

Merchantville, NJ

June 12, 2006

A regular meeting of Borough Council was held at 7:30 PM, Monday, June 12, 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 and Zeiders

Council Absent: Finnegan and Pagano

Borough Clerk Thomas and Solicitor Higgins were present.

PUBLIC HEARING:

BOND ORDINANCE – 2006 CAPITAL BUDGET: Mayor Brennan opened the public hearing on the following bond ordinance:

06-07

BOND ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF CERTAIN CAPITAL EQUIPMENT FOR THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$121,000.00 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$114,950.00; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

There being no public comment, the hearing was closed.

PUBLIC:

Monica Sohler, 5 Clifton Avenue, read a letter from Eugene Wallace, 6 Fithian Avenue, opposing the Town Centre East Project. **Catherine Sohler**, asked Council to act to preserve Merchantville's history.

ENGINEER'S REPORT: None

APPROVAL OF MINUTES: 4/10/06 REGULAR SESSION: On the motion of Mr. Alloway and second of Mrs. Fields, Council unanimously approved the 4/10/2006 regular minutes.

COUNCIL REPORTS:

MR. ZEIDERS delivered the Fire Department report. Met with Elaine Paulson regarding the fitness trail. Mrs. Paulson will be attending tonight's meeting to update Council. Delivered the Historic Preservation Report.

MRS. FIELDS stated the Planning Board meeting would be held in the school auditorium. Delivered the Code Enforcement Public Events Committee reports.

MR. ALLOWAY informed everyone that Borough Hall had been struck by lightning last Thursday causing significant electrical damage.

MR. NORTH stated that Mr. Fry and Chief Bauer have spent numerous hours working on problems caused by lightning strike. Delivered the Police and Court reports.

ADMINISTRATOR REPORT: John Fry, Borough Administrator, delivered a written report to Mayor and Council, highlighting some significant points. The lightning strike crippled Borough Hall; Ryan Hummel and Lewis Evans [First Call Communications] worked diligently to restore computer and phone service, respectively. The phone system has been completely replaced. Remington & Vernick has reviewed Borough Hall, Public Works Garage and the Community Center. Mayor Brennan stated that a report was done approximately ten years ago and asked Mr. Fry to confirm this with them.

OLD BUSINESS:

BOND ORDINANCE ADOPTION – 2006 CAPITAL BUDGET: On the motion of Mr. Zeiders, second of Mr. North and a unanimous roll call vote, Council adopted the following bond ordinance:

06-07

BOND ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF CERTAIN CAPITAL EQUIPMENT FOR THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$121,000.00 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$114,950.00; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

RESOLUTION – SALARIES & WAGES 2006: On the motion of Mr. North, second of Mr. Zeiders and a unanimous roll call vote, Council approved the following resolution:

R06-52

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY, ESTABLISHING SPECIFIC SALARIES AND WAGES FOR ALL EMPLOYEES FOR 2006

WHEREAS, the Mayor and Council of the Borough of Merchantville have established the maximum salaries of the employees of the Borough of Merchantville by ordinance adopted May 22, 2006, effective as of June 16, 2006 and retroactive to January 1, 2006; and

WHEREAS, funds have been made available in the 2006 budget as adopted;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Merchantville hereby establishes the following specific salaries for employees, to be effective as of June 16, 2006 and retroactive to January 1, 2006, of the Borough of Merchantville for 2006:

<u>POSITION</u>	<u>SALARY</u>
Mayor	\$ 1,356.89
Member of Council	950.36
Administrator	51,108.50
Administrative Clerk (Per Hour)	10.00
Borough Clerk/Registrar	21,750.00
Borough Treasurer/Chief Financial Officer/Procurement Officer	31,981.50
Procurement Clerk	21,750.00
Finance Clerk (Per Hour)	30.00
Borough Tax Collector	18,500.00
Deputy Tax Collector	20,700.00

Tax Search Clerk	500.00
Tax Assessor	7,874.56
Solicitor	25,625.00
Coordinator – Neighborhood Preservation Program (Per Hour)	17.57
Planning/Zoning Officer	12,071.55
Code Enforcement Official	12,071.55
Police Chief	81,925.50
Police Secretary	30,092.19
Community Relations Officer	33,822.25
School Traffic Guard (Per Day)	20.00
Meter Attendant (Per Hour)	7.21
Paid Fireman	34,002.50
Fire Administrator	2,500.00
Fire Official (annual base)	1,800.00

Fire Official and Fire Inspector (per inspection):

<u>CLASSIFICATION</u>	<u>PER INSPECTION</u>	<u>PER REINSPECTION</u>
R1	\$ 15.00	\$ 7.00
R2	20.00	10.00
R3	27.00	13.00
R4	54.00	27.00
R5	81.00	40.00
R6	108.00	54.00
SB1	10.00	5.00
SB2	14.00	7.00
SB3	20.00	10.00
SB4	27.00	13.00
SB5	27.00	13.00
MB1	10.00	5.00
MB2	14.00	7.00
MB3	14.00	7.00
BG05	10.00	5.00
Smoke Detector Inspector		1,310.00
Clerk/ Typist (Per Hour)		10.00
Prosecutor		11,000.00
Public Defender		6,000.00
Public Works Supervisor		51,500.00
Public Works Foreman (per hour)		21.86
Buildings/ Grounds Caretaker (Per Hour)		23.00
Clean Communities Supervisor (Per Hour)		9.36
Clean Communities Worker (Per Hour)		7.50
Community Center Custodian (Per Month)		25.00
Meeting Cleanup (Per Meeting)		60.00
Salvation Army Program (Per Week)		60.00
Playground Director		1,918.89
Summer Employee (Per Hour)		Start at \$5.50 and add 0.25 for each year of service
Magistrate		17,000.00
Municipal Court Administrator		32,867.68
Deputy Court Administrator (Per Hour)		15.09
Violations Clerk (Per Hour)		9.58
Wastewater Collection Operator		3,000.00
Utility Clerk		13,800.00

RESOLUTION – ABC RENEWAL APPLICATIONS 2006-07: On the motion of Mr. Alloway, second of Mr. North and a unanimous roll call vote, Council approved the following resolution:

**R06-53
RESOLUTION TO RENEW ABC PLENARY RETAIL
DISTRIBUTION AND CONSUMPTION LICENSES**

WHEREAS, Michael's Liquors, Inc., 620-22 West Maple Avenue and Mitchell Z Liquors, Inc., 11 West Park Avenue, have each applied for renewal of their Plenary Retail Distribution License and JVS Limited, 2 South Centre Street has applied for renewal of their Plenary Retail Consumption License for the year ending June 30, 2007 and applications have been filed with checks to the Borough of Merchantville in the amount of \$800.00 each and checks to the State Division of Alcoholic Beverage Control in the amount of \$200.00 each; and

WHEREAS, Councilor Alloway, Director of the Department of Records and Licenses, has reported that the licensed premises were inspected to ascertain that they comply with all pertinent health and safety laws and regulations, and that she recommends the granting of said licenses; and

WHEREAS, the Borough Clerk has reported that the legal preliminaries have been strictly complied with;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council be and is hereby authorized to issue a Plenary Retail Distribution License #0424-44-001-006 to Michael's Liquors, Inc., a Plenary Retail Distribution License #0424-44-002-008 to Mitchell Z Liquors, Inc. and Plenary Retail Consumption License #0424-33-003-004 to JVS Limited.

RESOLUTION – RESCIND PROFESSIONAL SERVICES AWARD [RAGAN]: On the motion of Mr. North, second of Mrs. Fields and a unanimous roll call vote, Council approved the following resolution:

**R06-54
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN
AND STATE OF NEW JERSEY RESCINDING RESOLUTION #50 & #51
AUTHORIZING PROFESSIONAL SERVICES CONTRACTS WITH RAGAN
ASSOCIATES**

WHEREAS, the Mayor and Borough Council of the Borough of Merchantville, by Resolutions dated May 22, 2006, authorized the award of Professional Services Contracts to Ragan Associates the amounts of \$23,500.00 and \$11,500.00, respectively, for certain services relative to the Merchantville Master Plan and Merchantville COAH requirements; and

WHEREAS, the Mayor and Borough Council of the Borough of Merchantville, for the reasons placed on the record on at the Council Meeting of June 12, 2006, desire to rescind the authorization for the award of these contracts; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Mayor and Borough Council of the Borough of Merchantville be and hereby rescind Resolutions #50 & #51 authorizing authorized the award of Professional Services Contracts to Ragan Associates the amounts of \$23,500.00 and \$11,500.00, respectively, for the reasons placed on the record on at the Council Meeting of June 12, 2006.

DISCUSSION – STREET LIGHT (MORRIS AND VOLAN STREETS): Mr. North stated that PSE&G has quoted a monthly charge of \$12.50 for each additional street light. Mayor Brennan asked Mr. Alloway to speak with the requestee. The item was tabled until a later date.

NEW BUSINESS:

FINANCIAL REPORTS: On the motion of Mr. Alloway, second of Mrs. Fields and a unanimous roll call vote, Council approved the Chief Financial Officer's Report of Cash Receipts for May 2006 and the

Abbreviated Budget Status as of May 31, 2006.

RESOLUTION – PROPERTY MAINTENANCE LIEN [BLOCK 5, LOT 12]: On the motion of Mr.

Alloway, second of Mr. North and a unanimous roll call vote, Council approved the following resolution:

R06-55

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY IMPOSING A MUNICIPAL LIEN ON CERTAIN PROPERTIES PURSUANT TO CHAPTER 14 AND CHAPTER 60B OF THE CODE OF THE BOROUGH OF MERCHANTVILLE

WHEREAS, Chapter 14 of the Code of Borough of Merchantville indicates that should the Borough incur a cost for the removal of brush, grass, weeds, and other obnoxious growths as defined in section 14-1 of the Code, that the amount so charged shall forthwith become a lien upon such lands and shall be added to and become part of and form a part of the taxes next to be assessed and levied upon such lands; and

WHEREAS, Chapter 60B of the Code of the Borough of Merchantville, in adopting the BOCA standards, also provides for the similar relief in terms of a municipal lien,

WHEREAS, The Borough has expended such funds as set forth in Exhibit A attached here to this lien, and

WHEREAS, The Borough Council of the Borough of Merchantville hereby desires to state, by Resolution, that these funds be and shall become a lien against the property pursuant to the forestated Borough Ordinances and New Jersey State Statutes.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville that the following municipal liens in the following amounts shall be placed on the properties so listed below:

Block 5, Lot 12 (500 W. Chestnut Ave): \$306.40

BE IT FURTHER RESOLVED that the Tax Collector of the Borough of Merchantville be and hereby is directed to place upon these properties a municipal lien in like amounts, with the same bearing interest at the same rate as taxes and shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION – REFUND DUPLICATE TAX PAYMENT: On the motion of Mr. Alloway, second of Mrs. Fields and a unanimous roll call vote, Council approved the following resolution:

R06-56

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING THE REFUND OF DUPLICATE OR OVERPAYMENT OF TAX PAYMENTS

BE IT RESOLVED by the Borough Council of the Borough of Merchantville that warrants be drawn to the parties listed below in the designated amount representing a duplicate or overpayments tax payment for second quarter of 2006 as follows:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
5/11	507 W Maple Ave	\$1157.10

All refunds to be made to the address below:
 Alexander Kaganovich
 27 Whyte Dr
 Voorhees NJ 08043

BE IT FURTHER RESOLVED THAT, all parties have advised that they would like to have a refund rather than applying this payment to subsequent property taxes.

ORDINANCE INTRODUCTION – AUTHORIZING EMERGENCY APPROPRIATION: On the motion of Mr. Alloway and second of Mr. North, Council unanimously introduced the following ordinance:

06-08**AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S.A. 40A:4-53 FOR ENGAGEMENT OF SPECIAL CONSULTANTS FOR THE PREPARATION, AND THE PREPARATION OF A MASTER PLAN OR PLANS, WHEN REQUIRED IN ORDER TO CONFORM TO THE PLANNING LAWS OF THE STATE**

The public hearing will be held on July 10.

SCUCS: RENEWAL OF SEN-HAN TRANSIT AGREEMENT: On the motion of Mrs. Fields, second of Mr. Alloway and a unanimous roll call vote, Council renewed the Sen-Han Transit agreement for 2006.

APPOINTMENT – CLASS II SPECIAL POLICE OFFICER [RYAN FIELDS]: On the motion of Mr. North and second of Mr. Alloway, Council unanimously (Fields abstain) approved the appointment of Ryan Fields, as a Class II Special Police officer.

APPOINTMENT – M/P WATER COMMISSION: BURT GERMAN: On the motion Mr. Alloway and second of Mr. North, Council unanimously approved the reappointment of Bert German to the Merchantville/ Pennsauken Water Commission for a term of five years (expiring 6/30/2011).

APPOINTMENT – JUNIOR FIRE FIGHTER: MICHAEL JORDAN: On the motion of Mr. Zeiders and second of Mr. North, Council unanimously approved the appointment of Michael Jordan, 6031 Church Road, Pennsauken, as a Junior Firefighter.

APPOINTMENT – MEMS: AUBREY LEHMAN, ANDREW DONAHUE & BENJAMIN PATTI: On the motion of Mrs. Fields and second of Mr. Alloway, Council unanimously approved the appointment of Aubrey Lehman, 147 South Centre Street, Andrew Donahue, 202 Westminster Avenue and Benjamin Patti, 512 Franklin Avenue, Cherry Hill to the MEMS.

FITNESS TRAIL: Elaine Paulson, has contracted several organizations regarding lining the bicycle path with various fitness equipment, creating a dual use fitness trail. Two potential vendors provide such equipment in the \$5,000 price range. Mulch, landscaping and additional expenses would be in addition to any amount spent on equipment bringing the total anticipated cost to approximately \$10,000. Mayor Brennan asked for a copy of the information and suggested that we examine the possibility of outside funding to assist the purchase and installation of these items.

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 6/12/06 CHECK REGISTER)**CHECKS DELIVERED**

CHECK #11556- 11568	\$ 210,374.81
CHECK #11569- 11653	\$ 394,023.56
	\$ 604,398.37

DOG ACCOUNT: (PER 6/12/06 CHECK REGISTER)

CHECK #758	\$ 36.00
	\$ 36.00

GENERAL CAPITAL ACCOUNT: (PER 6/12/06 CHECK REGISTER)

CHECK #1383- 1384	\$ 26,239.27
	<u>\$ 26,239.27</u>
<u>MERCHANTVILLE SEWER UTILITY: (PER 6/12/06 CHECK REGISTER)</u>	
CHECKS DELIVERED	
CHECK #1572- 1574	\$ 7,256.34
CHECK #1575- 1576	\$ 80,270.40
	<u>\$ 87,526.74</u>
<u>PUBLIC ASSISTANCE TRUST FUND: (PER 6/12/06 CHECK REGISTER)</u>	
CHECK #	\$ -
	<u>\$ -</u>
<u>RECREATION COMMISSION: (PER 6/12/06 CHECK REGISTER)</u>	
CHECKS DELIVERED	
CHECK #2610- 2612	\$ 1,045.00
CHECK #2313- 2319	\$ 1,679.12
	<u>\$ 2,724.12</u>
<u>TRUST ACCOUNT - OTHER FUNDS: (PER 6/12/06 CHECK REGISTER)</u>	
CHECKS DELIVERED	
CHECK #1063- 1066	\$ 11,745.26
CHECK #1067- 1069	\$ 2,222.50
	<u>\$ 13,967.76</u>
<u>UNEMPLOYMENT COMPENSATION: (PER 6/12/06 CHECK REGISTER)</u>	
CHECK #332	\$ 2,461.20
	<u>\$ 2,461.20</u>
TOTAL:	<u>\$ 737,353.46</u>

EXAMINED AND FOUND CORRECT: (SIGNED JOHN N. ALLOWAY)
DIRECTOR, DEPARTMENT OF ACCOUNTS AND AUDITING
R06-57

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.

WELLWOOD PARK APPLICATION: Mr. North received an application for use of the park on July 16 from 12 until 2 PM; will check details prior to notification. On the motion of Mr. North and second of Mr. Zeiders, Council unanimously approved application for use of Wellwood Park.

ANNOUNCEMENTS:

PLANNING BOARD MEETING: Mayor Brennan stated that the Planning Board meeting is tomorrow night at 7:30 PM.

GO4THEGOAL.COM: Tracks the daily progress of Richard Stefanacci, a local youth battling cancer. Please visit the website and send Richard a note of your support.

RESOLUTION - ADVERTISE FOR PLANNER UNDER FAIR & OPEN PROCESS: On the motion of Mr. North and second of Mr. Alloway, Council unanimously approved the following resolution:

R06-56A**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY ESTABLISHING AND IMPLEMENTING A FAIR AND OPEN PROCESS FOR THE SELECTION OF VARIOUS PROFESSIONAL SERVICE PROVIDERS FOR THE BOROUGH OF MERCHANTVILLE**

WHEREAS, the Borough of Merchantville requires the services of various professional service providers; and

WHEREAS, professional services are exempt from the requirement of public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Borough of Merchantville continues to find it advisable to select professionals primarily on the basis of qualification including qualifications uniquely suited to the needs of the Borough of Merchantville; and

WHEREAS, the Borough of Merchantville has determined that it is appropriate to implement a fair and open process for the awarding of professional service contracts; and

WHEREAS, to receive statements of qualification in a manner that fosters a fair and open process it is necessary and advisable to establish advance general criteria and specific minimum requirements for so many of those appointments as possible; and

WHEREAS, the Borough of Merchantville has determined that a fair and open process requires public advertisement of professional appointments in a manner and with sufficient time to provide notice in advance of the contemplation of the appointment and the criteria to be considered in making the appointment; and

WHEREAS, the Borough of Merchantville has determined that a fair and open process requires that all responses be publicly opened and announced and thereafter that all appointments be made at a public meeting of the governing body and then published in accordance with N.J.S.A. 40A:11-5.

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

1. All professional service appointments contained on Schedule A attached to and made a part hereof shall be subject to a fair and open process as set forth below.
2. The Borough Clerk shall cause a legal notice to be published in a newspaper authorized to publish legal notices for the Borough, stating that a full listing of all professional service appointments subject to a fair and open process beginning no later than June 30, 2006.
3. The criteria for each position contained on Schedule A follows immediately subsequent to the listing on Schedule A. These criteria shall be disclosed together with the posting of these positions in the Courier Post.
4. The posting shall inform potential applicants that all submissions must be made to the Office of Borough Clerk and received not later than 12:00 p.m. July 10, 2006.
5. Commencing at 12:01 p.m. on July 10, 2006, or as soon thereafter as may be possible, the Borough Clerk or his designee shall publicly open and announce all submissions in the Borough's public meeting room.
6. The Mayor and Borough Council shall thereafter review all submissions.
7. Appointments shall thereafter be made at a public meeting of the Mayor and Borough Council of the Borough of Merchantville.
8. Subsequent to appointments, appropriate notices shall be published in accordance with the requirements of N.J.S.A. 40A:11-5.

BE IT FURTHER RESOLVED, that the Mayor and Borough Council have determined that the terms of this Resolution constitute a fair and open process as to all positions included herein.

PRIVATE SESSION: On the motion of Mr. North and second of Mr. Alloway, Council adjourned to a private session to discuss matters of litigation.

ADJOURNMENT: When Council reconvened, on the motion of Mr. North and second of Mr. Alloway the meeting was adjourned at 8:15 PM.

OREN R. THOMAS IV
BOROUGH CLERK