

Merchantville, NJ

September 8, 2008

A regular meeting of Borough Council was held at 7:30 PM, Monday, September 8, 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 Denise Brouse and Tim Higgins were present.

PUBLIC HEARING ON ORDINANCES-On a motion of Mrs. Fields and second of Mr. Waldron, Council opened the public hearing on the following Ordinances.

ORDINANCE-08-06 Salary and Compensation for 2008
ORDINANCE-08-07 Chapter 50 Removed Administrator Position from Code
ORDINANCE-08-08 Amendment to Redevelopment Plan Height Restriction

PUBLIC HEARING:

Alice Dymond, 105 Westminster Avenue, regarding Ordinance 08-08 voted no to this Ordinance. Section w conforms to Master Plan. It doesn't mention a section in Master Plan. In Master Plan it states not to be more than 3 stories in business district. Many people voted on Master Plan and gave their views and opinions. Section 3 states health and safety in ordinance. This is not correct and in her opinion she recommends going back to the Planning Board.

Marvin Gaskill, 102 Chestnut Avenue, Redevelopment Plan conforms to Master Plan (should date the copy "2007" of Master Plan) Will the Historic Preservation Committee have future input on the project?

Gail Ford, 135 N. Centre Street, regarding Section 5, Historic Preservation Committee and Planning Board do not need to be involved (Mayor and Council will have authority) She recommended that this section be removed.

Tom Evaul, 25 St. James Place, asked will we have distrust in the community with this redevelopment? Where will we park the cars? (The committee will make recommendations before public gets a chance to view). He doesn't want the back lash of Public if we don't work with them for approval. Mayor North stated that we have been open and will continue to be open.

Robert Disch, 23 E. Chestnut Avenue, wanted to know why the rush. Vote No on this ordinance, for 12 spaces for rent in commercial district? We don't know what is happening with PNC Building. Townhouses are not sold, COAH affects and cost to tax payers. We need to revise our plan and take time to do it right.

Bill Walker, 23 W. Cedar Avenue, was date corrected on Ordinance? What is attachment PB Resolution? 24 conditions were listed as part of the redevelopment plan from County and from the Master Plan along with the Ordinance. The new proposals should fit the Planning Board guidelines.

Mayor North responded that developers will be given options that we want and will try to make the Boro happy.

Jean Collins, 116 Poplar Avenue, regarding selection of committee. There should be open

meetings for development not just committees.

Bill Walker, 23 W. Cedar Avenue, Mr. Rowan is very professional, he is neutral and very factual. If we use him on the committee, we should be satisfied with the results.

Alice Dymond, 105 Westminster Avenue, design guidelines have been developed, why not pass them as part of the Plan?

Gail Ford, 135 N. Centre Street, Maple/Chapel had 2 separate bids? Some contained retail & apartments? Did he recommend no retail? Did he change his mind? Please compare both reports.

Tom Evaul, 25 St. James Place, Conifer and the Borough, is there a contract? Mr. Evaul thanked Mr. Brunton for website and council information.

Alice Dymond, 105 Westminster Avenue, two trees came down in front of my house. One half of the stump was removed. What is the time line for the job to be completed. Mr. Waldron replied that the stump machine was broken at this stump.

Jean Collins, 116 Poplar Avenue, did inspector go to 606 W. Maple Avenue? Resolution not to exceed \$5,000 for inspector. Social issues will be addressed by new owners. Neighborhood Watch with communication in other areas. Mayor North responded that we want to make sure new property owner does the right thing to make the building better.

Marvin Gaskill, 102 Chestnut Avenue, regarding 606 meeting. Is there a safety issue in the back alley due to the lack of exterior lighting? We should investigate improving and adding parking lighting. Trees are to be taken down around proposed circle, we should move them and not destroy in that area.

APPROVAL OF MINUTES: On the motion of Mrs. Fields and second of Mr. Perno, Council unanimously approved the January 14, 2008, January 28, 2008, February 11, 2008, February 25, 2008 and March 10, 2008 minutes.

APPROVAL OF MINUTES: On the motion of Mr. Alloway and second of Mr. Volkert, (Mr. Perno abstained) Council approved the January 3, 2008 minutes as corrected.

CORRESPONDENCE: none

COUNCIL REPORTS:

Mrs. Fields reported on personnel issues. MEMS air conditioner was repaired. State gave inspection at 606 W. Maple Avenue and ceiling collapsed in an apartment. There will be a town wide yard sale.

Mr. Waldron reported on Public Events. Historic Preservation Committee and PNC applied for a sign. Shade Tree purchased trees and will plant them. Community Newsletter is out, would like to use the Scouts next year.

Mr. Brunton reported that new Public Works signs were ordered. Terminated one public works employee. There was a problem on Greenleigh Court due to abandoned water line not capped properly.

Mr. Volkert reported on Clean Communities. Fire Department had 8 calls and responded to all of them.

Mr. Perno reported on the CDBG meeting and Buildings & Grounds.

Mr. Alloway gave the Police report and Court report.

OLD BUSINESS: Ordinance for second reading.

On the motion of Mr. Perno and second of Mr. Alloway, Council the following Ordinance was tabled.

08-08

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY ADOPTING AN AMENDMENT TO THE REDEVELOPMENT PLAN AS ADOPTED BY ORDINANCE #04-27 AND ANY SUBSEQUENT ORDINANCES THERETO

WHEREAS, the Borough council of the Borough of Merchantville, by Resolution adopted September 27, 2004, did determine that certain referenced properties were determined to be an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-1 et seq.); and

WHEREAS, the Mayor and Borough Council of the Borough of Merchantville considered, and did approve, by Ordinance # 04-27 on September 27, 2004, a Redevelopment Plan for the Area (the "Redevelopment Plan"); and

WHEREAS, the Planning Board of the Borough of Merchantville considered, and did approve, by Resolution on June 10, 2008, a certain proposed amendment to the Redevelopment Plan for the Area (the "Redevelopment Plan"); and

WHEREAS, the Planning Board of the Borough of Merchantville has submitted to the Mayor and Borough Council its resolution, certification and recommendation respecting the amendment to the Redevelopment Plan for the Area and the Mayor and Borough Council has duly considered the Planning Board's resolution, certification and recommendation.

WHEREAS, the Mayor and Borough Council of the Borough of Merchantville, as the Redevelopment Entity under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., has reviewed the certain proposed amendment to the Redevelopment Plan from the Planning Board, and wish to adopt the amendment as referenced in Exhibit "A" to this Ordinance, attached hereto and made a part hereof this Ordinance.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Merchantville, County of Camden and State of New Jersey that:

Section 1. That the proposed amendment to the Redevelopment Plan, as referenced in Exhibit "A" to this Ordinance, attached hereto and made a part hereof this Ordinance, be and hereby are adopted as an amendment to Ordinance #04-27, and any and all subsequent revisions to this Ordinance; and

Section 2. The Redevelopment Plan for the Area and its amendment, having been duly reviewed and considered, is hereby approved, and the Borough Clerk is hereby directed to file a copy of the Redevelopment Plan and its amendment with the minutes of this meeting.

Section 3. All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

Section 4. This Ordinance shall take effect upon final passage and publication in accordance with law.

ADOPT ORDINANCE NO. 08-06-"SALARIES & COMPENSATION"-On the motion of Mr. Volkert and second of Mr. Perno, Council adopted the following Ordinance (Mr. Brunton voting no):

08-06
AN ORDINANCE FOR THE BOROUGH OF MERCHANTVILLE IN THE
COUNTY OF CAMDEN AND STATE OF NEW JERSEY ENTITLED
"SALARIES & COMPENSATION"

BE IT ORDAINED by the Mayor and Council of the Borough of Merchantville as follows:

SECTION 1. The maximum annual salaries of the employees of the Borough of Merchantville are hereby established, in accordance with the following schedule for services performed during the year 2008 as of January 1, 2008.

<u>POSITION</u>	<u>SALARY</u>
Administrative Clerk (Per Hour)	\$ 10.00
Administrator	68,500.00
Mayor	1401.00
Member of Council	982.00
Borough Clerk/Registrar	39,520.00
Chief Financial Officer	26,000.00
Borough Tax Collector/Utility Clerk	41,100.00
Tax Search Clerk	500.00
Tax Assessor	8,455.00
Solicitor	25,625.00
Coordinator – Neighborhood Preservation Program (Per Hour)	15.00
Planning/Zoning Officer	12,000.00
Code Enforcement Official	12,000.00
Police Chief	93,935.77
Police Secretary	32,313.00
Community Relations Officer	36,318.00
School Traffic Guard (Per Day)	20.00
Meter Attendant (Per Hour)	7.21
Paid Fireman	38,710.00
Fire Official (Pd per Inspection)	5,700.00
Fire Inspector (Paid per Inspection)	3,800.00
Clerk Typist (Per Hour)	10.00
Prosecutor	10,500.00
Public Defender	10,000.00
Public Works Superintendent	55,300.00
Clean Communities Worker (Per Hour)	7.50
Community Center Custodian (Per Month)	25.00
Meeting Cleanup (Per Meeting)	60.00
Parks and Playgrounds Counselor (Per Hour)	Start at \$5.50 and add \$0.25 for each year of service
Magistrate	17,000.00
Municipal Court Administrator	38,480.00
Municipal Court Administrator	20.33
Per hour for special DWI	35.48
Deputy Court Administrator (Per Hour)	16.20
Per hour for special DWI	26.35
Violations Clerk (Per Hour)	9.58
Wastewater Collection Operator	3,000.00

Section 2. Longevity shall be added to the above salaries in accordance with the following schedule:

LONGEVITY SCHEDULE FOR FULL-TIME EMPLOYEES HIRED PRIOR TO JANUARY 1, 1994:

After 5 years through 10 years	2%
After 10 years through 15 years	3%
After 15 years through 20 years	4%
After 20 years through 24 years	5%
After 24 years	6%

Retiring employees will be paid longevity on a prorated basis.

SECTION 3. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies only.

SECTION 4. This ordinance shall become effective twenty (20) days after publication thereof following final passage, and all salaries and compensation shall be retroactive to January 1, 2008.

ADOPT ORDINANCE NO. 08-07-AMENDING CHAPTER 50, OFFICERS AND EMPLOYEES, OF THE CODE OF THE BOROUGH OF MERCHANTVILLE-On the motion of Mrs. Fields and second of Mr. Perno, Council adopted the following Ordinance:

**08-07
ORDINANCE OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING
CHAPTER 50, OFFICERS AND EMPLOYEES, OF 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 Chapter 50, Officers And Employees, be and hereby is amended in the Code of the Borough of Merchantville, as follows:

ARTICLE I. ARTICLE III Borough Administrator.

Article III, Borough Administrator, be and hereby is deleted in its entirety from Chapter 50, Officers and Employees, in the Code of the Borough of Merchantville.

ARTICLE II. ARTICLE III SECTION 50-8Purpose.

Deleted in its entirety.

ARTICLE III. ARTICLE III SECTION 50-9Position created.

Deleted in its entirety.

ARTICLE IV. ARTICLE III SECTION 50-10 Compensation.

Deleted in its entirety.

ARTICLE V. ARTICLE III SECTION 50-11 Term of Office.

Deleted in its entirety.

ARTICLE VI. ARTICLE III SECTION 50-12 Residency.

Deleted in its entirety.

ARTICLE VII.

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

ARTICLE VIII.

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

NEW BUSINESS:**FINANCIAL REPORTS**

RESOLUTIONS to be read and approved by consent agenda: On the motion of Mr. Perno and second of Mr. Volkert, Council approved the following resolutions by Consent Agenda:

RESOLUTION-ACCEPTING SHARED SERVICE AGREEMENT WITH COLLINGSWOOD FOR CONSTRUCTION OFFICIAL:

RESOLUTION 08-91

**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 BOROUGH OF COLLINGSWOOD RELATIVE TO THE
SERVICES OF A CONSTRUCTION CODE OFFICIAL BY AND
FOR THE BOROUGH OF MERCHANTVILLE**

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

WHEREAS, the Borough of Collingswood has in its employ a certain individual known as William Joseph who has been appointed by Collingswood as the Construction Code Official for the Borough of Collingswood; and

WHEREAS, William Joseph ("Joseph") is a licensed construction code official in the State of New Jersey pursuant to N.J.S.A. 52:27D-119 ("Construction Code") and the regulations promulgated thereunder ("Regulations"); and

WHEREAS, Collingswood has agreed to permit Joseph to act as the Construction Code Official in Merchantville in addition to the duties assigned by Collingswood to Joseph as an employee of Collingswood; and

WHEREAS, Merchantville has agreed to pay to the Borough of Collingswood in accordance with the payment schedule set forth attached hereto as exhibit "A" and

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

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

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 Denise L. Brouse, 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 the services of William Joseph to act as the Construction Code Official in

Merchantville in addition to the duties assigned by Collingswood to Joseph as an employee of Collingswood.

R08-104

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY ACCEPTING THE 2007 CORRECTIVE ACTION PLAN

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2007 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Questioned Costs" or "Findings and Recommendations; and

WHEREAS, the governing body of the Borough of Merchantville complied with N.J.A.C. 5:30-6.5, reviewed the sections of the annual audit entitled "Findings and Questioned Costs" or "Findings and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto and accepted the 2007 Audit on July 25, 2008; and

WHEREAS, the 2007 Corrective Action Plan was submitted no later than 60 days from the date the audit was received and the Plan shall also be files with the Division of Local Government Services; and

NOW, THEREFORE BE IT RESOLVED, that the hereby accepts the 2007 Corrective Action Plan.

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Merchantville, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

R08-105

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY REQUESTING APPROVAL OF ITEMS OF REVENUE

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Merchantville, in the county of Camden, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2008 in the sum of \$ 30,850.00, which is now available as a revenue from the State Pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED that the like sum of \$ 30,850.00 is hereby appropriated under the caption Special items of General Revenue; and

BE IT FURTHER RESOLVED that the above is a result of a State grants of \$ 30,850.00 from:

Community Development Grant Program – YR 29

27,850.00

2007 You Drink, You Drive, You Lose Grant
TOTAL

3,000.00
30,850.00

**R08-107
 RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
 COUNTY OF CAMDEN AND STATE OF NEW JERSEY
 AUTHORIZING SALE OF BICYCLES**

WHEREAS, the Borough of Merchantville, County of Camden, State of New Jersey is the owner of the following bicycles, which are not needed for borough use, and

WHEREAS, the Borough of Merchantville, County of Camden, State of New Jersey desires to authorize the sale of the above bicycles at public sale pursuant to N.J.S.A. 40A:11-36, to the highest bidder.

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

1. The Borough of Merchantville, County of Camden declares the attached list of bicycles not needed for borough use.
2. The Borough of Merchantville, County of Camden, its officers and attorney are hereby authorized and directed to take any and all steps necessary to proceed with a public sale of said bicycles.
3. The notice of the date, time and place of the public sale together with the conditions of sale, shall be published in The Retrospect, the official newspaper of the Borough of Merchantville, County of Camden, with the sale being held not less than seven (7) nor more than fourteen (14) days after publication of said notice. The bicycles will be sold on a cash basis to the highest bidder(s).
4. No limit shall be placed on the number that can be purchased by one bidder.
5. This resolution shall take effect immediately.

APPROVAL- USE OF WELLWOOD PARK FOR FLEA MARKET-On the motion of Mr. Perno and second of Mr. Volkert, Council approved the use of Wellwood Park for a flea market.

APPROVAL-CLOSING OF ST. JAMES STREET FOR SEPTEMBER 20, 2008-On the motion of Mr. Perno and second of Mr. Volkert, Council approved the closing of St. James Street on September 20, 2008.

APPROVAL-COMMUNITY CENTER FOR PUMPKIN FESTIVAL-On the motion of Mr. Perno and second of Mr. Volkert, Council approved the use of the Community Center for a pumpkin festival.

PAYMENT OF BILLS- On the motion of Mr. Fields and second of Mr. Volkert, Council unanimously approved the following resolution:

**R08-102
 RESOLUTION**

RESOLVED that the Report of the Department of Accounts and Auditing be accepted and spread upon the minutes and the Treasurer be is hereby authorized to pay bills approved therein.

**Borough of
 Merchantville
 Current Fund**

**Bill List
 Summary**

September 8, 2008

Checks Current Fund

2008 Budget	\$65,301.07
State / Federal Grants	\$4,941.00
Debt Service	
Board of Education	\$1,098,033.50
Checks Delivered	\$537,653.75
Total Current	\$1,705,929.32

Sewer Utility Fund

2008 Budget	
Debt Service	
Checks Delivered	
Total Sewer	

Recreation Commission

2008 Budget	\$500.00
Checks Delivered	
Total Recreation	\$500.00

General Capital Fund

2008 Budget	\$2,525.00
Checks Delivered	
Total Capital	\$2,525.00

Trust-Other Fund

2008 Budget	\$914.40
Checks Delivered	
Total Trust	\$914.40

**Animal Trust
Unemployment**

2008 Budget	\$14.40
2008 Budget	\$4,956.00
Checks Delivered	
Total	\$4,970.40
Total Bill list	\$1,714,839.12

DIRECTOR OF ACCOUNTS & AUDITING
PATRICIA FIELDS

ANNOUNCEMENTS:

PRIVATE: On the motion of Mrs. Fields and second of Mr. Perno and a unanimous roll call vote, council adjourned into private session.

PUBLIC SESSION: On a motion of

ADJOURNMENT:On the motion of Mr. Alloway and second of Mr. Perno, the meeting was adjourned at 10:50 PM.

DENISE L. BROUSE

DENISE BROUSE

BOROUGH CLERK
BOROUGH CLERK