

Merchantville, NJ

May 8, 2006

A regular meeting of Borough Council was held at 7:30 PM, Monday, May 8, 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: Alloway, Fields, North, Finnegan and Zeiders

Council Absent: Pagano

Borough Clerk Thomas and Solicitor Higgins were present.

PUBLIC HEARING:

ORDINANCE AMENDMENT – CHAPTER 94, ZONING: Mayor Brennan opened the public hearing on 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

There being no public comment, the hearing was closed.

ORDINANCE – ESTABLISH 2006 CAP BANK: Mayor Brennan opened the public hearing on 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)

There being no public comment, the hearing was closed.

ENGINEER'S REPORT: Thomas Cundey, Remington & Vernick Engineers, provided an update of borough projects. Has spoken with Mr. Beckett regarding the selection of roads to include in the Local Aid Grant application. Also spoke with Mr. Fry regarding CDBG monies. Mayor Brennan inquired if monies would be available from the New Jersey Transportation Trust Fund; Mr. Cundey is hopeful.

PUBLIC:

Marvin Gaskill, 102 East Chestnut Avenue, read a statement to Mayor and Council regarding tonight's "Conflict Resolution" discussion item. Mr. Gaskill threatened Council with legal action if they acted in any way on this subject.

Gail Ford, 135 North Centre Street, had sent letters to each Council member with questions regarding the Town Centre East project and asked for comment. Council stated that they had not yet received any correspondence. Stated that the submitted proposals for the Maple/ Chapel redevelopment are ugly.

Requested correct police report numbers.

APPROVAL OF MINUTES: None

CORRESPONDENCE: None

COUNCIL REPORTS:

MR. FINNEGAN attended a Wastewater Management meeting with Mr. Fry and Daniel Beckett, Public Works Supervisor. The Public Works Department has been tending to the school athletic fields and they look very good.

MR. ZEIDERS delivered the Fire Prevention report.

MRS. FIELDS stated the "Read Across Merchantville" program was a huge success again this year. Delivered the Code Enforcement report. The Public Events/ Recreation Commission meeting will be Wednesday evening.

MR. ALLOWAY received a piece of correspondence from residents and it will be discussed under New Business.

MR. NORTH delivered the Court and Police reports. Sergeant Brocius will be receiving an award from M.A.D.D.

ADMINISTRATOR REPORT: John Fry, Borough Administrator, provided Mayor and Council with a written report and highlighted several points.

OLD BUSINESS:

ORDINANCE ADOPTION – CHAPTER 94, ZONING: On the motion of Mrs. Fields, second of Mr. North and a unanimous roll call vote, Council adopted 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

ORDINANCE ADOPTION – ESTABLISH 2006 CAP BANK: On the motion of Mr. Alloway, second of Mr. Finnegan and a unanimous roll call vote, Council adopted 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)

SCHOOL BUDGET: Mayor Brennan began that the school budget was voted down by 24 votes. Mrs. Ford asked if a joint meeting would be held with the school board and Mayor Brennan confirmed that there would be. Mrs. Ford continued that two school employees are retiring and they should not be replaced. **Emily Corse**, 31 Fithian Avenue, suggested that people were still supportive of the school and its budget but the vote might have been geared at restructuring the administrative office. **Jeanne Collins**, 116 Poplar Avenue, believes there is an overstatement of discipline problems at the school.

DISCUSSION – 606 WEST MAPLE AVENUE: Mayor Brennan stated the Planning Board will be holding a hearing tomorrow night regarding 606 West Maple Avenue. Council had previously directed the Planning Board to look at both 604 & 606 West Maple Avenue to determine if there was a need for redevelopment. Several points of background information; the boiler was down for several days in the dead of winter this past year.

DISCUSSION – TOWN CENTRE EAST PLANNER: Mr. Zeiders has discussed with both Mr. North and Mr. Finnegan having plans inspected by a planner after they are submitted to the Planning Board. Mr. Higgins clarified that a planner can be hired only in the capacity of an expert in the field. The redevelopment plan cannot be altered by a planner. Mayor Brennan stated the Historic Preservation Commission will review the exterior design of the proposal. Mr. North would like to wait and see what plans are received from the developer before any decisions are made. Mr. Higgins suggested tabling the discussion until Mr. North and Mr. Zeiders can meet.

NEW BUSINESS:

FINANCIAL REPORTS: On the motion of Mr. Alloway, second of Mr. Finnegan and a unanimous roll call vote, Council approved the Chief Financial Officer's Report of Cash Receipts for April 2006 and the Abbreviated Budget Status as of April 30, 2006.

ORDINANCE INTRODUCTION – SALARIES & WAGES 2006: On the motion of Mr. Zeiders second of Mr. North and a unanimous roll call vote, Council introduced the following ordinance:

06-06

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

The public hearing will be held on May 22.

DISCUSSION – CHAPTER 25, FEES [OPRA COSTS]: Mr. Alloway researched OPRA fees in several towns and everyone charges statutory fees set by the state and recommends not altering the borough's fees.

DISCUSSION – CONFLICT RESOLUTION: Mr. Alloway stated that he is a long time resident of town and a lot has been going on recently regarding Town Centre East. He stated that Mayor Brennan is 100% for this community, 100% of the time. Mayor Brennan received a letter from the Director of the Division of Local Government Services approving his involvement in the process and Mr. Alloway would welcome the previously threatened ethics complaint. Mr. North stated his agreement with Mr. Alloway. Council selected this developer after reviewing all the options. Mr. Finnegan believes Mr. Alloway spoke well on the topic; during his time on Council Mayor Brennan and Mr. North have gotten things done. Mayor Brennan stated his involvement in the process is to do Council's bidding and be a liaison. Mrs. Fields pointed out that she is a new member of council but nobody has more concern for Merchantville than Mayor Brennan. Any claims of impropriety are off base. Mr. Zeiders agreed that Council is absolutely correct that Mayor Brennan's intentions have been in the best interest for the town. There is

an appearance of concern within the community.

MAYORAL APPOINTMENT – CLASS I DESIGNEE [PLANNING BOARD]: On the motion of Mr. North, second of Mr. Alloway and a unanimous roll call vote, Council approved Mayor Brennan's appointment of Bernard Brandt, 12 East Walnut Avenue, to the Planning Board. His term will coincide with the Mayor's.

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

CURRENT FUND: (PER 5/8/06 CHECK REGISTER)

CHECKS DELIVERED

CHECK #11475- 11484	\$ 126,064.68
CHECK #11485- 11555	\$ 1,554,778.09
	<u>\$ 1,680,842.77</u>

DOG ACCOUNT: (PER 5/8/06 CHECK REGISTER)

CHECK #757

\$ 168.60
<u>\$ 168.60</u>

GENERAL CAPITAL ACCOUNT: (PER 5/8/06 CHECK REGISTER)

CHECK #1381- 1382

\$ 8,011.81
<u>\$ 8,011.81</u>

MERCHANTVILLE SEWER UTILITY: (PER 5/8/06 CHECK REGISTER)

CHECKS DELIVERED

CHECK #1570- 1571	\$ 4,837.56
	<u>\$ 4,837.56</u>

PUBLIC ASSISTANCE TRUST FUND: (PER 5/8/06 CHECK REGISTER)

CHECK #

\$ -
<u>\$ -</u>

RECREATION COMMISSION: (PER 5/8/06 CHECK REGISTER)

CHECKS DELIVERED

CHECK #2600- 2602	\$ 512.40
CHECK #2603- 2609	\$ 2,006.03
	<u>\$ 2,518.43</u>

TRUST ACCOUNT - OTHER FUNDS: (PER 5/8/06 CHECK REGISTER)

CHECKS DELIVERED

CHECK #1060- 1061	\$ 496.83
CHECK #1062	\$ 62.50
	<u>\$ 559.33</u>

UNEMPLOYMENT COMPENSATION: (PER 5/8/06 CHECK REGISTER)

CHECK #

\$ -
<u>\$ -</u>

TOTAL: \$ 1,696,938.50

EXAMINED AND FOUND CORRECT: (SIGNED JOHN N. ALLOWAY)
DIRECTOR, DEPARTMENT OF ACCOUNTS AND AUDITING
R06-42

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

ANNOUNCEMENTS:

Planning Board: Mayor Brennan stated the 5/6/09 meeting to review 604 & 606 West Maple Avenue need for redevelopment.

D.C.A. Meeting: Mayor Brennan will be attending a meeting with the Department of Community Affairs on May 15.

Memorial Day Ceremonies: Merchantville American Legion will host annual ceremony at Wellwood Park and all are invited to attend.

ADJOURNMENT: On the motion of Mr. Zeiders and second of Mrs. Fields the meeting was adjourned at 8:59 PM.

OREN R. THOMAS IV
BOROUGH CLERK