

Merchantville, NJ October 9, 2017

A regular meeting of Borough Council was held at 7:30 PM, Monday, October 9, 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: Swann, Kidd and Grasso. Attorney Higgins, Clerk Brouse, CFO Moules were present.

PUBLIC- None

APPROVAL OF MINUTES-On a motion of Mr. Grasso and second of Mr. Kidd, Council approved the regular meeting minutes of 9/11/17.

ENGINEER REPORT- Report attached
Tom-options for Alexander Avenue and maybe future road projects as well

CORRESPONDENCE**COUNCIL REPORTS**

Ms. Swann-Business Association would like to meet with Mayor, planning Art Crawl, November 10th. Public Events music fest over weekend, Masquerade ball this Friday, Pumpkin Patch, October 28th and last Farmer's Market, Task Force working with Business Association.

Mr. Kidd- Planning board application request for West End redevelopment study-Ragan will do study, One planning board application for tomorrow, recycle meeting when Roy returns, School Board-no school board council liaison-minutes are from August. Green team will meet on Tuesday October 27th, Borough Hall @ 8:00.

Mr. Grasso-Court-Sept. \$10,925.22, 277 added, 349 disposed, improvement 20%. Police-Fire 1,529 calls, 7 fire. Cancel Chapel Avenue road project. PSE & G Maple Ave in a month, 1 officer out of work since mid-May. Keith Tapper working-training. Drunk driving fund received more funds. Reviewing towing fees, bills for payment, Planning Parade and Breakfast with Santa. Movement for Car Show in July, meeting coming up.

Mayor- Productive meeting regarding redevelopment and movement is happening may have a concept in the next 3-4 weeks. Meeting with Collingswood tomorrow for court coming to Borough for use of space. Thursday-Community Center design meeting-kick off. Wellwood Memorial meeting on Monday.

Clerk- Community Center, Monsterville, Tax Sale, Health Summit 10/12, Gazebo install, Amber in court, started today. December 1st parade, December 9th Breakfast with Santa.

OLD BUSINESS

DISCUSSION-Best Practices

DISCUSSION-Management of coverage in Borough Offices

DISCUSSION-Use of Facility for Pennsauken Township-Table for now-October 23rd agenda

NEW BUSINESS

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

R17-109
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY
OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING
SUBMISSION OF AN APPLICATION TO THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION FOR MUNICIPAL AID

WHEREAS the New Jersey Department of Transportation has an allotment of funding available to municipalities in the Local Aid Infrastructure Fund; and

WHEREAS the Borough of Merchantville desires to apply for discretionary aid for the improvements of reconstruction on the roads as indicated on the application, attachment "A";

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Borough Engineer is hereby authorized to prepare an application and the Borough Clerk is authorized to sign and execute the application to NJ DOT District 4, One executive Campus, Route 70 W. 3rd Floor, Cherry Hill, NJ 08002.

R17-110
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
CANCELLING CONTRACT BALANCE

WHEREAS, certain authorized Contract balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be unencumbered;

Ord 12-14	C7-00002	Joseph A. Cuzzupe & Co., Inc.	5.00	Emergency Sewer Repair
Ord 12-07	C5-00015	Pennoni Associates Inc.	14.30	Boro Hall Chimney Repair
Ord 14-04	C6-00017	Cherry Hill Township	671.15	SSA – paving St James Ave
Ord 14-04	C6-00008	Pennoni Associates Inc.	755.75	Boro Hall Roof Replacement
Ord 14-04	C5-00013	Winner Ford	50.00	2016 Police Vehicle
Ord 14-04	C5-00001	Hertrich Fleet Services Inc.	123.20	Fire Dept Cab Pickup

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville, County of Camden, New Jersey, that the above listed unexpended contract balances are hereby canceled.

R17-111
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 2017 in the sum of \$ **4,044.49**, 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 \$ **4,044.49** is hereby appropriated under the caption Special items of General Revenue; and

BE IT FURTHER RESOLVED that the above is a result of grants of \$ **4,044.49** from:

FY 2017 Drunk Driving Enforcement Fund	2,500.00
FY 2017 State Body Armor Replacement Fund Program	1,544.49
TOTAL	4,044.49

R17-112

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY SELECTING PENNONI ENGINEERS TO PROVIDE PROFESSIONAL SERVICES FOR THE PREPARATION AND SUBMISSION OF AN APPLICATION FOR THE 2018 NJ DOT TRUST FUND MUNICIPAL AID PROGRAM FOR ROADWAYS, BRIDGES AND CULVERTS

WHEREAS, the Borough Council of the Borough of Merchantville selected Pennoni Engineers as Municipal Engineer; and

WHEREAS, the Borough Council of the Borough of Merchantville desires to contract with Pennoni Engineers for the preparation and submission of documents for the 2018 New Jersey Department of Transportation Trust Fund Municipal Aid Program for Roadways, Bridges and Culverts; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Merchantville does hereby select Pennoni Engineers to provide the services as detailed in their October 4, 2017 proposal letter in an amount not to exceed \$1,250.00.

Ordinance for introduction on first reading. This Ordinance will be considered for adoption at the public hearing to be held during the October 23rd council meeting.

On a motion of Mr. Grasso and second of Ms. Swann, Council introduced the following Ordinance.

17-08

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
APPROVING THE ACQUISITION OF CERTAIN LAND BY THE
BOROUGH OF MERCHANTVILLE FROM EDILBERTO A. ANDINO
AND/OR BAYVIEW LOAN SERVICING LLC, AND
AUTHORIZING THE LITIGATION NECESSARY TO IMPLEMENT
SAID ACQUISITION**

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, Merchantville, pursuant to and in furtherance of the authority granted to the municipality under the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq. and N.J.S.A. 55:19-78, had determined it necessary for a public purpose (the redevelopment or repair of property being maintained as an abandoned property) to acquire this property pursuant to the Borough's authority under the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et seq. and the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78, et seq.;

WHEREAS, Edilberto A. Andino ("Andino") and/or Bayview Loan Servicing LLC ("Bayview") is/are the owner(s) of the real property located at 114 North Centre Street, more fully described as Lot 32 in Block 54 on the Official Tax Map of the Borough of Merchantville; and

WHEREAS, Merchantville has made a bona fide offer to purchase the above referenced property from Andino and/or Bayview for consideration in the amount of Twenty-six Thousand, Seven Hundred, Fifty (\$26,750.00) Dollars; and

WHEREAS, it is believed that this bona fide offer to purchase this property made by Merchantville has been rejected by Andino and/or Bayview; and

WHEREAS, Merchantville wishes to assert its rights of eminent domain and commence a condemnation action to acquire this property from Andino and/or Bayview; and

WHEREAS, the acquisition of this property by Merchantville is consistent with and in furtherance of the above-mentioned redevelopment agreement; and

WHEREAS, it is the intention of the Mayor and Borough Council of the Borough of Merchantville to authorize the proper municipal officials to prosecute this litigation and execute the appropriate documents on behalf of the Borough of Merchantville in furtherance of this property acquisition.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, State of New Jersey that, pursuant to and in furtherance of the authority granted to the municipality under the under the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et seq. and the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78, et seq., the acquisition of the real property located at 114 North Centre Street, in the Borough of Merchantville, more fully described as Lot 32 in Block 54 on the Official Tax Map of the Borough of Merchantville from the Edilberto A. Andino and/or Bayview Loan Servicing LLC is hereby approved; and

AND BE IT FURTHER ORDAINED that Edward F. Brennan, Mayor of the Borough of Merchantville and Denise Brouse, Borough Clerk of the Borough of Merchantville, be and hereby are authorized to execute the appropriate documents to implement said acquisition on behalf of the Borough of Merchantville.

AND BE IT FURTHER ORDAINED that the Timothy J. Higgins, Esquire, Borough Solicitor of the Borough of Merchantville, be and hereby is authorized to prepare and file in the Superior Court any and all documents to implement said acquisition on behalf of the Borough of Merchantville.

On a motion of Mr. Kidd and second of Ms. Swann, Council introduced the following Ordinance.

17-09

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING THE ACQUISITION OF CERTAIN LAND BY THE BOROUGH OF MERCHANTVILLE FROM MIGUEL SAVALA AND/OR DITECH FINANCIAL LLC, AND AUTHORIZING THE LITIGATION NECESSARY TO IMPLEMENT SAID ACQUISITION

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, Merchantville, pursuant to and in furtherance of the authority granted to the municipality under the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq. and N.J.S.A. 55:19-78, had determined it necessary for a public purpose (the redevelopment or repair of property being maintained as an abandoned property) to acquire this property pursuant to the Borough's authority under the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et seq. and the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78, et seq.;

WHEREAS, Miguel Savala ("Savala") and/or DiTech Financial LLC ("DiTech") is/are the owner of real property located at 124 Ivins Avenue, more fully described as Lot 12 in Block 43.02 on the Official Tax Map of the Borough of Merchantville; and

WHEREAS, Merchantville has made a bona fide offer to purchase the above referenced property from Savala and/or DiTech for consideration in the amount of Eighty-one Thousand, Nine Hundred, Twenty-five (\$81,925.00) Dollars; and

WHEREAS, it is believed that this bona fide offer to purchase this property made by Merchantville has been rejected by Savala and/or DiTech; and

WHEREAS, Merchantville wishes to assert its rights of eminent domain and commence a condemnation action to acquire this property from Savala and/or DiTech; and

WHEREAS, the acquisition of this property by Merchantville is consistent with and in furtherance of the above-mentioned redevelopment agreement; and

WHEREAS, it is the intention of the Mayor and Borough Council of the Borough of Merchantville to authorize the proper municipal officials to prosecute this litigation and execute the appropriate documents on behalf of the Borough of Merchantville in furtherance of this property acquisition.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, State of New Jersey that, pursuant to and in furtherance of the authority granted to the municipality under the under the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et seq. and the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78, et seq., the acquisition of the real property located at 124 Ivins Avenue, in the Borough of Merchantville, more fully described as Lot 12 in Block 43.02 on the Official Tax Map of the Borough of Merchantville from the Miguel Savala and/or DiTech Financial LLC is hereby approved; and

AND BE IT FURTHER ORDAINED that Edward F. Brennan, Mayor of the Borough of Merchantville and Denise Brouse, Borough Clerk of the Borough of Merchantville, be and hereby are authorized to execute the appropriate documents to implement said acquisition on behalf of the Borough of Merchantville.

AND BE IT FURTHER ORDAINED that the Timothy J. Higgins, Esquire, Borough Solicitor of the Borough of Merchantville, be and hereby is authorized to prepare and file in the Superior Court any and all documents to implement said acquisition on behalf of the Borough of Merchantville.

On a motion of Ms. Swann and second of Mr. Grasso, Council introduced the following Ordinance.

17-10

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING THE ACQUISITION OF CERTAIN LAND BY THE BOROUGH OF MERCHANTVILLE FROM US BANK TRUST, NA AND/OR CALIBER HOME LOANS, AND AUTHORIZING THE LITIGATION NECESSARY TO IMPLEMENT SAID ACQUISITION

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, Merchantville, pursuant to and in furtherance of the authority granted to the municipality under the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq. and N.J.S.A. 55:19-78, had determined it necessary for a public purpose (the redevelopment or repair of property being maintained as an abandoned property) to acquire this property pursuant to the Borough's authority under the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et seq. and the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78, et seq.;

WHEREAS, US Bank Trust, NA ("US Bank") and/or Caliber Home Loans ("Caliber") is/are the owner of real property located at 124 Glenwood Avenue, more fully described as Lot 12 in Block 43.01 on the Official Tax Map of the Borough of Merchantville; and

WHEREAS, Merchantville has made a bona fide offer to purchase the above referenced property from US Bank and/or Caliber for consideration in the amount of One Hundred One Thousand, Three Hundred, Seventy-five (\$101,375.00) Dollars; and

WHEREAS, it is believed that this bona fide offer to purchase this property made by Merchantville has been rejected by US Bank; and

WHEREAS, Merchantville wishes to assert its rights of eminent domain and commence a condemnation action to acquire this property from US Bank; and

WHEREAS, the acquisition of this property by Merchantville is consistent with and in furtherance of the above-mentioned redevelopment agreement; and

WHEREAS, it is the intention of the Mayor and Borough Council of the Borough of Merchantville to authorize the proper municipal officials to prosecute this litigation and execute the appropriate documents on behalf of the Borough of Merchantville in furtherance of this property acquisition.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, State of New Jersey that, pursuant to and in furtherance of the authority granted to the municipality under the under the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et seq. and the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78, et seq., the acquisition of the real property located at 124 Ivins Avenue, in the Borough of Merchantville, more fully described as Lot 12 in Block 43.02 on the Official Tax Map of the Borough of Merchantville from the US BANK TRUST, NA and/or Caliber Home Loans is hereby approved; and

AND BE IT FURTHER ORDAINED that Edward F. Brennan, Mayor of the Borough of Merchantville and Denise Brouse, Borough Clerk of the Borough of Merchantville, be and hereby are authorized to execute the appropriate documents to implement said acquisition on behalf of the Borough of Merchantville.

AND BE IT FURTHER ORDAINED that the Timothy J. Higgins, Esquire, Borough Solicitor of the Borough of Merchantville, be and hereby is authorized to prepare and file in the Superior Court any and all documents to implement said acquisition on behalf of the Borough of Merchantville.

Payment of Bills-On a motion of Mr. Grasso and second of Mr. Kidd, council approved the payment of bills.

R17-113 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		
	2017 BUDGET	\$ 51,093.90	\$ 100,497.15
	GRANTS		\$ 1,344.55
	PFRS		
	PERS		
	DEBT SERVICE		
	BOARD OF EDUCATION*		
	CAMDEN COUNTY		
WIRE TRANSFERS PAYROLL	9/15/17-9/29/17		\$ 124,413.97
WIRES / MANUAL CHECKS			\$ 57,093.53
	TOTAL CURRENT	\$ 51,093.90	\$ 283,349.20
SEWER UTILITY			
CHECKS SEWER FUND	2016 BUDGET		
	2017 BUDGET		\$ 2,616.00
	DEBT SERVICE		
WIRE TRANSFERS PAYROLL	9/15/17-9/29/17		\$ 3,614.78

WIRE NJEIT LOAN				
WIRES /MANUAL CHECKS				
	TOTAL SEWER	\$	-	\$ 6,230.78
GENERAL CAPITAL FUND				
CHECK CAPITAL FUND			\$	3,499.79
MANUAL CHECK				
WIRE TRANSFERS PAYROLL	9/15/17-9/29/17			
	TOTAL CAPITAL	\$	-	\$ 3,499.79
TRUST FUND				
CHECK TRUST OTHER FUND			\$	4,818.18
WIRE TRANSFERS PAYROLL	9/15/17-9/29/17		\$	8,628.45
WIRES / MANUAL CHECKS			\$	13,300.00
	TOTAL TRUST	\$	-	\$ 26,746.63
SEWER CAPITAL FUND				
CHECK SEWER CAPITAL				
MANUAL CHECKS				
WIRE TRANSFERS PAYROLL	9/15/17-9/29/17			
	TOTAL SEWER CAPITAL	\$	-	\$ -
ANIMAL TRUST FUND				
ANIMAL TRUST CHECK			\$	357.80
	TOTAL ANIMAL TRUST	\$	-	\$ 357.80
TOTAL BILL LIST & MANUAL CHECKS/WIRE				
		\$	51,093.90	\$ 320,184.20
GRAND TOTAL				
		\$		371,278.10

ANNOUNCEMENTS**PRIVATE SESSION-**

ADJOURNMENT: On the motion of Mr. Grasso and second of Mr. Kidd the meeting was adjourned at 8:12 P.M.

Denise Brouse, Borough Clerk