

Merchantville, NJ

April 28, 2008

A regular meeting of Borough Council was held at 7:30 PM, Monday, April 28, 2008. 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, Perno and Brunton

Borough Clerk Fry, Deputy Clerk Brouse and CFO Denise Moules were present.

PUBLIC:

Gail Ford, 135 N. Centre Street, asked school teachers to voluntarily recuse from school vote.

APPROVAL OF MINUTES:

On the motion of Mr. Alloway and second of Mrs. Fields, Council approved (Mr. Perno and Mr. Brunton abstained) the October 15, 2007 minutes.

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

RESOLUTION-RENEW THE SHARED SERVICE FOR SCHOOL FIELDS MAINTENANCE: On the motion of Mr. Perno and second of Mr. Volkert, Mr. Brunton voted no for roll call vote, Council approved the following resolution:

R08-50

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN
AND STATE OF NEW JERSEY AUTHORIZING AN INTERLOCAL SERVICES
AGREEMENT BY AND BETWEEN THE BOROUGH OF MERCHANTVILLE AND
MERCHANTVILLE BOARD OF EDUCATION RELATIVE TO THE SERVICES OF THE
MERCHANTVILLE PUBLIC WORKS DEPARTMENT**

WHEREAS, the Borough of Merchantville (hereinafter "Merchantville") is a municipal entity organized under the laws of the State of New Jersey and located in Camden County; and

WHEREAS, the Merchantville Board of Education (hereinafter "Board of Education") is a municipal school board organized under the laws of the State of New Jersey and located in Camden County; and

WHEREAS, said the Mayor and Borough Council of the Borough of Merchantville, duly elected pursuant to statute, after a careful survey, have concluded that the residents of Merchantville will best be served when certain professional services on the grounds of and the athletic fields of the Board of Education are performed by the Public Works Department of the Borough of Merchantville; and

WHEREAS, by negotiations previously had between Board of Education and Merchantville, the terms and provisions hereafter set forth were determined and agreed thereto;

WHEREAS, Merchantville and Board of Education intend by virtue of this document to set forth the terms and conditions of this Agreement;

WHEREAS, the proper and respective public officials were authorized to execute this Interlocal Services Agreement pursuant to Resolutions of their respective public entities, attached hereto and made a part of this Agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, that Frank M. North, Mayor of the Borough of

Merchantville and Oren R. Thomas, IV, Borough Clerk of the Borough of Merchantville be and hereby are authorized to execute the Interlocal Services Agreement, attached hereto as Exhibit "A," providing for certain services to be provided by the Merchantville Public Works Department to the Merchantville Board of Education.

RESOLUTION-APPROVE APPLICATION FOR PARKS & RECREATION GRANT TO CAMDEN

COUNTY: On the motion of Mrs. Fields and second of Mr. Volkert, Council unanimously approved the following resolution:

R08-51

RESOLUTION AUTHORIZING APPLICATION FOR RECREATION FACILITY ENHANCEMENT PROJECT FUNDING FROM THE CAMDEN COUNTY OPEN SPACE, FARMLAND, RECREATION, AND HISTORIC TRUST FUND

WHEREAS, The Mayor and Borough Council of the Borough of Merchantville, County of Camden, State of New Jersey recognizes that parks and recreational facilities are important to the public; and

WHEREAS, the Borough of Merchantville further recognizes that existing parks equipment IN Wellwood park is in need of repair and rehabilitation;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey hereby does authorize submission of an application for Recreation Facility Enhancement Project Funding from the Camden County Open Space, Farmland, Recreation, and Historic Preservation Trust Fund in the amount of \$25,000.

RESOLUTION-ENDORSE STATE POLICE SURCHARGES IN LIEU OF PROPERTY TAX

INCREASES: On the motion of Mr. Brunton and second of Mr. Perno, Council unanimously approved the following resolution:

RESOLUTION R08-49

**BOROUGH OF MERCHANTVILLE, CAMDEN COUNTY, NEW JERSEY
A RESOLUTION ENDORSING AN INCREASE IN STATE POLICE SURCHARGES TO FUND STATE BUDGET SHORTFALLS IN LIEU OF RELIANCE UPON LOCAL PURPOSE TAX INCREASES**

WHEREAS, Governor Jon S. Corzine's proposed Fiscal Year 2009 budget identifies a shortfall in New Jersey State Police funding of \$20.5 million, and

WHEREAS, the administration plans to start charging municipalities for State Police services, and doing so would negatively affect municipal budgets and thus require municipalities to raise local purpose taxes, and

WHEREAS, the aforementioned proposed budget calls for cuts in municipal aid which also would require municipalities to raise local purpose taxes, and

WHEREAS, Directive 15 from the governor also requires municipalities to meet new security requirements in their courts, resulting in additional capital expenditures in municipal budgets while no state funding offsets are provided, and

WHEREAS, on February 22, 2007, many mayors, other elected and appointed municipal officials met with the Attorney General and State Police offering a solution to the State Police budget shortfall-namely, increasing surcharges on fines levied by the State Police, and

WHEREAS, P. L. 2007, c.335 (C. 39:2A-36.1) allows the Motor Vehicle Commission governing Board to increase the surcharges listed in that statute, and

WHEREAS, charging those who violate state statutes would fund the State Police Budget shortfall in lieu of relying on New Jersey property taxpayers is a sensible solution to address the problem, and

WHEREAS, on March 19, 2008, mayors, elected and appointed officials met again with the Governor's Deputy chief of Staff, other members of the administration, and the State Police, reiterating this fair solution, and recommended that the administration set the appropriate surcharge rates that would cover the shortfall, as well as that monies collected may also be returned to communities to cover additional court security expenses,

THEREFORE BE IT RESOLVED, that the governing body of Merchantville, County of Camden, hereby resolves that it endorses the sensible solution proposed to raise surcharges on motor vehicle fines rather than rely on New Jersey property tax payers to fund any State Police shortfall,
AND BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Governor, the members of the State Legislature, and the New Jersey League of Municipalities.

RESOLUTION-AMEND REDEVELOPMENT PLAN FOR TOWN CENTER EAST: On the motion of Mr. Perno and second of Mr. Alloway, Mr. Brunton voted no, Council approved the following resolution:

R08-53

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY DIRECTING THE MERCHANTVILLE PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO ASCERTAIN WHETHER A CERTAIN AMENDMENT TO THE TOWN CENTER EAST REVEVELOPMENT PLAN IS APPROPRIATE

WHEREAS, in its December 9, 1997 Master Plan Reexamination Report, the Planning Board of the Borough of Merchantville recognized that certain areas and properties within the Borough of Merchantville might qualify as "redevelopment areas" or "areas in need of redevelopment" as defined in N.J.S.A. 40A:12A-3; and

WHEREAS, the Borough Council of the Borough of Merchantville by Resolution adopted May 24, 2004, requested that the Merchantville Planning Board conduct a preliminary investigation to determine whether the area of the Borough known as the "Town Center East Project Area", consisting of certain lots within Blocks 29, 33 and 61 of the Official Tax Map of the Borough of Merchantville, qualifies under the statutory criteria set forth in the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) as an area in need of redevelopment; and

WHEREAS, the Planning Board of the Borough of Merchantville had conducted said investigation, provided public notice, and conducted a public hearing and adopted a Resolution August 10, 2004, recommending to Borough Council that the delineated study area meets the criteria and should be determined by the Borough Council to be an area in need of redevelopment; and

WHEREAS, the Borough Council of the Borough of Merchantville had adopted Resolution and Ordinance on September 27, 2004, determining that the delineated area is redevelopment area; and

WHEREAS, a Redevelopment Plan had been prepared in accordance with N.J.S.A. 40A-12A-7 and will serve as an overlay zoning district within the redevelopment area; and

WHEREAS, the Planning Board had reviewed the Redevelopment Plan and found it to be consistent with the Master Plan and that the adoption of the Redevelopment Plan will assist in effectuating the Master Plan; and

WHEREAS, the Redevelopment Plan complied with the requirements of all applicable State and Federal statutes and regulations promulgated thereunder; and

WHEREAS, the Borough Council of the Borough of Merchantville has determined that it seeks to modify a certain portion of the Redevelopment Plan, to amend the building height limitation from "up to 60 feet" and "4 stories" to "up to 48 feet" and "3 stories" for buildings constructed within the Project Area, and

WHEREAS, the Borough Council of the Borough of Merchantville hereby directs the Merchantville Planning Board, under the authority granted to said Planning Board under Resolution of May 24, 1994, to conduct a preliminary investigation to determine whether the amendment of the building height limitation from "up to 60 feet" and "4 stories" to "up to 48 feet" and "3 stories" for buildings constructed within the Project Area, would be appropriate; and

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Borough Council of the Borough of Merchantville, that the Planning Board of the Borough of Merchantville be and hereby is authorized to undertake a preliminary investigation to determine whether the amendment of the building height limitation from "up to 60 feet" and "4 stories" to "up to 48 feet" and "3 stories" for buildings constructed within the Town Center East Project Area, would be appropriate; and

BE IT FURTHER HEREBY RESOLVED by the Borough Council of the Borough of Merchantville that the Planning Board of the Borough of Merchantville is authorized to employ a New Jersey licensed professional planner to assist the Board in undertaking any and all actions that may be necessary to accomplish the purpose and intent of this Resolution.

DISCUSSION-COUNCIL OUTREACH TO PUBLIC: Mr. Alloway asked to continue public discussions Budget and have a preliminary report by May 12 and a final report by May 27 for possible Budget Cuts.

PAYMENT OF PETTY CASH BILLS: On the motion of Mrs. Fields and second of Mr. Brunton, Council approved the following bills for payment:

R08-52

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 \$211.60 and finds same to be correct:

CHECKS DELIVERED TO BOROUGH OF MERCHANTVILLE CURRENT FUND:

Borough Clerk Petty Cash Fund (#08-18 – 08-27)	\$ 78.24
Health Petty Cash Fund (#08-34 – 08-39)	<u>\$133.36</u>
TOTAL:	\$211.60

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

ANNOUNCEMENTS:

DWI Court Sessions May 16, 22, 29, June 2.

School Board discussion-groups to meet separately. Convene at normal council meeting May 12

1st Council Meeting in May for school board, May 19 request for budget.

2nd Council Meeting in May for Budget Committee Reports.

School Budget Committee: Mrs. Fields-Building & Grounds, Mr. Volkert & Mr. Alloway-Personal, Mr. Brunton & Mr. Waldron-curriculum

ADJOURNMENT:

On the motion of Mr. Alloway and second of Mr. Volkert, the meeting was adjourned at 8:40 PM.

JOHN C. FRY
BOROUGH CLERK