PM, Monday, January 12, 2009. Mayor Frank M. North 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: Alloway, Brennan, Perno, Brunton, Waldron and Fields.

Borough Clerk Denise Brouse and Solicitor Tim Higgins were present.

Public:

Robert Disch, 23 E Chestnut Avenue, cigarette butt holders are filled with ice. Can we drill holes? Mr. Brunton will ask Public Works.

A letter was read regarding the change of party by the Mayor.

Rhonda Rotan, 1 Linden Avenue, regarding the Trend on lawn. Can we do away with it? Do we need it? Mr. Higgins replied that public has a right to deliver. Fred will look into it.

ENGINEER'S REPORT-Consulting Engineer Services provided a written project status report to Council.

CORRESPONDENCE**COUNCIL REPORTS**

Mrs. Fields reported on the personnel manual, gave the EMS report. Pennsauken took over control on June 1. Tim will work on agreements and ambulance. Everything is being turned in and everything is locked up. Planning Board will meet tomorrow. Code Enforcement violations were sent out. There was no NPP report.

Mr. Waldron, there will be a Public Events meeting on January 28. Newsletter will be coming this week. Council will deliver this time. Mr. North said that block captains should be contacted and let know what is happening. Shade Tree reported there will be 50 trees coming. Scouts will help to plant them. Stump removal is continuing. Historic Preservation Committee had its reorganization meeting last week.

Mr. Brunton reported that the Office of Emergency Management had its December meeting. The January meeting was cancelled. Pet shelter demo is scheduled for September 29. Planning another for late 2009 or 2010. Also reported on Highway Dept., Sewer and Health.

Mr. Perno reported on CDBG, curb cuts, remodeling of bathrooms at community center, buildings and grounds Borough Hall, windows to be in by Spring. Furniture & floor quotes and Public Works.

Mr. Brennan gave the Fire Department and Court report.

Mr. Alloway gave the Police report. Extra patrols for U Drink, U Drive, U Lose. Shifts rotated this year.

Mr. Brunton's letter was read by Mayor North regarding Sewer conflict of interest. He was released as serving until after approved. Mayor North will serve.

CLERK'S REPORT--Agreements have been arriving from Professionals, they are in the Clerk's office for review

OLD BUSINESS:

Approval-Personal Manual and Holiday Schedule with changes

NEW BUSINESS:

The following Ordinances were introduced on first reading.

09-01

AN ORDINANCE FOR THE BOROUGH OF MERCHANTVILLE IN THE COUNTY OF CAMDEN AND STATE OF NEW JERSEY ENTITLED "SALARIES & COMPENSATION"

BE IT ORDAINED by the Mayor and Council of the Borough of Merchantville as follows:

SECTION 1. The maximum annual salaries of the employees of the Borough of Merchantville are hereby established, in accordance with the following schedule for services performed during the year 2009 as of January 1, 2009.

<u>POSITION</u>	<u>SALARY</u>
Police Detective Sergeant	78,355.00
Police Sergeant	74,136.00
Police Corporal	70,385.00
Police Patrol:	
0-6 months	36,647.00
7-12 months	39,835.00
13-24 months	45,412.00
25-36 months	51,784.00
37-48 months	59,748.00
49 months forward	67,568.00

Police Experience Pay –Additional compensation paid to each police officer based upon years of police experience with the Borough.

<u>Start of Year</u>	<u>End of Year</u>	<u>% of Base Pay</u>
6 th year police experience until	10 th year	2%
11 th year police experience until	15 th year	3%
16 th year police experience until	20 th year	4%
21 st year police experience until	24 th year	5%
25 th year police experience until	retirement	6%
Public Works Foreman (Per Hour)		24.06
Public Works Helper I (Per Hour)		11.13
Public Works Helper II (Per Hour)		12.62
Public Works Helper III (Per Hour)		13.54
Public Works Helper IV (Per Hour)		14.43
Public Works Journeyman I (Per Hour)		15.63

Public Works Journeyman II (Per Hour)	16.84
Public Works Journeyman III (Per Hour)	18.04
Public Works Journeyman IV (Per Hour)	19.24

An additional \$.50 (Per Hour) is paid to Helper I through Journeyman I who possesses a valid CDL

Section 2. Longevity shall be added to the above salaries in accordance with the following schedule:

LONGEVITY SCHEDULE FOR FULL-TIME EMPLOYEES HIRED PRIOR TO JANUARY 1, 1994:

After 5 years through 10 years	2%
After 10 years through 15 years	3%
After 15 years through 20 years	4%
After 20 years through 24 years	5%
After 24 years	6%

Retiring employees will be paid longevity on a prorated basis.

SECTION 3. All police officers assigned to the first shift shall be paid at an additional rate of 2% above their hourly base salary; officers assigned to the third shift shall be paid at an additional rate of 1.5% above their hourly base salary; officers assigned to the power shift shall be paid at an additional 1.75% above their hourly base salary.

SECTION 4. A police officer designated as the officer-in-charge (OIC) shall be compensated at the Corporal's rate of pay for all time worked as an OIC, provided the officer performs OIC duties for five or more days during any pay period. The OIC rate shall become effective upon appointment as an OIC.

SECTION 5. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies only.

SECTION 6. This ordinance shall become effective twenty (20) days after publication thereof following final passage, and all salaries and compensation shall be retroactive to January 1, 2009.

09-02

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AMENDING CHAPTER 20, DEMOLITION OF BUILDINGS,
IN THE CODE OF THE BOROUGH OF MERCHANTVILLE**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey, that Chapter 20, Demolition of Buildings, in the Code of the Borough of Merchantville, be and hereby is amended, as follows:

ARTICLE I. SECTION 20-1 Permit required; fee; application.

A. Permit required.

1. No person, firm or corporation shall remove or demolish or commence the removal or demolition of any building or structure in the Borough of Merchantville without first filing with the Building Inspector an application in writing and obtaining a permit therefore.

2. Prior to the issuance of a permit, the Building Inspector shall determine if a required Certificate of Appropriateness has been issued by the Historic Preservation Commission as defined in Article VIIIB of Chapter 94 of the Code of the Borough of Merchantville.

- B. Retained in its entirety.
- C. Retained in its entirety.

ARTICLE II. SECTION 20-2 Method of demolition.

- A. In demolishing any structure or part thereof, story after story shall be removed in a manner that is practical and consistent with demolition practices at the time the permit is issued. The Building Inspector shall approve the method of demolition. In addition to the safety measures as described in Section 20-3 of this Chapter, such approval shall consider the orientation of the structure to be demolished to nearby structures, pedestrian walkways and streets; the area available to undertake the demolition; and consideration of any needed coordination with local and county authorities relative to pedestrian and vehicular traffic flow and safety. The material to be removed shall be properly wet to minimize the dust incident to its removal.
- B. Demolition, removal and disposal of building materials and/or other building site debris shall be in accordance with any and all requirements of the New Jersey Department of Environmental Protection, and/or any other state, federal and/or other agency having jurisdiction related to the disposal of such materials.

ARTICLE III.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE IV.

This Ordinance shall take effect upon its passage and publication according to law.

09-03

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING
CHAPTER 125, ZONING, IN THE CODE OF THE BOROUGH
OF MERCHANTVILLE**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey that Chapter 125, Zoning, is hereby amended in the Code of the Borough of Merchantville, as follows:

ARTICLE I. SECTION 125-13.1 Outside storage of firewood; regulations.

- A. No person shall store firewood in the front yard on residentially zoned property, except that firewood may be temporarily stored in the front yard for a period of ten (10) days from the date of its delivery.
- B. Outside storage of firewood; generally.
 - 1. The firewood shall be cut/split, prepared for use, and stored in neat, secure stacks. The firewood shall be neatly stacked and may not be stacked closer than three (3) feet to any lot line and not higher than four (4) feet from grade, except adjacent to a fence where firewood can be stacked as high as the fence. Fences as used in this Section shall not include hedges and other vegetation. The firewood shall be stored a minimum of eight (8) inches off the ground and on a well supported, non-rotting base.

2. There shall be no more than two (2) cords of wood stored at any time, and no more than one fourth (1/4) of a fireplace cord shall be stored on a porch of a residential structure.
- C. All brush, debris and refuse from processing of firewood shall be promptly and properly disposed of within ten (10) days and shall not be allowed to remain on the premises.
- D. Woodpiles that contain diseased wood that is capable of transmitting disease to healthy trees and woodpiles that harbor or are infested or inhabited by rats or other vermin are public nuisances and may be abated pursuant to the provisions of this Code.
- E. Firewood may be stored upon a residential property solely for use on the premises and not for resale.

ARTICLE II.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE III.

This Ordinance shall take effect upon passage and publication according to law.

09-04

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING CHAPTER 86, VEHICLES AND TRAFFIC, OF THE CODE OF THE BOROUGH OF MERCHANTVILLE

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey that Articles IV. and X of Chapter 86, Vehicles and Traffic, of the Code of the Borough of Merchantville, are amended as follows:

ARTICLE I. ARTICLE IV. SECTION 86-7.3 Intersections prohibiting left turns on red signal designated.

No person shall operate a vehicle to make a left turn when facing a steady red signal (stop indication) at any of the locations described in Schedule XI attached to and made a part of this Chapter whenever an official sign is present prohibiting such a left turn.

ARTICLE II. ARTICLE X. SECTION 86-27.7 Schedule XI - Prohibited Left Turns on Red Signal – Stop Intersections

In accordance with the provisions of Section 86-7.3, no person operate a vehicle to make a left turn when facing a steady red signal (stop indication) at any of the following locations, whenever an official sign is present prohibiting such a left turn:

Location:	Stop Sign On:	Time:
Block 26, Lot 18.02	Ingress/egress to/from parking lot unto South Centre Street	7:00 am to 9:00 am 2:30 pm to 6:00 pm
		Monday through Friday

ARTICLE III.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE IV.

This Ordinance shall take effect upon passage and publication according to law.

On a motion of Mr. Waldron and second of Mr. Brunton the following resolutions were read and approved by consent agenda:

R09-20

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
APPOINTING WAYNE K. BAUER AS THE MUNICIPAL
ALLIANCE COORDINATOR OF THE BOROUGH OF
MERCHANTVILLE**

WHEREAS, the Mayor and Council of the Borough of Merchantville desires to continue Municipal Alliance Program because its benefits for the young residents of Merchantville; and

WHEREAS, Wayne K. Bauer has served well in this capacity in the past;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville that Wayne K. Bauer be and is hereby appointed to the position of Municipal Alliance Coordinator for the year of 2009.

R09-21

**AMENDED RESOLUTION OF THE BOROUGH OF
MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF
NEW JERSEY APPOINTING MICHELLE MCKINNEY AS THE
MUNICIPAL TAX COLLECTOR AND TAX SEARCH OFFICER
OF THE BOROUGH OF MERCHANTVILLE**

WHEREAS, N.J.S.A. 40A:9-141 and N.J.S.A. 40A:9-142 requires the appointment of a Certified Municipal Tax Collector; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville that Michelle McKinney be and is hereby appointed to the position of Municipal Tax Collector and Tax Search Officer for the term of four (4) years, commencing January 1, 2009 and concluding on December 31, 2012.

R09-22

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN
AND STATE OF NEW JERSEY AUTHORIZING 2008 BUDGET TRANSFERS**

WHEREAS, there are certain 2008 Budget Appropriations of the Borough of Merchantville with balances insufficient to meet requirements for operating Borough Affairs as indicated on the attached schedule; and

WHEREAS, there are 2008 Budget Appropriations with unexpended balances that are not needed for such purposes; and

WHEREAS, Revised Statutes 40A:4-59 provides for Transfers to those accounts having insufficient balances:

<u>Budget Description</u>	<u>Account Number</u>	<u>Transfer Out</u>	<u>Transfer In</u>
Employee Group Insurance	8-01-23-733-000		9,000.00
Social Security	8-01-36-845-302	8,113.55	

Vehicle Maintenance – Police	8-01-26-767-282	886.45	
	TOTAL	9,000.00	9,000.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Barrington that the following transfers are hereby approved as indicated on the above schedule.

R09-23

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY ESTABLISHING A SOCIALLY AND ECONOMICALLY DISADVANTAGED UTILIZATION PLAN

WHEREAS, the Borough Council of the Borough of Merchantville has applied for funding from the New Jersey Environmental Infrastructure Trust; and

WHEREAS, the New Jersey Environmental Infrastructure Trust require that the Borough of Merchantville adopt a Socially and Economically Disadvantaged Utilization Plan now referred to as attachment "A" establishing procedures for providing opportunities for Socially and Economically Disadvantaged contractors and vendors; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Merchantville that the Socially and Economically Disadvantaged Utilization Plan be adopted.

R09-24

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY FOR CANCELLATION OF OUTSTANDING CHECKS

WHEREAS, there exists outstanding checks for a court summons which has been outstanding for over six months; and

WHEREAS, the checks have been investigated and have been determined to have been lost or otherwise destroyed;

NOW, THEREFORE BE IT RESOLVED, that the following checks be cancelled and the expenditure be deposited into the proper fund:

<u>FOR</u>	<u>CHECK NO.</u>	<u>CHECK DATE</u>	<u>AMOUNT</u>
Luz Ortiz	1754	3/11/08	5.00
Denise Oswald	1762	3/11/08	1.00
Tina L. Kibler	1777	5/08/08	3.00
Marisol A Acevedo	1797	6/12/08	1.00
		TOTAL	10.00

R09-25

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING RESOLUTION 07-14

WHEREAS, on January 2, 2009 the Borough Council of the Borough of Merchantville approved Resolution #09-14; and

WHEREAS, the Borough Council of the Borough of Merchantville wishes to amend said resolution and allow Shawn P. Waldron, Council President and Patricia A. Fields, Finance Councilperson to sign warrants;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Merchantville that, Shawn P. Waldron, Council President and Patricia A. Fields, Finance Councilperson are permitted to sign warrants.

DISCUSSION-outgoing council people

PAYMENT OF BILLS- On the motion of Mrs. Fields and second of Mr. Perno Council unanimously approved the following resolution:

**R09-26
RESOLUTION**

RESOLVED that the Report of the Department of Accounts and Auditing be accepted and spread upon the minutes and the Treasurer be is hereby authorized to pay bills approved therein.

Borough of Merchantville Current Fund	Bill List Summary	January 12, 2009
Checks Current Fund	2008 Budget	\$26,550.03
	2009 Budget	\$109,379.08
	State / Federal Grants	\$692.95
	Debt Service	
	Board of Education	
	Checks Delivered	75,100.24
Total Current		\$211,722.30
Sewer Utility Fund	2008 Budget	\$11,505.60
	2009 Budget	\$2,316.00
	Debt Service	
	Checks Delivered	
Total Sewer		\$13,821.60
Recreation Commission	2008 Budget	\$775.98
	2009 Budget	\$250.00
	Checks Delivered	
Total Recreation		\$1,025.98
General Capital Fund	2008 Budget	
	2009 Budget	\$3,057.61
	Checks Delivered	\$26,081.65
Total Capital		\$29,139.26
Trust-Other Fund	2008 Budget	\$4,305.87
	2009 Budget	
	Checks Delivered	\$66,014.53
Total Trust		\$70,320.40
Animal Trust	2009 Budget	

Unemployment	2009 Budget	
	Checks Delivered	
	Total	
	Total Bill list	\$326,029.54

DIRECTOR OF ACCOUNTS & AUDITING
PATRICIA FIELDS

ATTEST:

APPROVED:

DENISE L. BROUSE
BOROUGH CLERK

FRANK M. NORTH
MAYOR

January 12, 2009

ANNOUNCEMENTS: Mayor will be away on January 26.

ADJOURNMENT:

On the motion of Mr. Waldron and second of Mr. Alloway, the meeting was adjourned at 8:46 PM.

DENISE L. BROUSE
BOROUGH CLERK