

Merchantville, NJ

January 8, 2007

A regular meeting of Borough Council was held at 7:30 PM, Monday, January 8, 2007. 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, Fields, Waldron, Zeiders and Finnegan

Borough Clerk Thomas and Solicitor Higgins were present.

PUBLIC:

COUNCIL PRESIDENT: Council President Alloway was sworn in by Mayor North.

ENGINEER'S REPORT:

Thomas Cundey, Remington & Vernick Engineer's, delivered an update of Borough projects.

CORRESPONDENCE:

Bowman and Company: Hosting a budget seminar and all Council members are invited to attend.

[Retired] Police Chief Robert Ward: Strongly countered allegations made by Borough resident Marvin Gaskill that Chief Ward stating that the Police Department held less than 14 officers during his tenure. Chief Ward continued that he never had a conversation with Mr. Gaskill regarding staff strength, only regarding the availability of parking his school bus on the street.

COUNCIL REPORTS:

MR. FINNEGAN delivered the Public Works report. The Public Works Department is searching for employees with CDL licenses.

MR. ZEIDERS delivered the Fire Department yearly report. There were 170 calls in 2006; 150 calls is the average yearly amount (the excess calls attributed to 606 West Maple Avenue). Thanked Ed Abrams for "stepping in" when Kevin Patti was recalled to Iraq. Delivered the Buildings and Grounds report for 2006.

MR. WALDRON delivered the Public Events Committee report. Updated Council with regards to the Newsletter. Delivered the Shade Tree Commission report.

MRS. FIELDS delivered the Planning Board report. There will be a Master Plan review meeting on January 23 with Ragan Design Group. Delivered the MEMS report for 2006.

MR. ALLOWAY thanked fellow Council members for the opportunity to serve as Council President in 2007. Delivered yearly report for the administrative offices; reviewed the CDBG status for 2006.

MAYOR NORTH delivered the Police report for 2006.

ADMINISTRATOR REPORT:

JOHN FRY, Borough Administrator, provided a written review of administrative actions for 2006 to

Council and highlighted some of the points.

OLD BUSINESS:

STREET CLOSURE – MERCHANTVILLE ARTS FESTIVAL: Mayor North read a detailed request for street closures from the Merchantville Arts Fair Committee. Mr. Zeiders asked Mr. Higgins if there were any legal concerns pertaining to an overnight street closure and leaving valuable items outside. Mr. Higgins stated that Council would need a defined plan before they decided on anything. Mr. Alloway added that Council would like to see this event happen; what needs to happen for that to occur? Mr. Waldron is involved with the Committee and volunteers are still being sought. Mr. Higgins added that there are several loose ends that need to be addressed, including who would be insuring the event. Mrs. Fields inquired if the Public Events could insure the event and Mr. Higgins answered in the affirmative. He added that someone should be designated to interact with the Arts Committee. Mr. Waldron will relay concerns of Council to the Arts Committee at their next meeting on January 22. Bob Hanna, 220 Volan Street, stated that Centre Street was closed for five-and-a-half days this year during which time his business is down 80%. Attending artists pay no taxes and leave town with their profits. Rite Aid and Wirth Florist have not been asked for their opinion. Joan Brennan, 129 Browning Road, stated that the process for organizing public events needed to be realigned. There are many issues that needed to be attended to and the needs of all businesses needed to be addressed.

DISCUSSION – MARGARET WESTFIELD COMMUNITY CENTER PROPOSAL: Mr. Zeiders stated that the Community Center has several pending issues. A plan has been identified including a potential \$350,000 grant from the state through a 5 year period. By funding an initial \$20,000 study and applying for and receiving a state grant, which requires a match from the local entity, a total of \$700,000 would be available to make the required improvements. Mr. Waldron believes the building needs more than the basic "band aid" fixes. Maureen McLoone, Merchantville Historical Society, gave Council some background information on the Community Center building. She continued that this is a wonderful opportunity for the town to restore a historical structure. Mr. Zeiders added that there are not many alternatives left. Mayor North believes the Community Center is a treasure worth saving. John Fry, Borough Administrator, added that the drainage improvements scheduled to be made would apply to the borough's matching amount.

RESOLUTION – FAIR AND OPEN PROCESS FOR SELECTION OF PROFESSIONAL SERVICE

(HISTORICAL ARCHITECT): On the motion of Mr. Zeiders, second of Mr. Waldron and a unanimous roll call vote, Council approved the following resolution:

R07-17A

**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 A PROFESSIONAL SERVICE
PROVIDER 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 together with the criteria established for the consideration of qualifications will be posted on the Borough's internet website beginning no later than January 16, 2007.

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 on the Borough's internet website as set forth above.

4. The website 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. February 2, 2007.

5. Commencing at 12:01 p.m. on February 2, 2007, 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.

**PROFESSIONAL SERVICES CONTRACTS TO BE AWARDED BY
CRITERIA ESTABLISHED PURSUANT TO N.J.S.A. 19:44-01 ET.SEQ.**

The Borough of Merchantville solicits statements of qualification for applicants for appointment to the following professional positions. Responses should address the general criteria and mandatory minimum criteria for the position sought. All responses will be treated as confidential and reviewed only by the Borough Council, unless otherwise required by law. Responses must be received in the Office of the Borough Clerk no later than 12:00 PM Friday, February 2, 2007. All responses shall be opened and announced publicly, immediately thereafter by the Borough Clerk or his representative. Responses will be reviewed by the Borough Council. All appointments will be announced at a public meeting. Unless otherwise noted appointments shall be for the calendar year of 2007 and subject to the execution of an appropriate contract.

HISTORIC PRESERVATION ARCHITECT - GENERAL CRITERIA: The Borough of Merchantville desires to appoint a historic preservation architect to assist in the repair/restoration/renovation of municipally owned buildings in the Borough that may have historic significance. Applicants should demonstrate a general knowledge of architecture and a specific knowledge as to historic preservation architecture in New Jersey, as well as experience in the application for and securing of grants from any governmental and/or non-governmental source for historic preservation projects. Any experience or knowledge of matters directly affecting the Borough of Merchantville should be addressed.

MANDATORY MINIMUM REQUIREMENTS:

1. Must be licensed to practice architecture in the State of New Jersey for a period of not less than ten (10) years preceding the proposed appointment.
2. Must list past and present municipal or government authorities represented.
3. Must maintain a bona fide office in the State of New Jersey.
4. Must have sufficient support staff available to provide all general architectural services as required by the Borough including, but not limited to, the application for and securing of grants from any governmental and/or non-governmental source for historic preservation projects.

NEW BUSINESS:

FINANCIAL REPORTS: On the motion of Mr. Alloway, second of Mr. Zeiders and a unanimous roll call vote, Council approved the Chief Financial Officer's Report of Cash Receipts for December 2006 and the Abbreviated Budget Status through December 31, 2006.

RESOLUTION – CANCEL BALANCES UNDER \$10: On the motion of Mr. Zeiders and second of Mr. Alloway, Council unanimously approved the following resolution:

R07-18

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF SEWER CHARGES UNDER \$10

WHEREAS, total tax and sewer payments for the years 2005 and 2006 have resulted in overpayments and are being applied to outstanding open balances in 2006 as follows in the attached;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Merchantville that the Tax Collector is hereby authorized to adjust the amounts as stated.

RESOLUTION – CANCEL SEWER BALANCES UNDER \$10: On the motion of Mr. Alloway and second of Mr. Finnegan, Council unanimously approved the following resolution:

R07-19

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY CANCELING 2006 TAX AND SEWER BALANCES UNDER \$10.00

WHEREAS, balances under \$10.00 remain on certain tax and sewer accounts for 2006; and,

WHEREAS, the State of New Jersey permits the cancellation of either overpayment or past due balances under \$10.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Merchantville authorizes the Tax Collector to cancel the attached list of small tax and sewer balances remaining as of December 31, 2006.

APPOINT MUNICIPAL ALLIANCE DRUG COORDINATOR: On the motion of Mrs. Fields and second of Mr. Alloway, Council unanimously approved the appointment of Police Chief Wayne K. Bauer as

Municipal Alliance Drug Coordinator.

ORDINANCE INTRODUCTION –SETTING BID & QUOTE THRESHOLDS: On the motion of Mr. Finnegan and second of Mr. Alloway, Council unanimously introduced the following ordinance:

07-01

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY ADOPTING CURRENT STATE BIDDING AND QUOTATION THRESHOLD AMOUNTS FOR THE BOROUGH OF MERCHANTVILLE

The public hearing will be held on January 22.

ORDINANCE INTRODUCTION – AMEND CHAPTER 50, OFFICER & EMPLOYEES: On the motion of Mr. Finnegan and second of Mrs. Fields, Council unanimously introduced the following ordinance:

07-02

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING CHAPTER 50, OFFICERS AND EMPLOYEES, OF THE CODE OF THE BOROUGH OF MERCHANTVILLE

The public hearing will be held on January 22.

COMMUNITY CENTER: Mrs. Fields informed Council that the Merchantville PTA would like to raffle off a rental to the Community Center and requested the Borough donate the Community Center to the PTA. Mr. Finnegan and Mr. Alloway both agreed that Borough Council could not choose to donate the Community Center to certain groups and not to others.

PAYMENT OF BILLS:

On the motion of Mr. Alloway and second of Mr. Zeiders, Council unanimously approved the following bills for payment:

CURRENT FUND: (PER 1/8/07 CHECK REGISTER)

CHECKS DELIVERED

CHECK #12160- 12174	\$ 169,765.72
CHECK #12175- 12244	\$ 145,906.29
	<u>\$ 315,672.01</u>

DOG ACCOUNT: (PER 1/8/07 CHECK REGISTER)

CHECK #	\$ -
	<u>\$ -</u>

GENERAL CAPITAL ACCOUNT: (PER 1/8/07 CHECK REGISTER)

CHECK #1398- 1399	\$ 3,281.45
	<u>\$ 3,281.45</u>

MERCHANTVILLE SEWER UTILITY: (PER 1/8/07 CHECK REGISTER)

CHECKS DELIVERED

CHECK #1591- 1592	\$ 2,063.80
CHECK #1593	\$ 11,802.95
	<u>\$ 13,866.75</u>

PUBLIC ASSISTANCE TRUST FUND: (PER 1/8/07 CHECK REGISTER)

CHECK #	\$ -
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	\$ -
<u>RECREATION COMMISSION: (PER 1/8/07 CHECK REGISTER)</u>	
CHECKS DELIVERED	
CHECK #2694- 2694	\$ 846.12
CHECK #2697- 2700	\$ 1,266.51
	<u>\$ 2,112.63</u>
<u>TRUST ACCOUNT - OTHER FUNDS: (PER 1/8/07 CHECK REGISTER)</u>	
CHECKS DELIVERED	
CHECK #1096- 1097	\$ 3,415.85
CHECK #1098	\$ 800.00
	<u>\$ 4,215.85</u>
<u>UNEMPLOYMENT COMPENSATION: (PER 1/8/07 CHECK REGISTER)</u>	
CHECK #	\$ -
	<u>\$ -</u>
TOTAL:	<u>\$ 339,148.69</u>

EXAMINED AND FOUND CORRECT: (SIGNED JOHN N. ALLOWAY)
DIRECTOR, DEPARTMENT OF ACCOUNTS AND AUDITING
R07-20

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:

Mayor North thanked resident Henry Cable for volunteering as Municipal representative to the Camden County Senior Citizens Commission.

Admiral Fallon, a former Merchantville resident and Camden Catholic High School graduate, was recently appointed as head of Central Command at military base in Tampa, Florida.

PRIVATE SESSION:

On the motion of Mr. Alloway and second of Mrs. Fields, Council adjourned to a private session to discuss matters of litigation.

PUBLIC II:

When Council reconvened, on the motion of Mr. Zeiders and second of Mr. Alloway, Council authorized Mr. Higgins to negotiate a Letter of Intent with PNC Bank with regards to the Maple/ Chapel Redevelopment Zone.

ADJOURNMENT:

On the motion of Mr. Finnegan and second of Mrs. Fields the meeting was adjourned at 9:54 PM.

 OREN R. THOMAS IV
 BOROUGH CLERK