

Merchantville, NJ

August 9, 2004

A regular meeting of Borough Council was held at 7:30 PM, Monday, August 9, 2004. Mayor Patrick J. Brennan presided.

Pledge of Allegiance and Silent Prayer were observed. Mayor Brennan asked all of those in attendance to remember former resident Kelly Vogdes who was killed in an automobile accident 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: Madden, North, Pagano, Zeiders and Finnegan

Council Absent: Alloway

Solicitor Higgins and Borough Clerk Thomas were present.

PUBLIC:

Tami Barnett, 14 Clifton Avenue, requested an update on the status of defibrillators in the police vehicles. Mr. North stated that there are no restrictions with JIF and the Borough insurance company. Prices have been solicited in the range of \$1,400. Mrs. Barnett offered help with fundraising to cover the costs of the defibrillators. Mayor Brennan stated that the Borough would research potential grants to initially finance two units.

ENGINEER'S REPORT:

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

APPROVAL OF MINUTES: 11/24/03, 12/8/03 AND 12/22/03 REGULAR MEETINGS: On the motion of Mrs. Madden and second of Mr. Zeiders, Council approved by a 5-0-1 margin (Pagano abstain) the minutes from the 11/24/03, 12/8/03 and 12/22/03 regular meetings.

CORRESPONDENCE:

STATE AID FOR CAPITAL IMPROVEMENTS: Mayor Brennan announced that the Borough was applying for a grant to fund the reconstruction of the Borough Hall garage.

COUNCIL REPORTS:

MRS. MADDEN had no report.

MR. ZEIDERS announced that Lammey and Giorgio provided a construction estimate for the Borough garage of \$120,000. Prices are being sought for a new lighting system at the Public Works garage. The Fire Department report was given. Mr. Patti is having some difficulties collecting Fire Safety fines and he will be contacting Mr. Higgins. **Mayor Brennan** stated that anyone not paying violations will be summoned to appear in court immediately.

MR. PAGANO delivered the MEMS report. There is a Recreation Commission meeting on August 11. Would like to begin seeking alternate methods of staffing MEMS, potentially seeking reimbursement

from insurance companies to finance a staff.

MR. FINNEGAN delivered the Public Works report. James Maiese has returned to work from injury. Mr. Beckett is currently searching for a part-time employee. Mayor Brennan stated that worker's compensation and union issues first had to be addressed before any hirings were made. Delivered the Shade Tree Commission report. The old railroad station building on Chestnut Avenue has experienced significant flooding in its basement due to recent heavy rainstorms and blames the Borough parking lot. **Mayor Brennan** stated that a drainage grate on the property is clogged and the responsibility of the property owner. Mr. Beckett will look into jetting the storm sewer lines.

MR. NORTH stated that the court has received correspondence from the state advising that all parking fines should increase by \$3. The Court report was delivered. The Borough's Camden County JIF membership expires on December 31, 2004. A resolution to renew membership will be presented next month.

OLD BUSINESS:

RESOLUTION – PROFESSIONAL SERVICES CONTRACT: LAMMEY & GIORGIO: Mr. Zeiders would like the contract modified so that it would not exceed \$17,250 and payments would be made incrementally along with the stages of the project. On the motion of Mr. Zeiders and second of Mr. Finnegan, Council unanimously approved the following resolution:

R04-92

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AWARDED PROFESSIONAL SERVICES CONTRACT TO LAMMEY & GIORGIO

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 architectural and engineering 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 Lammey & Giorgio, Haddon Township, New Jersey in an amount not to exceed \$17,250.00. 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.

RESOLUTION – AWARD OF CONTRACT [FIRE HOUSE REPAIRS]: On the motion of Mr. Zeiders and second of Mr. North, Council unanimously approved the following resolution:

R04-93

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY AWARDED A CONTRACT FOR VARIOUS CONCRETE WORK AT THE NIAGARA FIRE HOUSE

WHEREAS, the Borough Council of the Borough of Merchantville is desirous of repairing the chimney and various slabs of concrete at the Niagara Fire House in accordance with Ordinance 01-05E; and

WHEREAS quotes have been received for this project; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds;

NOW, THEREFORE, BE IT RESOLVED, that the contract be awarded to BRP Services Inc., Bridgeton, New Jersey in the total amount of \$2,980.00, the lowest quote received.

NEW BUSINESS:

RESOLUTION – CAMDEN COUNTY CO-OP CONTRACT AWARD FOR PAPER AND

ENVELOPES: On the motion of Mrs. Madden and second of Mr. North, Council unanimously approved the following resolution:

R04-94

RESOLUTION AUTHORIZING AWARD CONTRACTS WITH OFFICE BASICS AND PAPER MART INC. FOR PRICE ONLY CONTRACTS FOR BID A-16, COPY AND COMPUTER PAPER AND ENVELOPES UNDER THE CAMDEN COUNTY COOPERATIVE PRICING SYSTEM, SYSTEM IDENTIFIER #57-CCCPS

WHEREAS, the County of Camden, as the Lead Agency for the Camden County Cooperative Pricing System, System Identifier #57-CCCPS (Cooperative), received and opened bids at its Division of Purchasing on June 23, 2004 at 11:00 AM, Prevailing Time, for Bid A-17, Copy and Computer Paper and Envelopes for various Camden County Departments and municipalities under The Camden County Cooperative Pricing System, System Identifier #57-CCCPS, the receipt of which bids were duly advertised in accordance with law; and

WHEREAS, bids were received from the following vendors:

Paper Mart Inc.

Office Basics

WHEREAS, it is the desire of the Board of Chosen Freeholders to award contracts to the lowest responsible bidders, for items listed herein for the needs of the County of Camden and other Cooperative Purchasing Members; and

WHEREAS, it is the desire of the Borough Council of the Borough of Merchantville to award contracts to the lowest responsible bidders, for the items listed herein for the needs of the Borough of Merchantville; and

WHEREAS, funding for this purpose for the Borough of Merchantville shall not exceed the maximum line items for office supplies in the Borough's 2004 temporary and/or permanent budget and shall be encumbered prior to incurring the obligation pursuant to NJAC 5:30-5.3(b)(2); and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Merchantville that, contingent upon funding as described herein, the aforementioned Bid A-17, be and is hereby awarded to Paper Mart, East Hanover, New Jersey, for Section C, Item No. 1; Section D, Item No. 2, and Section E, Items 3 & 6; and

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Merchantville that, contingent upon funding as described herein, the aforementioned Bid A-17, be and is hereby awarded to Office Basics, Boothwyn, Pennsylvania, for Section A, Items 1, 2, 3 and 4; Section B, Item No. 1; Section D, Item No. 1 and Section E, Items 1, 2, 4 and 7 for a period of six months; and

BE IT FURTHER RESOLVED THAT the proper Borough officials be and are hereby authorized to execute all documents necessary to effect this award.

RESOLUTION – CANCELLATION OF OUTSTANDING COURT CHECKS: On the motion of Mrs.

Madden and second of Mr. North, Council approved by a 5-0-1 margin (Finnegan abstain) the

following resolution:

R04-95

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY FOR CANCELLATION OF OUTSTANDING COURT CHECKS

WHEREAS, there exist numerous outstanding checks on the Merchantville Municipal Court General Account which have been outstanding for over six months; and

WHEREAS, there exists an outstanding check on the Merchantville Municipal Court Bail Account which has been outstanding for over six months; and

WHEREAS, the various checks have been investigated and have been determined to have been lost or otherwise destroyed or undeliverable;

NOW, THEREFORE, BE IT RESOLVED that the following checks be cancelled and the expenditures be cancelled to the Current Fund.

<u>FUND</u>	<u>ACCT NO</u>	<u>CHECK #</u>	<u>AMOUNT</u>
General Account	0123000648	1203	20.00
		1204	12.00
		1214	3.00
		1223	1.00
		1229	10.00
		1234	1.00
		1248	1.00
		1251	1.00
		1259	1.00
		1278	1.00
		1280	1.00
		1281	2.00
		1150	20.00
Bail Account	0123000655		

RESOLUTION – REFUND DUPLICATE TAX PAYMENTS: On the motion of Mrs. Madden and second of Mr. Pagano, Council unanimously approved the following resolution:

R04-96

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

BE IT RESOLVED by the Borough Council of the Borough of Merchantville that warrants be drawn to the property owners listed below in the designated amount representing a duplicate tax payment as follows:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
39/17	Roseanne S. Scarpulla 214 Woodlawn Avenue Merchantville, NJ 08109	\$1059.18
7/5	Marianne Delacourt 16 West End Avenue Merchantville, NJ 08109	\$ 776.87

RESOLUTION – AMEND BILLS LIST (JULY 12, 2004): On the motion of Mrs. Madden and second of Mr. Finnegan, Council unanimously approved the following resolution:

R04-97**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING THE BILLS LIST OF JULY 12, 2004**

WHEREAS, it has been determined that the Borough Council approved a monthly bills list at it's July 12, 2004 in the amount of \$99,938.10;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Merchantville that the monthly bill list of July 12, 2004 be amended to \$561,287.18.

RESOLUTION – APPROVING ALTERATE BID #1: SHEETMETAL AIR DISTRIBUTION

SYSTEM: On the motion of Mr. North and second of Mrs. Madden, Council unanimously approved the following resolution:

R04-98

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE
CAMDEN COUNTY, NEW JERSEY APPROVING ALTERNATE #1 QUOTE FOR PROVIDING
SHEETMETAL AIR DISTRIBUTION SYSTEM FOR CENTRAL AIR CONDITIONING UNIT FOR
THE MERCHANTVILLE COMMUNITY CENTER**

WHEREAS, the Borough Council of the Borough of Merchantville, Camden County, New Jersey does hereby approve Alternate Bid #1 in the amount of \$3,462.00 as submitted by Temperature by Design, Cinnaminson, New Jersey for the acquisition and installing of a sheetmetal air distribution system for the central air-conditioning equipment at the Merchantville Community Center in accordance with Ordinance 01-05; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds;

NOW, THEREFORE, BE IT RESOLVED that the adjusted contract amount including Alternate Bid #1 is approved in the amount of \$13,662.00.

RESOLUTION – EQUIPMENT FOR STREET SWEEPER: On the motion of Mr. Finnegan and second of Mr. Pagano, Council unanimously approved the following resolution:

R04-99

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY
FOR THE PURCHASE OF VARIOUS PARTS AND EQUIPMENT FOR ITS STREET SWEEPER**

WHEREAS, the Borough Council of the Borough of Merchantville is desirous of purchasing parts from various vendors in order for the newly acquired Street Sweeper to become fully operational; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds in accordance with Ordinance #01-05;

NOW, THEREFORE, BE IT RESOLVED, that approval has been granted for the purchase of various parts and equipment for the Street Sweeper in an amount not to exceed \$3,000.00.

ORDINANCE INTRODUCTION – AUTHORIZING SALE OF CERTAIN PROPERTY (Blk 22, Lot

35): On the motion of Mrs. Madden and second of Mr. North, Council unanimously approved the introduction of the following ordinance:

04-13

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF
NEW JERSEY AUTHORIZING THE SALE OF CERTAIN PROPERTY IN ACCORDANCE WITH
THE TERMS OF A REDEVELOPER'S AGREEMENT WITH CHESTNUT STATION URBAN
RENEWAL ASSOCIATES, LLC (Block 22, Lot 35)**

The public hearing will be held on September 13.

ORDINANCE INTRODUCTION – AUTHORIZING SALE OF CERTAIN PROPERTY (Blk 22, Lot 18): On the motion of Mrs. Madden and second of Mr. North, Council unanimously approved the introduction of the following ordinance:

04-14

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN PROPERTY IN ACCORDANCE WITH THE TERMS OF A REDEVELOPER'S AGREEMENT WITH CONIFER REALTY, LLC (Block 22, Lot 18)

The public hearing will be held on September 13.

ORDINANCE INTRODUCTION – AUTHORIZING SALE OF CERTAIN PROPERTY

(MERCHANTVILLE/ PENNSAUKEN WATER COMMISSION): On the motion of Mrs. Madden and second of Mr. North, Council unanimously approved the introduction of the following ordinance:

04-15

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING THE SALE OF CERTAIN LANDS TO THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION, AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO IMPLEMENT SAID DEED

The public hearing will be held on September 13.

ORDINANCE INTRODUCTION – AUTHORIZING PURCHASE & SALE OF CERTAIN PROPERTY

(COMMUNITY CENTER): On the motion of Mrs. Madden and second of Mr. North, Council unanimously approved the introduction of the following ordinance:

04-16

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING THE SALE OF AND PURCHASE OF CERTAIN LANDS BY AND BETWEEN THE MERCHANTVILLE COUNTRY CLUB AND THE BOROUGH OF MERCHANTVILLE, AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO IMPLEMENT SAID DEED

The public hearing will be held on September 13.

ORDINANCE INTRODUCTION – AMENDING CHAPTER 25, FEES FOR PUBLIC DOCUMENTS:

On the motion of Mrs. Madden and second of Mr. North, Council unanimously approved the introduction of the following ordinance:

04-17

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING CHAPTER 25, FEES FOR PUBLIC RECORDS, IN THE CODE OF THE BOROUGH OF MERCHANTVILLE

The public hearing will be held on September 13.

RESOLUTION – AMENDING RESOLUTION 04-69: Mayor Brennan explained that the renewal of the liquor license to JVS Inc. must be rescinded and then approved conditional of a ruling from the Director of the ABC. On the motion of Mr. North and second of Mr. Pagano, Council unanimously

approved the following resolution:

**R04-100
RESOLUTION**

WHEREAS, the Borough Council of the Borough of Merchantville had previously approved the renewal of a Plenary Retail Consumption License to JVS Limited, 2 South Centre Street for the year ending June 30, 2005;

WHEREAS, the Borough Council of the Borough of Merchantville amends Resolution 04-69, rescinding the license renewal to JVS Limited;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council be and is hereby authorized to rescind the renewal of a Plenary Retail Consumption License #0424-33-003-004 to JVS Limited.

RESOLUTION – APPROVAL RENEWAL OF JVS INC. LIQUOR LICENSE: On the motion of Mrs. Madden and second of Mr. North, Council unanimously approved the following resolution:

**R04-101
RESOLUTION TO RENEW
ABC PLENARY RETAIL DISTRIBUTION LICENSES**

WHEREAS, JVS Limited, 2 South Centre Street has applied for renewal of it's Plenary Retail Consumption License for the year ending June 30, 2005 and application has 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 Madden, Director of the Department of Records and Licenses, has reported that the licensed premises was inspected to ascertain that it complies with all pertinent health and safety laws and regulations, and that she recommends the granting of said license; 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 Consumption License #0424-33-003-004 to JVS Limited effective July 1, 2004.

FINANCIAL REPORTS: On the motion of Mrs. Madden, second of Mr. Finnegan and a unanimous roll call vote, Council approved the Chief Financial Officer's Report of Cash Receipts for July 2004 and the Abbreviated Budget Status as of July 31, 2004.

APPOINTMENTS – MEMS: On the motion of Mr. Pagano and second of Mr. North, Council unanimously approved the appointments of George Townsend, 4031 Garden Avenue, Pennsauken, Donna Chester, 2905 North Centre Street, Pennsauken and Mary Kate DeAngelis, 5 Wexford Avenue, Pennsauken to the MEMS.

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

CURRENT FUND: (PER 8/09/04 CHECK REGISTER)

CHECKS DELIVERED

CHECK #9750- 9757	\$ 115,436.60
CHECK #9758- 9825	<u>\$ 1,418,063.46</u>
	<u>\$ 1,533,500.06</u>

DOG ACCOUNT: (PER 8/09/04 CHECK REGISTER)

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

GENERAL CAPITAL ACCOUNT: (PER 8/09/04 CHECK REGISTER)

CHECK #1274- 1280	\$ 44,764.64
	<u>\$ 44,764.64</u>

MERCHANTVILLE SEWER UTILITY: (PER 8/09/04 CHECK REGISTER)

CHECKS DELIVERED	
CHECK #1498- 1503	\$ 4,231.30
CHECK #1504- 1505	\$ 548.80
	<u>\$ 4,780.10</u>

PUBLIC ASSISTANCE TRUST FUND: (PER 8/09/04 CHECK REGISTER)

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

RECREATION COMMISSION: (PER 8/09/04 CHECK REGISTER)

CHECKS DELIVERED	
CHECK #2380- 2381	\$ 9,341.50
CHECK #2383- 2390	\$ 2,206.02
	<u>\$ 11,547.52</u>

TRUST ACCOUNT - OTHER FUNDS: (PER 8/09/04 CHECK REGISTER)

CHECKS DELIVERED	
CHECK #964- 965	\$ 662.46
CHECK #966- 968	\$ 8,086.88
	<u>\$ 8,749.34</u>

UNEMPLOYMENT COMPENSATION: (PER 8/09/04 CHECK REGISTER)

CHECK #315- 317	\$ 396.55
	<u>\$ 396.55</u>

TOTAL: \$ 1,603,738.21

EXAMINED AND FOUND CORRECT: (SIGNED AGNES A. MADDEN)
DIRECTOR, DEPARTMENT OF ACCOUNTS AND AUDITING

R04-102

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:

DOG OWNERS: Mr. Zeiders stated that he would like signs posted in Wellwood Park regarding the Borough's Dog Ordinance.

PRIVATE SESSION: On the motion of Mrs. Madden and second of Mr. Pagano, Council adjourned into Private Session to discuss matters of litigation. The minutes of this meeting will be made public when the matters are resolved.

PUBLIC II:

When Council reconvened, on the motion of Mr. North and second of Mr. Pagano, Council unanimously approved the following resolution:

R04-103**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT WITH DAIBES CONSTRUCTION, LLC FOR PURPOSES OF IMPLEMENTING THE MAPLE/CHAPEL REDEVELOPMENT PLAN**

WHEREAS, the Mayor and Council of the Borough of Merchantville, in the County of Camden and State of New Jersey on April 28, 2003 duly adopted a Redevelopment Plan entitled, Maple/Chapel Redevelopment Plan; and

WHEREAS, in order to implement the Maple/Chapel Redevelopment Plan and carry out the redevelopment projects in the area designated by the Redevelopment Plan, the Mayor and Council of the Borough of Merchantville has determined that it is necessary to designate a redeveloper for same; and

WHEREAS, the Borough has determined to designate Daibes Construction, LLC as the redeveloper for the purpose of carrying out the Redevelopment Plan; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Merchantville hereby designates Daibes Construction, LLC as the developer for the purpose of carrying out the redevelopment projects in the area designated by the Redevelopment Plan; and

IT IS FURTHER RESOLVED by the Mayor and Council of the Borough of Merchantville that this designation shall be effective immediately.

IT IS FURTHER RESOLVED that Patrick J. Brennan and Oren R. Thomas, IV, Mayor and Borough Clerk of the Borough of Merchantville, respectively, are hereby authorized to execute the appropriate Developer's Agreement with Daibes Construction, LLC for the purpose of carrying out the redevelopment projects in the area designated by the Maple/Chapel Redevelopment Plan.

19/21 SOUTH CENTRE STREET: Mayor Brennan stated that the August 2 deadline that was given regarding certain required improvements to the property has passed and the Borough would be proceeding with the taking.

ADJOURNMENT: There being no further business, on the motion of Mrs. Madden and second of Mr. Pagano the meeting was adjourned at 8:50 PM.

OREN R. THOMAS IV
BOROUGH CLERK