

Merchantville, NJ

April 24, 2006

A regular meeting of Borough Council was held at 7:30 PM, Monday, April 24, 2006. Mayor Patrick J. Brennan presided. Pledge of Allegiance and Silent Prayer were observed. Mayor Brennan asked all of those in attendance to remember former Councilman Dick Wolfe who passed away suddenly over the weekend. 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, Fields, North, Finnegan and Pagano

Council Absent: Zeiders

Borough Clerk Thomas and Solicitor Higgins were present.

PUBLIC:

Gail Ford, 135 North Centre Street, asked if submitted request for proposals would be available for public inspection. They are on file in the Borough Clerk's office. **Mr. North** stated that he will be proposing that the Borough hire a professional planner/ developer to examine the proposals. **Marvin Gaskill**, 102 East Chestnut Avenue, claimed that the borough was not in compliance with the OPRA Law and suggested Council adopt a resolution to make borough compliant. Mr. Higgins explained that the borough was in compliance with OPRA and no changes needed to be made. Mr. Gaskill inquired if AST had filed all financial reports required by the developer's agreement. **Mayor Brennan** did not vote on the ordinance adopting the redevelopment plan nor the resolution approving the redeveloper's agreement. Mr. Gaskill asked that Mayor Brennan withdraw from all dealings with AST. Mr. Higgins answered that Council has already made a decision on that request. **Isabelle Watson**, asked how much the borough had invested into the Maple/ Chapel redevelopment area as well as the Verizon lot. Mr. Higgins responded that hard costs currently amounted to approximately \$340,000 for Maple/ Chapel and nothing regarding the Verizon lot. Mr. Higgins also stated that the borough had spent no funds on either the Cuzzuppe property or the "house built in a day". Mr. Watson asked for clarification on monies spent on the Borda property. **Mayor Brennan** stated that the borough purchased the lot for \$300,000 and it was sold via bid for \$100,000. **Mr. North** stated that there are no plans and people should not be jumping to conclusions until something is received. **Mrs. Fields** noted that no plans had been submitted to the Planning Board as of yet. Mayor Brennan explained the process behind the adoption of the [Town Centre East] redevelopment plan. Mr. Higgins elaborated on the 60 foot height history within the redevelopment plan and area. Mayor Brennan added that the recent vote regarding the 60 foot height adjustment was for codification purposes only; the adoption of the redevelopment plan already allows a 60 foot building height. Mr. North stated that request for proposals had been received for the redevelopment of the Maple/ Chapel zone. The maximum heights suggested appear to be in the 40 – 45 foot range. Mayor Brennan then explained the Maple/ Chapel redevelopment process in detail.

Catherine Sohler, 5 Fithian Avenue, sent a letter to Council requesting clear communication and transfer of information. Mr. North stated that Council is working towards redeveloping the Town Centre East Zone. **Deborah Binder**, 57 Chapel Avenue, stated that has had nothing but positive experience with Borough Council and is very happy that there will be a redevelopment.

APPROVAL OF MINUTES: 3/13/06 REGULAR & PRIVATE SESSION: On the motion of Mr. North and second of Mr. Finnegan, Council approved the 3/13/06 regular and private session minutes.

OLD BUSINESS:

DISCUSSION – MAPLE/ CHAPEL REDEVELOPMENT AREA REQUEST FOR PROPOSALS: Mr.

North stated that a group met with redevelopers regarding their proposals. Would like to hire Phil Rowan, a licensed planner, as a consultant to examine all four redevelopment proposals. Mr. North continued that a limit of \$150 per hour, with the total amount not to exceed \$6,000, be placed on proposed work. Council would like the development to contain all owner occupied condominiums.

NEW BUSINESS:

ORDINANCE INTRODUCTION – AMEND CHAPTER 94, ZONING: On the motion of Mrs. Fields, second of Mr. North and unanimous roll call vote, Council unanimously introduced the following ordinance:

06-04

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING CHAPTER 94, ZONING, IN THE CODE OF THE BOROUGH OF MERCHANTVILLE

The public hearing will be held on May 8.

ORDINANCE INTRODUCTION – ESTABLISH A CAP BANK, 2006: On the motion of Mr. Pagano, second of Mrs. Fields and unanimous roll call vote, Council unanimously introduced the following ordinance:

06-05

ORDINANCE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING AN INCREASE IN THE CALENDAR YEAR 2006 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

The public hearing will be held on May 8.

INTRODUCTION OF 2006 BUDGET: On the motion of Mr. North, second of Mr. Alloway and a unanimous roll call vote, Council approved the following resolution:

R06-38

**MUNICIPAL BUDGET OF THE BOROUGH OF MERCHANTVILLE
COUNTY OF CAMDEN FOR THE FISCAL YEAR 2006**

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2006;

BE IT FURTHER RESOLVED, that said Budget be published in The Retrospect in the issue of April 28, 2006. The Governing Body of the Borough of Merchantville does hereby approve the following as the Budget for the year 2006.

RESOLUTION – PROFESSIONAL SERVICES [BAXTER]: On the motion of Mr. North and second of Mr. Alloway, Council unanimously approved the following resolution:

R06-39

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AWARDED PROFESSIONAL SERVICES CONTRACT TO ROBERT A. BAXTER

WHEREAS, N.J.S.A. 40:87-15 authorizes appointments as the Borough Council may deem necessary; and

WHEREAS, there exists a need for certain legal services; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contract for "professional services" without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Merchantville, as follows:

(1) The Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with Robert A. Baxter, Haddonfield, New Jersey in an amount of \$125.00 per hour, plus out of pocket expenses, in an amount not to exceed \$5,000.00. The Chief Financial Officer has certified as to the availability of funds;

(2) This contract is awarded without competitive bidding as a "professional service" under the provision of the Local Public Contracts Law because the services to be rendered pursuant thereto are performed by a person authorized by law to practice a recognized profession;

(3) A copy of this resolution shall be published in the Retrospect as required by law within ten (10) days of its passage.

DISCUSSION – APPOINTMENT OF PARKS & PLAYGROUNDS DIRECTOR: Mr. North stated that Mrs. Fields has done a fabulous job so far and should continue as director. Mr. Higgins informed Council that she must do so as an independent vendor. On the motion of Mr. North and second of Mr. Finnegan (Fields abstain) Council unanimously approved the hiring of Patricia Fields as Parks & Playgrounds Director.

DISCUSSION – DEFEATED SCHOOL BUDGET: The school budget was defeated by 31 votes. After a line item review Council will return to the school board with their recommendations. Mrs. Fields and Mr. Zeiders may not participate. Council President Finnegan will contact Mrs. Adler at the school to schedule meetings. Mayor Brennan announced that Council received a letter from the Camden County Counsel's Office regarding the defeated school budget.

RESOLUTION – PROFESSIONAL SERVICES [ROWAN]: Mr. North asked if costs could be covered by the developer. Mr. Higgins stated that he will research. On the motion of Mr. North, second of Mr. Finnegan and a unanimous roll call vote, Council approved the following resolution:

R06-40

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AWARDED PROFESSIONAL SERVICES CONTRACT TO PHILIP ROWAN

WHEREAS, N.J.S.A. 40:87-15 authorizes appointments as the Borough Council may deem necessary; and

WHEREAS, there exists a need for certain legal services; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contract for "professional services" without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Merchantville, as follows:

(1) The Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with Philip Rowan, Economic Development Associates, Gibbsboro, New Jersey in an amount of \$150.00 per hour, plus out of pocket expenses, in an amount not to exceed \$6,000.00. The Chief Financial Officer has certified as to the availability of funds;

(2) This contract is awarded without competitive bidding as a "professional service" under the provision of the Local Public Contracts Law because the services to be rendered pursuant thereto are performed by a person authorized by law to practice a recognized profession;

(3) A copy of this resolution shall be published in the Retrospect as required by law within ten (10) days of its passage.

PAYMENT OF BILLS – PETTY CASH: On the motion of Mr. Alloway and second of Mr. Finnegan, Council unanimously approved the following resolution:

R06-41

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 \$490.00 and finds same to be correct:

CHECKS DELIVERED TO BOROUGH OF MERCHANTVILLE CURRENT FUND:

Borough Clerk Health Petty Cash Fund (06-27 – 06-33)	200.00
Police Health Petty Cash Fund (#06-60 – 06-69)	<u>290.00</u>
TOTAL:	<u>\$490.00</u>

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

ANNOUNCEMENTS: None

ADJOURNMENT: On the motion of Mr. Pagano and second of Mr. Finnegan the meeting was adjourned at 9:00 PM.

OREN R. THOMAS IV
BOROUGH CLERK