

Merchantville, NJ

April 23, 2007

A regular meeting of Borough Council was held at 7:30 PM, Monday, April 23, 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, Volkert, Waldron and Zeiders

Council Absent: Finnegan

Borough Clerk Thomas and Solicitor Higgins were present.

**PUBLIC HEARING:**

**ORDINANCE - EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMIT & ESTABLISH A CAP BANK:** Mayor North opened the public hearing on the following ordinance:

**07-05**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK FOR THE CALENDAR YEAR 2007 (N.J.S.A.  
40A: 4-45.14)**

**Marc Brunton**, 28 South Cove Road, asked for an explanation of the ordinance; **Mr. Higgins** detailed its purpose. There being no further comment, the hearing was closed.

**PUBLIC:**

**Robert Disch**, 23 East Chestnut Avenue, stated that a tree located in front of the centennial house dropped a limb on a car parked on Chestnut Avenue. **Mr. Higgins** informed Mr. Disch that the claimant may contact the Municipal Clerk for the borough's insurance information.

**Gail Ford**, 135 North Centre Street, commented that the website stated that nobody would be cited for not shoveling of walks during the snow storm of March 16 and 17. However, people in turn we cited anyway.

**Mark Brunton**, 28 South Cove Road, claims that Cove Road has become a haven for dog walkers disobeying local ordinances. **Mr. Alloway** has spoken with Chief Bauer, is aware of the situation and it is being dealt with.

**Deborah Binder**, 57 Chapel Avenue, thanked Mayor North for hearing her regarding the Maple/ Chapel Redevelopment Zone. Mrs. Binder would like to meet directly with Council and not with the redevelopers.

**Mayor North** stated that meeting directly with Mayor and Council was also fine; Council believed that meeting directly with the developers was more feasible but did not oppose meeting with Mrs. Binder directly. **Gail Ford**, added that the borough could remove the strip of land (Block 28, Lot 1) where Mrs. Binder has a right-of-way from the redevelopment zone. Mr. Higgins responded that removing the lot where Mrs. Binder currently parks her vehicle was not an option as it would compromise the proposed

redevelopment plan.

### **APPROVAL OF MINUTES:**

On the motion of Mr. Alloway and second of Mr. Volkert, Council unanimously approved the minutes from the 3/12/07 regular and private sessions.

### **OLD BUSINESS:**

**ORDINANCE ADOPTION - EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMIT & ESTABLISH A CAP BANK:** On the motion of Mr. Alloway, second of Mr. Finnegan and a unanimous roll call vote, council adopted the following ordinance:

#### **07-05**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE CALENDAR YEAR 2007 (N.J.S.A. 40A: 4-45.14)**

### **NEW BUSINESS:**

**RESOLUTION – PROFESSIONAL SERVICES CONTRACT: RYAN HUMMEL (IT SERVICES):** On the motion of Mr. Alloway and second of Mr. Volkert, Council unanimously approved the following resolution:

#### **R07-52**

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AWARDING A PROFESSIONAL SERVICES CONTRACT TO RYAN HUMMEL**

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

**WHEREAS**, there exists a need for information technology services in the Administrative Offices of the Borough; 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; and

**WHEREAS**, the Borough Council previously awarded a contract to Ryan Hummel in 2005 at an hourly rate of \$50.00; and

**WHEREAS**, the Mayor and Borough Council recognize the need to increase the hourly rate in order to continue a contract with Ryan Hummel for \$70.00 in 2007; and

**WHEREAS**, the established total expenditure is subject to the availability of funds in the 2007 current fund budget as adopted;

**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 Ryan Hummel, Merchantville, New Jersey at an hourly rate of \$70.00 for services performed under this agreement. 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;

**AND BE IT FURTHER RESOLVED** that the total amount to be paid to Ryan Hummel shall not exceed \$2,000.

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

**RESOLUTION – APPROVE REMINGTON & VERNICK 2007 DOT GRANT PROPOSAL:** Tabled.

**2007 SCUCS AGREEMENT:** On the motion of Mr. Alloway and second of Mrs. Fields, Council unanimously approved the SCUS agreement for the year 2007.

**APPLICATION - BANNER POLE:** On the motion of Mr. Alloway and second of Mr. Volkert, Council unanimously approved a banner application submitted by the Merchantville Arts Festival.

**NIAGARA FIRE COMPANY RAIN/ FLOOD RESPONSE:** Mr. Alloway stated that the Niagara Fire Company was most diligent with their responses to the numerous calls they received during the recent storm. Members pumped out in excess of 37 different basements throughout town. Glenwood Avenue, a scene of past flooding incidents, was water free during the recent storms. The Public Works Department also responded to the weather with extraordinary efforts. **Mayor North** also thanked members of Council for their efforts over the past two weekends.

### **PAYMENT OF PETTY CASH BILLS:**

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

#### **R07-53**

#### **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 \$305.00 and finds same to be correct:

#### **CHECKS DELIVERED TO BOROUGH OF MERCHANTVILLE CURRENT FUND:**

|                                                 |                        |
|-------------------------------------------------|------------------------|
| Police Health Petty Cash Fund (#07-74 – 07-080) | <b>\$105.00</b>        |
| Borough Clerk Health Petty Cash (07-30 – 07-38) | <b><u>200.00</u></b>   |
| <b>TOTAL:</b>                                   | <b><u>\$305.00</u></b> |

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

### **ANNOUNCEMENTS:**

**ARBOR DAY:** Mr. Waldron stated that the Shade Tree Commission will be holding a ceremony on April 27 in honor of Arbor Day.

**BIRTHDAY CELEBRATION STREET CLOSURE:** On the motion of Mr. Alloway and second of Mr. Waldron, Council unanimously approved closure of Maple Avenue on June 9, 2007 from 7:30 AM through 3:30 PM for the Birthday Celebration.

**SCHOOL ELECTION:** Mr. Thomas reviewed election results for Mayor and Council.

**ASSEMBLY BILL – 15:** Provided by Mr. Thomas to members of Council. It is pertaining to realigning of municipalities throughout the state.

**HISTORIC SITE GRANT APPLICATION:** Mr. Zeiders reminded Council that monies were allocated for the grant application process and wishes to issue a purchase order in a not to exceed amount of

\$4,000 to Margaret Westfield for completion and submittal of said grant application. A resolution will be placed on the agenda for the next meeting.

**PRIVATE SESSION:**

On the motion of Mr. Volkert and second on Mr. Alloway, Council adjourned into Private Session to discuss matters of litigation and negotiation.

**PUBLIC II:**

**Mr. Volkert** stated that Pennsauken Sewerage Authority has used a camera at a large sink hole on Clinton Avenue in an attempt to locate any blockage or collapse.

**Wanda Rotan**, has contacted Mrs. Fields on behalf of her neighbor, Joseph Adamo. Mrs. Rotan claims that Mr. Adamo's basement has flooded several times since the construction of a house next door. **Mr. Higgins** added that the borough held no responsibility between homeowners. **Mrs. Fields** is going to contact Mr. Joseph to make sure all steps were followed properly in the construction of this house.

**ADJOURNMENT:**

When Council reconvened, on the motion of Mr. Alloway and second of Mr. Volkert, the meeting was adjourned at 8:42 PM.

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OREN R. THOMAS IV  
BOROUGH CLERK