

Merchantville, NJ July 10, 2017

A regular meeting of Borough Council was held at 7:30 PM, Monday, July 10, 2017. Mayor Ted Brennan 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: Kidd, Grasso, Sperrazza and Perno. Attorney Higgins, Clerk Brouse, CFO Moules were present.

PUBLIC

Jamileh Domiani, 52 Volan Street-PNC building at 9 S. Centre Street, would like to have an art co-op center in the building. Sowing seeds co-op to nurture business by membership. Vision packet and information presented. Time frame? Mayor stated that we will discuss with Council and we only meet once a month in the summer. Will need to work out agreements, will be in touch before the August meeting.

Marvin Gaskill-102 E Chestnut Avenue.-Ways to reduce cost of 3 year inspection. Dan stated that a transition is in process right now. Proposal was presented by Mr. Gaskill. Inspections should be reduced. Not have fire inspection when 3 year and State insect is being done.

Mayor stated that the department is in transition, where fire and code enforcement will be merged and streamlined.

APPROVAL OF MINUTES-On a motion of Mr. Kidd and second of Mr. Sperrazza, (Mr. Grasso abstained) Council approved the regular Council meeting minutes of 6/1217.

ENGINEER REPORT- Engineer provided written report

CORRESPONDENCE-The Borough received a grant for \$861,000 from DVRPC for the downtown redevelopment area pedestrian walk way.

COUNCIL REPORTS

Mr. Perno-Bills list approval. Audit-no findings again this year, working with friends of the community center to do renovations to building and received the \$300,000 funding from CDBG, may bond along with the funds that we have set aside for Capital to complete all work to the building. Improvement Authority have an agreement in place to Manager the project.

Mayor Thanks.

Abandon property have been aggression on taking and moving forward with St. Joseph Carpenter Society.

Mr. Sperrazza-6 calls fire-injured firefighter, 3 firefighters completed training. No Code report. Fred retired at the end of June. Chief Patti will shadow Bill for 6 months and transition. Bill will take over Fred's position. Kevin will attend planning board meetings, streamline department. Code Enforcement will be under fire to create efficiency.

Mr. Grasso-Court-June \$13,552.00, 365 added, 361 disposed. Rosemary Kelly retiring this week. Police-Bill took Fred's position and is well suited for it. Construction projects will begin sometime in July. Use of Facility-raffle, class two officer, national night out August 1st 6-8. 1,588 calls, 221 traffic, 3 DWI.

Mr. Kidd- Plan-2 subdivisions approved, 153 S. Centre and 32 E Rogers. HPC-has one application tomorrow. Parks and Playgrounds is in progress. Tennis courts in disrepair with weeds, dog poop and general overgrowth. Not cleaned up on Sunday. Should consider adding a rubber boarder at volley ball court to keep the sand in. Weed killer in both locations. Promote Green Team at Farmer's Market.

Clerk-Trails sign approval, AC units are available for seniors/needy, Public Auction-Gazebo, Rosemary retiring, National Night Out, August 1st, tax bills.

NEW BUSINESS

APPROVAL Use of Facility for Electronics Waste Collection-On a motion of Mr. Grasso and second of Mr. Kidd, Council approved the use of facility for Electronics Waste Collection, with amendment on original motion. (Merchantville residents only? Who will pay for disposal & staff? Farmer's Market & Task Force, collect & staff 10-2 truck)

APPROVAL Use of Facility for Montessori School Picnic-On a motion of Mr. Perno and second of Mr. Kidd, Council approved the use of facility for Montessori School Picnic.

APPROVAL Use of Facility for Merchantville PTA Pumpkin Patch-On a motion of Mr. Perno and second of Mr. Kidd, Council approved the use of facility for PTA Pumpkin Patch.

APPROVAL Use of Facility for kids party in Wellwood Park-On a motion of Mr. Perno and second of Mr. Kidd, Council approved the use of facility for kid's party in Wellwood Park.

APPROVAL Class two Police Officer-Joseph Giannone-On a motion of Mr. Grasso and second of Mr. Kidd, Council approved the Class two Police Officer-Joseph Giannone.

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

RESOLUTION 17-81

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 ending December 31, 2016 has been filed by a Registered Municipal Accountant with the Borough 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 Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically 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

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52- to wit:

R.S. 52:28BB-52- A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office."

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council 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.

R17-82
**RESOLUTION TO RENEW ABC PLENARY RETAIL
DISTRIBUTION LICENSE**

WHEREAS, Tulsi Merchantville LLC, 11 West Park Avenue, has applied for renewal of their Plenary Retail Distribution License for the year ending June 30, 2017 and applications have been filed with checks to the Borough of Merchantville in the amount of \$1,250.00 each and checks to the State Division of Alcoholic Beverage Control in the amount of \$200.00 each; and

WHEREAS, Councilor Swann, Director of the Department of Records and Licenses, has reported that the licensed premises were inspected to ascertain that they comply with all pertinent health and safety laws and regulations, and that he recommends the granting of said licenses; 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 Distribution License #0424-44-002-009 to Tulsi Merchantville LLC.

R17-83
**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY
OF CAMDEN AND STATE OF NEW JERSEY ALLOWING
AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH
CAMDEN COUNTY IMPROVEMENT AUTHORITY**

WHEREAS, the Mayor and Council of the Borough of Merchantville wish to contract for Project Management Services; and

WHEREAS, a shared services agreement by and between the Camden County Improvement Authority and the Borough of Merchantville;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, that Edward F. Brennan, Mayor of the Borough of Merchantville, be and hereby is authorized to execute the 2017 contract, attached hereto as Exhibit "A," providing for project management services.

R17-84
**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE
OF NEW JERSEY TO APPROVE A RAFFLE LICENSE FOR ST. PETER CHURCH**

WHEREAS, St. Peter Catholic Church has applied for and received an identification number 299-1- 34957 allowing St. Peter Catholic Church the ability to conduct bingo licenses with proper approval; and

WHEREAS, St. Peter Catholic Church has properly completed the bingo license application and at least 7 days have elapsed between the time the application was filed and the time that the Borough Council made their findings and determination with checks to the Borough of Merchantville in the amount of \$20.00 each and checks to the Legalized Games of Chance Control Commission in the amount of \$20.00 each and that 15 days will elapse

between the time the municipality forwards the application to the control commission and the date the license is issued to the applicant; and

WHEREAS, Council person Swann council person of the Department of Records and Licenses, has reported that the laws and regulations have been met, 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 Raffle license numbered SPS 17-05 to St. Peter Catholic Church for the Raffle taking place on October 21, 2017 at 43 W Maple Avenue, Merchantville, NJ 08109.

**R17-85
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF
CAMDEN, STATE OF NEW JERSEY TO ADD 2017 TAX EXEMPTIONS**

WHEREAS, the Merchantville Tax Collector has called to Council’s attention additions to the 2017 Tax Duplicate and has requested Council to approve the same: **NOW, THEREFORE**, be it resolved by the Mayor and Council of the Borough of Merchantville that the following addition be and are hereby approved:

ADDITION

Stella Berg Block 37.02, Lot 5	206 Westminster Ave	Allow Veteran
Stella Berg Block 37.02, Lot 5	206 Westminster Ave	Allow Senior Citizen

**R17-86
RESOLUTION CERTIFYING A LIEN AGAINST CERTAIN PROPERTIES
FOR COSTS INCURRED BY THE BOROUGH OF MERCHANTVILLE
IN ACCORDANCE WITH THE PROPERTY MAINTENANCE CODE**

WHEREAS, in accordance with Chapter 3 of the Code of the Borough of Merchantville entitled the "Property Maintenance Code", notice of noncompliance was sent to the below properties,

WHEREAS, said property owners did not comply with said notice and the Merchantville Public Works Department was ordered to abate the violations; and

WHEREAS, it is the desire of this Governing Body, in accordance with Chapter 60B of the Code of the Borough of Merchantville, to certify said costs incurred by the Merchantville Public Works Department as a lien against the properties; in accordance with Chapter 3 of the Code of the Borough of Merchantville.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, that the following lien is hereby certified as against the property as noted in accordance with Chapter 3 of the Code of the Borough of Merchantville:

1 Morris St	\$250.00
135 N Centre St	\$250.00

BE IT FURTHER RESOLVED that the Borough Clerk shall forward a certified copy of this resolution to the owner(s) of the subject property.

BE IT FURTHER RESOLVED that the Tax Collector shall be responsible for collection of the amounts herein certified.

R17-87**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY TO APPROVE A 50/50 RAFFLE LICENSE**

WHEREAS, Grace Church has applied for and received an identification number 299-1-17844 allowing Grace Church the ability to conduct raffle licenses with proper approval; and

WHEREAS, Grace Church has properly completed the Raffle license application and at least 7 days have elapsed between the time the applications were filed and the time that the Borough Council made their findings and determination with checks to the Borough of Merchantville in the amount of \$20.00 each and checks to the Legalized Games of Chance Control Commission in the amount of \$20.00 each and that 15 days will elapse between the time the municipality forwards the application to the control commission and the date the license is issued to the applicant ; and

WHEREAS, Council person Swann council person of the Department of Records and Licenses, has reported that the laws and regulations have been met, 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 Raffle license numbered GEC-17-01 to Grace Church for the 50/50 Raffle taking place on November 4, 2017.

R17-88**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY TO APPROVE A BASKET RAFFLE LICENSE**

WHEREAS, Grace Church has applied for and received an identification number 299-1-17844 allowing Grace Church the ability to conduct raffle licenses with proper approval; and

WHEREAS, Grace Church has properly completed the Raffle license application and at least 7 days have elapsed between the time the applications were filed and the time that the Borough Council made their findings and determination with checks to the Borough of Merchantville in the amount of \$20.00 each and checks to the Legalized Games of Chance Control Commission in the amount of \$20.00 each and that 15 days will elapse between the time the municipality forwards the application to the control commission and the date the license is issued to the applicant ; and

WHEREAS, Council person Swann council person of the Department of Records and Licenses, has reported that the laws and regulations have been met, 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 Raffle license numbered GEC-17-02 to Grace Church for the basket Raffle taking place on November 4, 2017.

R17-89**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY TO APPROVE A RAFFLE LICENSE**

WHEREAS, Grace Church has applied for and received an identification number 299-1-17844 allowing Grace Church the ability to conduct raffle licenses with proper approval; and

WHEREAS, Grace Church has properly completed the Raffle license application and at least 7 days have elapsed between the time the applications were filed and the time that the Borough Council made their findings and determination with checks to the Borough of Merchantville in the amount of \$20.00 each and checks to the Legalized Games of Chance Control Commission in the amount of \$20.00 each and that 15 days will elapse between the time the municipality forwards the application to the control commission and the date the license is issued to the applicant ; and

WHEREAS, Council person Swann council person of the Department of Records and Licenses, has reported that the laws and regulations have been met, 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 Raffle license numbered GEC-17-03 to Grace Church for the Raffle taking place on November 4, 2017.

R17-91**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY, ESTABLISHING SPECIFIC SALARIES AND WAGES FOR ALL EMPLOYEES FOR 2017**

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 8, 2017, effective as of May 28, 2017 and retroactive to January 1, 2017; and

WHEREAS, funds have been made available in the administration and executive budget as adopted through the 2017 Municipal Budget;

WHEREAS, the Borough Council of the Borough of Merchantville wishes to modify the director and assistant director salary from \$3,000 and \$1,000 to \$2,000 and 2,000 effective January 1, 2017; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Merchantville amends Ordinance 17-06 of the Borough of Merchantville to modify the Director and Assistant director of Parks and Playgrounds salary to the specified salary, effective as of and retroactive to January 1, 2017.

R17 -92**A RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY, FOR THE APPLICATION OF THE GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM**

WHEREAS, the Governing Body has determined that there has been, or it suspects that there has been, a discharge of hazardous substances or a hazardous waste on the downtown redevelopment area property

WHEREAS, the Borough of Merchantville is applying from the Hazardous Discharge Site Fund for funding for the assessment and investigation of the Downtown Redevelopment Area in order to determine the extent or the existence of any hazardous substance or hazardous waste

WHEREAS, Borough of Merchantville would like to apply for a grant in the amount of \$34,230.00 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for site investigation, remedial investigation

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Merchantville that if the above referenced grant is accepted the Mayor is hereby authorized to execute the documents as an authorized representative thereunder, as the representative for the Borough

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

R17-90 Authorize Contractor for Phase 2 Reconstruction of Gilmore Avenue Project: On a motion of Mr. Sperrazza and second of Mr. Kidd, Council approved the following resolution:

R17-90**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING SCOPE FOR GILMORE AND E CEDAR AVENUES FY2016NJ DOT MUNICIPAL AID RECONSTRUCTION PROJECT PHASE TWO**

WHEREAS, the Borough of Merchantville has received bids for the purpose of FY 2016 NJDOT Municipal Aid reconstruction of Gilmore and E Cedar Avenue, Phase 2 contract number MERB of the Borough of Merchantville; and

WHEREAS, the base bid one (#1) of \$161,854.75 was received from Paving Plus, LLC. on June 27, 2017;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey that the base bid # of \$161,854.75 for the reconstruction of Gilmore and E Cedar Avenue, Phase 2 of the Borough of Merchantville is hereby awarded to Paving Plus, LLC, PO Box 508, Franklinville, NJ 08322 conditional upon the following:

1. That a certificate has been received from the Certified Municipal Finance Officer stating that funds are available for this Contract.
2. That the bid documents and bidding procedures have been reviewed and approved by the Municipal Solicitor.
3. That the presiding officer of this body be and is hereby directed to sign for and on its behalf the Contract for said services.
4. That the clerk of this body be and is hereby directed to seal said Contract with the corporate seal of this body and attest to the same.
5. This Resolution hereby authorizes the Mayor and Clerk to endorse the Contract document.

Payment of Bills-On a motion of Mr. Perno and second of Mr. Kidd,(Mr. Sperrazza recused himself) Council approved the payment of bills.

**R17-93
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 bill approved therein.

CURRENT FUND		REVENUE	BUDGET
CHECKS CURRENT FUND	2016 BUDGET		\$ 150.00
	2017 BUDGET	\$ 1,762.96	\$ 97,748.63
	GRANTS		\$ 913.55
	PFRS		
	PERS		
	DEBT SERVICE		\$ 303,705.00
	BOARD OF EDUCATION*		
	CAMDEN COUNTY		
WIRE TRANSFERS PAYROLL	6/23/17-7/7/17		\$ 135,852.93
WIRES / MANUAL CHECKS			\$ 21,901.19
TOTAL CURRENT		\$ 1,762.96	\$ 560,271.30
SEWER UTILITY			
CHECKS SEWER FUND	2016 BUDGET		
	2017 BUDGET		\$ 616.00
	DEBT SERVICE		\$ 127,459.51
WIRE TRANSFERS PAYROLL	6/23/17-7/7/17		\$ 3,403.62
WIRE NJEIT LOAN			
WIRES /MANUAL CHECKS			
TOTAL SEWER		\$ -	\$ 131,479.13

GENERAL CAPITAL FUND			
CHECK CAPITAL FUND		\$	84,557.46
MANUAL CHECK			
WIRE TRANSFERS PAYROLL	6/23/17-7/7/17		
TOTAL CAPITAL		\$	- \$ 84,557.46
TRUST FUND			
CHECK TRUST OTHER FUND		\$	8,664.42
WIRE TRANSFERS PAYROLL	6/23/17-7/7/17	\$	6,582.74
WIRES / MANUAL CHECKS		\$	16,951.51
TOTAL TRUST		\$	- \$ 32,198.67
SEWER CAPITAL FUND			
CHECK SEWER CAPITAL			
MANUAL CHECKS			
WIRE TRANSFERS PAYROLL	6/23/17-7/7/17		
TOTAL SEWER CAPITAL		\$	- \$ -
ANIMAL TRUST FUND			
ANIMAL TRUST CHECK		\$	705.40
TOTAL ANIMAL TRUST		\$	- \$ 705.40
TOTAL BILL LIST & MANUAL CHECKS/WIRE		\$	1,762.96 \$ 809,211.96
GRAND TOTAL		\$	810,974.92

ANNOUNCEMENTS**PRIVATE SESSION-**

ADJOURNMENT: On the motion of Mr. Kidd and second of Mr. Grasso the meeting was adjourned at 9:03 P.M.

Denise Brouse, Borough Clerk