

Merchantville, NJ

May 24, 2010

A regular meeting of Borough Council was held at 7:30 PM, Monday, May 24, 2010. 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, Brennan, Perno (arrived late), Brunton, Brickley, Fields, Clerk Brouse, CFO Moules, Attorney Higgins.

RESOLUTION R10-60-APPROVAL TO READ BUDGET BY TITLE ONLY: On a Motion of Mr. Brennan and second of Mr. Brickley (Mr. Perno not in for vote) Council approved the following resolution:

**R10-60
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
GIVING APPROVAL TO READ BUDGET BY TITLE ONLY**

WHEREAS, N.J.S. 40A:4-8, as amended by Chapter 259, P.L. 1995 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection in the free public library, if any, located within our municipality and a county library. If there is no county library located within the municipality, then it must be provided to any county library in the county wherein the municipality is located. Further, the public officer delegated the responsibility for delivery of the copies to said libraries has completed a certification forwarded to the governing body that such deliveries were made and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED, that the budget shall be read by title only.

PUBLIC HEARING on 2010 Budget

Alex Woschenko, 8 Morris Street asked several questions pertaining to the budget, including surplus, reserves, State Aid and cable franchise fees.

Mayor comments on 2010 reduction in state aid over 35.11% this year 25.71% alone was reduced.

PUBLIC HEARING ON Ordinance 10-06 NJEIT Project Funding

ADOPT ORDINANCE 10-06 NJEIT Project Funding- On a motion of Mr. Brickley and second of Mrs. Fields, Council adopted the following Ordinance:

**ORDINANCE 10-06
BOROUGH OF MERCHANTVILLE, NEW JERSEY
AN ORDINANCE OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN, NEW JERSEY, APPROPRIATING
\$90,000 FOR SUPPLEMENTAL FUNDING FOR THE
BOROUGH'S 2009 NJEIT PROJECT**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. There is hereby appropriated the sum of \$90,000, consisting of: (i) \$11,850 from the Capital Improvement Fund (Sewer); and (ii) \$78,150 from the Capital Improvement Fund (General), to provide Supplemental Funding for the Borough's 2009 NJEIT Project, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto, all as further described in the information on file and available for inspection in the offices of the Borough Clerk (collectively, the "Project").

Section 2. It is hereby determined and stated that the Project set forth in Section 1 is a general improvement and is not a current expense of the Borough.

Section 3. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Borough Clerk and available for inspection.

Section 4. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect after final adoption and publication as required by law.

Date of Introduction: April 26, 2010

Date of Final Adoption: May 24, 2010

PUBLIC

APPROVAL OF MINUTES: On a motion of Mr. Brennan and second of Mr. Brunton, with Mr. Brickley abstaining, Council approved the regular meeting minutes for 4/26/10. On a motion of Mr. Brickley and second of Mr. Brennan, with Mr. Brunton abstaining, Council approved the regular meeting minutes for 5/10/10.

NEW BUSINESS

ORDINANCE INTRODUCTION-On a motion of Mr. Brickley and second of Mr. Brennan, Council approved the introduction of the following Ordinance:

10-04B

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

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey, that Article II of Chapter 25, Fees for Public Records, in the Code of the Borough of Merchantville is hereby amended as follows:

ARTICLE I. SECTION 25-7 Fee Schedule.

The following schedule of fees is hereby added to the fees so listed in Section 7 of Article II. of Chapter 25 of the Code of the Borough of Merchantville, as follows:

**Merchantville Residents will receive a 20% discount on rentals at the
Community Center with proper proof of residency.**

ARTICLE II.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE III.

This Ordinance shall take effect upon its passage and publication according to law.

Resolutions to be read by consent agenda: On a motion of Mr. Brennan and second of Mr. Brickley, Council approved the following resolutions to be read consent agenda:

**RESOLUTION 10-61 TO AMEND 2010 BUDGET
OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN**

WHEREAS, the local municipal budget for the year 2010 was approved on the 12th day of April, 2010, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget, which does not require advertisement,

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Merchantville, County of Camden, that the following amendments to the approved budget of 2010 be made:

	<u>From</u>	<u>To</u>
CURRENT FUND - ANTICIPATED REVENUES		
3. Miscellaneous Revenues -Section A: Local Revenues (Sheet 4)		
Fees and Permits	29,000. 00	32,0 00.00
Fines and Costs - Municipal Court	185,000. 00	185,6 05.00
3. Miscellaneous Revenues -Section A: Local Revenues (Sheet 4a)		
Total Section A: Local Revenues	314,000. 00	317,6 05.00
3. Miscellaneous Revenues -Section C: Dedicated Uniform Construction Code Fees (Sheet 6)		
Uniform Construction Code Fees	29,0 00.00	36,0 00.00
3. Miscellaneous Revenues -Section C: Dedicated Uniform Construction Code Fees (Sheet 6)		
Total Section C: Dedicated Uniform Construction Code Fees	29,00 0.00	36,000 .00
SUMMARY OF REVENUES (Sheet 11)		
3. Miscellaneous Revenues		
Total Section A: Local Revenues	314,00 0.00	317,605 .00
Total Section C: Dedicated Uniform Construction Code Fees	29,00 0.00	36,000 .00
Total Miscellaneous Revenues	1,232,474 .75	1,243,079. 75
5. Subtotal General Revenues (Items 1, 2, 3 and 4)	2,012,474 .75	2,023,079. 75
6. Amount to be Raised by Taxes for Support of Municipal Budget:		
a) Local Tax for Municipal Purposes Including Reserve for	2,158,841	2,148,236.

Uncollected Taxes	.20	00
7. Total General Revenues	4,171,315.95	4,171,315.75

CURRENT FUND - APPROPRIATIONS

8. General Appropriations

(A) Operations - Within "CAPS"

Employee Group Insurance (Sheet 14)	362,121.00	372,840.00
-------------------------------------	------------	------------

Total Operations (Item 8(A)) within "CAPS" (Sheet 17)	2,926,933.00	2,937,652.00
---	--------------	--------------

Total Operations Including Contingent - within "CAPS" (Sheet 17)	2,926,933.00	2,937,652.00
--	--------------	--------------

Detail:

Other Expenses	1,356,255.00	1,366,974.00
----------------	--------------	--------------

(E) Deferred Charges and Statutory Expenditures - Municipal within "CAPS"

(2) Statutory Expenditures:

Contribution to Public Employees' Retirement System (Sheet 19)	49,042.00	55,138.59
--	-----------	-----------

Total Deferred Charges and Statutory Expenditures - Municipal within "CAPS" (Sheet 19)	328,310.00	334,406.59
--	------------	------------

(H-1) Total General Appropriations for Municipal Purposes within "CAPS" (Sheet 19)	3,255,243.00	3,272,058.59
--	--------------	--------------

8. General Appropriations

(A) Operations - Outside "CAPS"

Employee Group Insurance (Sheet 20)	11,629.00	910.00
-------------------------------------	-----------	--------

Contribution to Public Employees' Retirement System (Sheet 20)	7,910.00	1,813.41
--	----------	----------

Total Other Operations - Excluded from "CAPS" (Sheet 20a)	21,539.00	4,723.41
---	-----------	----------

Total Operations - Excluded from "CAPS" (Sheet 25)	35,414.00	18,598.41
--	-----------	-----------

Detail:

Other Expenses	35,414.00	18,598.41
----------------	-----------	-----------

(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS" (Sheet 28)	477,619.00	460,803.41
---	------------	------------

(O) Total General Appropriations - Excluded from "CAPS" (Sheet 29)	477,619.00	460,803.41
--	------------	------------

(M) Reserve for Uncollected Taxes (Sheet 29)	438,45 3.95	438,453 .75
9. Total General Appropriations (Sheet 29)	4,171,315 .95	4,171,315. 75

SUMMARY OF APPROPRIATIONS (Sheet 30)

(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	3,255,243 .00	3,272,058. 59
---	------------------	------------------

(A) Operations Excluded from "CAPS"

Other Operations	21,53 9.00	4,723 .41
Total Operations excluded from "CAPS"	35,41 4.00	18,598 .41

Reserve for Uncollected Taxes	438,45 3.95	438,453 .75
-------------------------------	----------------	----------------

Total General Appropriations	4,171,315 .95	4,171,315. 75
------------------------------	------------------	------------------

11. APPROPRIATIONS FOR SEWER UTILITY

Operating:	35,00 0.00	34,910 .00
-------------------	---------------	---------------

Other Expenses (Sheet 35)

Debt Service:

Payment of Bond Principal (Sheet 35)	47,45 3.00	47,543 .00
--------------------------------------	---------------	---------------

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

R10-63

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY, AUTHORIZING AN EMERGENCY CONTRACT FOR SEWER LINE REPAIRS

WHEREAS, the Governing Body has received a letter from the Engineer certifying that an emergency exists that requires immediate installation of a new sanitary sewer main along Maple and West End Avenues; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, a local unit may negotiate an emergency contract without public advertising and bidding when an emergency condition affecting the public health, safety or welfare exists; and

WHEREAS, the Governing Body is satisfied that such a condition does exist;

NOW, THEREFORE, BE IT RESOLVED by the Governing body of the Borough of Merchantville that the Borough Engineer and the Director of Public Works are hereby authorized to negotiate a contract for the emergency repairs to the sanitary sewer line along Maple and West End Avenue in accordance with N.J.S.A. 40A:11-6; and

BE IT FURTHER RESOLVED, that the funds to pay for said repairs shall be appropriated as an emergency appropriation.

DISCUSSION- Street closings for the Car Show

Marge Disch, 23 E. Chestnut Avenue-asked to not close streets at 8:00AM and 9:00 was early enough for car show.

Regina Weidner, 114 Woodbine Avenue-Would like to close Hamilton & Woodbine Avenues for a yard sale on June 12th from 8AM to 3PM. Mr. Perno responded that in the future, council should consider obtaining a list of residents that agree with street closings for yard sale days to get consensus. On the motion of Mr. Brickley and second of Mrs. Fields, Council approved the street closing for the yard sale on June 12th between 8 & 3.

Mike Rhea, 1121 Buttonwood Drive-car show information.

Kevin Greening, 8701 Brynmawr Avenue-For safety issue, we would like to close at 8:00 AM, have vendors and all equipment on Chestnut & Alexander and Gilmore first. Spoke to residents on East Chestnut & they are okay with 8:00 AM. Always try to do it the right way, expect a huge response and want to be ready. Help us by allowing us to close the street at 8:00 AM.

Mr. Brickley asked what is the reason why this access is needed. Mr. Brennan and council are trying to accommodate Mrs. Disch. Mrs. Disch does not see any accommodations would suit.

Approval-Use of facility for car show-On a motion of Mr. Brickley and second of Mr. Brennan, Council approved the use of the facility and the 8:00am Street closing for the car show.

ANNOUNCEMENTS:

Council Meetings will be the 2nd Monday of the month for the summer, June, July, August.

Sewer bills sent out with a due date of June 7.

Birthday celebration will be June 5th at the Community Center.

DRVPC hosting a trolley tour/lunch event in town on July 28th.

Audit exit meeting on Thursday.

Memorial Day event in Wellwood Park on May 31st at 10:00 AM.

Borough Hall will be closed on May 31st for the Memorial Day holiday.

Ethics training on June 8th in Pennsauken from 9AM to 1PM.

Tonnage report completed and sent.

Recycle bank June 11th, investors from New York, Cherry Hill and Merchantville will tour the town. Fred will adhere stickers.

Garden Club thanked Bob Alfred for all of the help with planting at the Borough.

John Dymond had 10 tax appeals and gave overview.

PRIVATE SESSION: On the motion of Mrs. Fields and second of Mr. Brennan, council voted to adjourn to private session to discuss R10-62 Litigation regarding tax appeals.

R10-62
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AUTHORIZING A PRIVATE SESSION OF COUNCIL

Mrs. Fields offered the following resolution and moved its adoption:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
Litigation Regarding Tax Appeals
3. It is anticipated at this time that the above stated subject matter shall be made public.
4. This Resolution shall take effect immediately.

Seconded by Mr. Brennan and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Mr. Alloway	(x)	()	()	()
Mr. Brennan	(x)	()	()	()
Mr. Perno	(x)	()	()	()
Mr. Brunton	(x)	()	()	()
Mr. Brickley	(x)	()	()	()
Mrs. Fields	(x)	()	()	()

RETURN TO PUBLIC SESSION: On the motion of Mr. Alloway and second of Mrs. Fields, council voted to return to public session.

ADJOURNMENT:

On the motion of Mr. Brennan and second of Mr. Perno the meeting was adjourned at 8:36 PM.

DENISE BROUSE
BOROUGH CLERK