

Merchantville, NJ

September 10, 2007

A regular meeting of Borough Council was held at 7:30 PM, Monday, September 10, 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, Finnegan, Waldron and Zeiders

Borough Clerk Fry, Deputy Clerk Brouse and Solicitor Higgins were present.

PUBLIC HEARING:**ORDINANCE – APPROVE PURCHASE OF BLOCK 29 LOT 2, 3, 6, 8, 9, 11, 14 AND 15:**

Mayor North opened the public hearing on the following ordinance:

07-14

AN ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING THE PURCHASE OF CERTAIN LANDS BY AND THE BOROUGH OF MECHANTVILLE FROM PNC BANK, NATIONAL ASSOCIATION, AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO IMPLEMENT SAID PURCHASE

Gail Ford, 135 North Centre Street, asked if AST has reached an agreement with PNC property and will the money come back to the Borough. **Mayor North** stated that we will sell excess and it is a good situation under negation, intended to be a wash for the Borough.

Mike Mc Loone, 17 East Chestnut Avenue, understands the risk but doing nothing is also a risk. **Alice Diamond**, 105 Westminster Avenue, suggested follow up on master plan recommendation to put PNC on the National Register. Ms. Diamond voiced her concern with commercial real estate market. There being no further comment, the hearing was closed.

ORDINANCE – AMENDING SALARY ORDINANCE:

Mayor North opened the public hearing on the following ordinance:

07-10

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE IN THE COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING ORDINANCE #07-07 ENTITLED "SALARIES & COMPENSATION"

PUBLIC:

Gail Ford 135 N. Centre Street, asked will we see a savings. **Mayor North** stated that the savings would be \$6,000. There being no further comment, the hearing was closed.

ENGINEER'S REPORT:

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

CORRESPONDENCE:

None.

COUNCIL REPORTS:

MR. WALDRON reported on the Public Events Committee. They will have a Town Wide Yard Sale on September 22 and are working on a volunteer night. Shade Tree has had pruning completed on several trees on the list.

MR. ZEIDERS reported on the progress of the Community Center Preservation Plan. Discussed the transition of Administrative Office.

MR. FINNEGAN reported for the Public Works Department. A new employee, Ryan Watson was hired in the Public Works Department. Trash and smoking urns have been delivered.

MR. ALLOWAY delivered the Police report. Municipal Alliance funds have been received.

MR. FIELDS announced that the Planning Board is scheduled to have a meeting on September 25; MEMS water heater is being replaced .

MR. VOLKERT Delivered the Sewer Department report. Reported on the Fire Company.

ADMINISTRATOR REPORT:

John Fry, Borough Administrator provided Council with a written report and highlighted a few of the points.

OLD BUSINESS:

ORDINANCE ADOPTION – APPROVING PURCHASE OF BLOCK 29, LOTS 2, 3, 6, 8, 9, 11, 14, AND 15: On the motion of Mr. Alloway, second of Mr. Volkert, Mrs. Fields abstained, Mr. Zeiders voted no for roll call vote, Council adopted the following ordinance:

07-14

AN ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING THE PURCHASE OF CERTAIN LANDS BY AND THE BOROUGH OF MECHANTVILLE FROM PNC BANK, NATIONAL ASSOCIATION, AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO IMPLEMENT SAID PURCHASE

ORDINANCE ADOPTION – AMENDING SALARY ORDINANCE: On the motion of Mrs. Fields, second of Mr. Alloway and unanimous roll call vote, Council adopted the following ordinance:

07-10

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE IN THE COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING ORDINANCE #07-07 ENTITLED "SALARIES & COMPENSATION"

NEW BUSINESS:

FINANCIAL REPORTS: On the motion of Mr. Zeiders, second of Mr. Finnegan and a unanimous roll call vote, Council approved the Chief Financial Officer's financial reports for August.

ORDINANCE – ADOPTING THE NEW JERSEY HOUSING CODE: On the motion of Mrs. Fields, second of Mr. Volkert Council, unanimously introduced the following ordinance:

ORDINANCE 07-16

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING CHAPTER 60B, PROPERTY MAINTENANCE, OF THE CODE OF THE BOROUGH OF MERCHANTVILLE

The public hearing will be held on September 24.

RESOLUTION – ESTABLISHING SALARY OF DEPUTY CLERK: On the motion of Mr. Zeiders, second of Mr. Waldron and a unanimous roll call vote, Council approved the following resolution:

RESOLUTION 07-117

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY, ESTABLISHING SPECIFIC SALARIES AND WAGES FOR ALL EMPLOYEES FOR 2007

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 29, 2007, effective as of June 21, 2007 and retroactive to January 1, 2007; and

WHEREAS, funds have been made available in the 2007 budget as adopted;

WHEREAS, the Borough Council of the Borough of Merchantville wishes to establish a specific salary for the position of Deputy Borough Clerk, effective August 20, 2007; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Merchantville amends Resolution #R07-73 of the Borough of Merchantville to add the following salary to those specific salaries for employees of the Borough of Merchantville for 2007, effective as of and retroactive to August 20, 2007:

POSITION

Deputy Borough Clerk

SALARY

33,014.80

RESOLUTION – CAPITAL PURCHASE OF MEMS PAGER AND PORTABLE RADIOS: On the motion of Mrs. Fields, second of Mr. Alloway and a unanimous roll call vote, Council approved the following resolution:

RESOLUTION R07-114

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY AWARING A CONTRACT FOR THE CAPITAL PURCHASE OF EMS RADIOS AND A PAGER

WHEREAS, the Borough Council of the Borough of Merchantville is desirous of purchasing Emergency Management Squad portable radios and a pager 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 approval has been granted for the purchase of two Motorola HT1250 Portable Radio and one Motorola Minitor V Pager for the Merchantville Emergency Management Squad from Jan Communication, Pennsauken, NJ in the total amount of \$1,797.00.

RESOLUTION – CAPITAL PURCHASE OF FIRE TURN-OUT GEAR – COATS AND PANTS: On the motion of Mr. Volkert, second of Mr. Alloway and a unanimous roll call vote, Council approved the following resolution:

RESOLUTION R07-112
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN,
NEW JERSEY AWARDING A CONTRACT FOR THE CAPITAL PURCHASE OF A
FIRE DEPARTMENT TURN-OUT GEAR

WHEREAS, the Borough Council of the Borough of Merchantville is desirous of purchasing a Fire Department turn-out gear in accordance with Ordinance 07-09; and

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

NOW, THEREFORE, BE IT RESOLVED, that approval has been granted for the purchase of turn-out gear, consisting of coats and hats, for the Fire Department from Municipal Emergency Services, Exton, Pa. in the total amount of \$3,399.00.

RESOLUTION – CAPITAL PURCHASE OF FIRE TURN-OUT GEAR – GLOVES AND HOOD: On the motion of Mr. Volkert, second of Mrs. Fields and a unanimous roll call vote, Council approved the following resolution:

R07-113
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN,
NEW JERSEY AWARDING A CONTRACT FOR THE CAPITAL PURCHASE OF FIRE
DEPARTMENT TURN-OUT GEAR

WHEREAS, the Borough Council of the Borough of Merchantville is desirous of purchasing a Fire Department turn-out gear in accordance with Ordinance 07-09; and

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

NOW, THEREFORE, BE IT RESOLVED, that approval has been granted for the purchase of turn-out gear, consisting of hoods and gloves, for the Fire Department from Municipal Emergency Services, Exton, Pa. in the total amount of \$2,319.00.

RESOLUTION – AUTHORIZE MATCHING FUNDS FOR FIRE HOMELAND SECURITY GRANT:

Tabled pending determining source of matching grant funds.

R07-111
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN,
NEW JERSEY PROVIDING MATCHING FUNDS FOR A FEDERAL EMERGENCY
MANAGEMENT AGENCY FIRE GRANT

WHEREAS, the Niagara Fire Company has sought funding to provide grant funding to support a Rapid Intervention Team; and

WHEREAS, the Federal Emergency Management Agency has informed the Niagara Fire Company of the award of the FY2006 Assistance to Firefighters Grant in the amount of \$66,215.00 as Grant No. EMW-2006-FG-18541; and

WHEREAS, the Federal Emergency Management Agency requires the Borough of Merchantville to provide a share of the cost in the amount of \$3,485.00; and

WHEREAS, the Mayor and Council have recognized the need to support the Niagara Fire Company in its efforts to properly equip and train its Rapid Intervention Team to protect the lives of Firefighters;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville that the Borough commits to funding 5% of the total project costs, i.e., \$3,485.

RESOLUTION – AUTHORIZE EXECUTION OF COMMITMENT DOCUMENTS FOR NJ

ENVIRONMENTAL INFRASTRUCTURE TRUST: On the motion of Mr. Alloway, second of Mr. Volkert and a unanimous roll call vote, Council approved the following resolution.

RESOLUTION R07-142

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE AUTHORIZING THE BOROUGH ADMINISTRATOR TO EXECUTE DOCUMENTS RELATING TO THE TRUST LOAN PROGRAM OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST

WHEREAS, the Borough of Merchantville (Borough) recognizes the need to have its Borough Administrator execute certain documents relating to the Trust Loan Program of the New Jersey Environmental Infrastructure Trust; and

WHEREAS, the Borough Council Members desire to authorize the Borough Administrator to execute said documents in order to facilitate the efficient operations of the Merchantville Sewer Utility; and

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

1. The provisions of the WHEREAS clauses set forth above are incorporated herein by reference and made a part hereof.
2. The Borough's Administrator is hereby authorized to execute any and all documents necessary to implement the Borough's participation in the Trust Loan Program of the New Jersey Environmental Infrastructure.

RESOLUTION – ADVERTISING FAIR AND OPEN PRACTICE FOR ENGINEERING SERVICES: On the motion of Mr. Volkert, second of Mr. Finnegan and a unanimous roll call vote, Council approved the following resolution:

RESOLUTION R07- 143

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 September 14, 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 10:00 p.m. Monday, September 24, 2007.
5. Commencing at 10:01 p.m. on September 24, 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.

PROCLAMATION – OVER THE LIMIT/UNDER ARREST 2007 CRACKDOWN

DISCUSSION - TIME CHANGE FOR BOROUGH OFFICES: Council discussed the change of hours and a resolution will be offered at the next meeting.

APPROVAL OF PUBLIC WORKS EMPLOYEE – RYAN WATSON: On the motion of Mr. Finnegan and second of Mr. Alloway, Council unanimously approved Ryan Watson as a Public Works employee.

PAYMENT OF BILLS:

On the motion of Mr. Zeiders, second of Mr. Alloway and a unanimous roll call vote, Council approved the following bills for payment:

September 24, 2007

DEPARTMENT OF ACCOUNTS AND AUDITING HAS EXAMINED THE FOLLOWING BILLS
AMOUNTING TO \$26,020.74 AND FINDS SAME TO BE CORRECT:

CURRENT FUND: (PER 9/24/07 CHECK REGISTER)

CHECKS DELIVERED

CHECK # 012922, 012923, 012925,
012926, 012928, 012944

\$ 19,400.08

CHECK # 012918-012921, 012924, 012927	\$ 5,709.23
012929, 012930- 012943, 012945-012954	
	\$ 25,109.31
<u>DOG ACCOUNT: (PER 9/24/07 CHECK REGISTER)</u>	
CHECK #	
	\$ -
<u>GENERAL CAPITAL ACCOUNT: (PER 9/24/07 CHECK REGISTER)</u>	
CHECK #	
	\$ -
<u>MERCHANTVILLE SEWER UTILITY: (PER 9/24/07 CHECK REGISTER)</u>	
CHECKS DELIVERED	
CHECK #	
CHECK #	
	\$ -
<u>PUBLIC ASSISTANCE TRUST FUND: (PER 9/24/07 CHECK REGISTER)</u>	
CHECK #	
	\$ -
	\$ -
<u>RECREATION COMMISSION: (PER 9/24/07 CHECK REGISTER)</u>	
CHECKS DELIVERED	
CHECK #	
CHECK #002775, 002776	\$ 311.43
	\$ 311.43
<u>TRUST ACCOUNT - OTHER FUNDS: (PER 9/24/07 CHECK REGISTER)</u>	
CHECKS DELIVERED	
CHECK # 001134-001136	\$ 600.00
CHECK #	
	\$ 600.00
<u>UNEMPLOYMENT COMPENSATION: (PER 9/24/07 CHECK REGISTER)</u>	
CHECK #	
	\$ -
	\$ -
TOTAL:	\$ 26,020.74

EXAMINED AND FOUND CORRECT: (SIGNED ROBERT H. ZEIDERS)
DIRECTOR, DEPARTMENT OF ACCOUNTS AND AUDITING
R07-

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: none

PRIVATE SESSION:

On the motion of Mr. Alloway and second of Mr. Volkert, Council adjourned into a private session to discuss matters of personnel.

ADJOURNMENT:

On the motion of Mr. Alloway and second of Mrs. Fields, the meeting was adjourned at 8:57 PM.

JOHN C. FRY
BOROUGH CLERK