

Merchantville, NJ

January 26, 2009

A regular meeting of Borough Council was held at 7:30 PM, Monday, January 26, 2009. Mayor North was not present and Council President Waldron 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, Brunton, and Fields.

Borough Clerk Denise Brouse and Solicitor Tim Higgins were present.

**PUBLIC HEARING ON ORDINANCES**-a public hearing was held on the following Ordinances:

**09-01**

**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 2009 as of January 1, 2009.

**POSITION**

**SALARY**

Police Detective Sergeant	78,355.00
Police Sergeant	74,136.00
Police Corporal	70,385.00
Police Patrol:	
0-6 months	36,647.00
7-12 months	39,835.00
13-24 months	45,412.00
25-36 months	51,784.00
37-48 months	59,748.00
49 months forward	67,568.00

**Police Experience Pay –Additional compensation paid to each police officer based upon years of police experience with the Borough.**

<u>Start of Year</u>	<u>End of Year</u>	<u>% of Base Pay</u>
6 <sup>th</sup> year police experience until	10 <sup>th</sup> year	2%
11 <sup>th</sup> year police experience until	15 <sup>th</sup> year	3%
16 <sup>th</sup> year police experience until	20 <sup>th</sup> year	4%
21 <sup>st</sup> year police experience until	24 <sup>th</sup> year	5%
25 <sup>th</sup> year police experience until	retirement	6%
Public Works Foreman (Per Hour)		24.06
Public Works Helper I (Per Hour)		11.13
Public Works Helper II (Per Hour)		12.62
Public Works Helper III (Per Hour)		13.54
Public Works Helper IV (Per Hour)		14.43

Public Works Journeyman I (Per Hour)	15.63
Public Works Journeyman II (Per Hour)	16.84
Public Works Journeyman III (Per Hour)	18.04
Public Works Journeyman IV (Per Hour)	19.24

An additional \$.50 (Per Hour) is paid to Helper I through Journeyman I who possesses a valid CDL

**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 police officers assigned to the first shift shall be paid at an additional rate of 2% above their hourly base salary; officers assigned to the third shift shall be paid at an additional rate of 1.5% above their hourly base salary; officers assigned to the power shift shall be paid at an additional 1.75% above their hourly base salary.

**SECTION 4.** A police officer designated as the officer-in-charge (OIC) shall be compensated at the Corporal's rate of pay for all time worked as an OIC, provided the officer performs OIC duties for five or more days during any pay period. The OIC rate shall become effective upon appointment as an OIC.

**SECTION 5.** All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies only.

**SECTION 6.** 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, 2009.

**09-02  
ORDINANCE OF THE BOROUGH OF MERCHANTVILLE,  
COUNTY OF CAMDEN AND STATE OF NEW JERSEY  
AMENDING CHAPTER 20, DEMOLITION OF BUILDINGS,  
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 Chapter 20, Demolition of Buildings, in the Code of the Borough of Merchantville, be and hereby is amended, as follows:

- ARTICLE I.**                    **SECTION 20-1**                    **Permit required; fee; application.**
- A.                    Permit required.

1. No person, firm or corporation shall remove or demolish or commence the removal or demolition of any building or structure in the Borough of Merchantville without first filing with the Building Inspector an application in writing and obtaining a permit therefore.

2. Prior to the issuance of a permit, the Building Inspector shall determine if a required Certificate of Appropriateness has been issued by the Historic Preservation Commission as defined in Article VIII B of Chapter 94 of the Code of the Borough of Merchantville.

- B. Retained in its entirety.
- C. Retained in its entirety.

**ARTICLE II. SECTION 20-2 Method of demolition.**

A. In demolishing any structure or part thereof, story after story shall be removed in a manner that is practical and consistent with demolition practices at the time the permit is issued. The Building Inspector shall approve the method of demolition. In addition to the safety measures as described in Section 20-3 of this Chapter, such approval shall consider the orientation of the structure to be demolished to nearby structures, pedestrian walkways and streets; the area available to undertake the demolition; and consideration of any needed coordination with local and county authorities relative to pedestrian and vehicular traffic flow and safety. The material to be removed shall be properly wet to minimize the dust incident to its removal.

B. Demolition, removal and disposal of building materials and/or other building site debris shall be in accordance with any and all requirements of the New Jersey Department of Environmental Protection, and/or any other state, federal and/or other agency having jurisdiction related to the disposal of such materials.

**ARTICLE III.**

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

**ARTICLE IV.**

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

**09-03**

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING CHAPTER 125, ZONING, 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 Chapter 125, Zoning, is hereby amended in the Code of the Borough of Merchantville, as follows:

**ARTICLE I. SECTION 125-13.1 Outside storage of firewood; regulations.**

No person shall store firewood in the front yard on residentially zoned property, except that firewood may be temporarily stored in the front yard for a period of ten (10) days from the date of its delivery.

Outside storage of firewood; generally.

The firewood shall be cut/split, prepared for use, and stored in neat, secure stacks. The firewood shall be neatly stacked and may not be stacked closer than three (3) feet to any lot line and not higher than four (4) feet from grade, except adjacent to a fence where firewood can be stacked as high as the fence. Fences as used in this Section shall not include hedges and other vegetation. The firewood shall be stored a minimum of eight (8) inches off the ground and on a well supported, non-rotting base.

There shall be no more than two (2) cords of wood stored at any time, and no more than one fourth (1/4) of a fireplace cord shall be stored on a porch of a residential structure.

All brush, debris and refuse from processing of firewood shall be promptly and properly disposed of within ten (10) days and shall not be allowed to remain on the premises. Woodpiles that contain diseased wood that is capable of transmitting disease to healthy trees and woodpiles that harbor or are infested or inhabited by rats or other vermin are public nuisances and may be abated pursuant to the provisions of this Code. Firewood may be stored upon a residential property solely for use on the premises and not for resale.

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 passage and publication according to law.

**09-04**

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE,  
COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING  
CHAPTER 86, VEHICLES AND TRAFFIC, 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 Articles IV. and X of Chapter 86, Vehicles and Traffic, of the Code of the Borough of Merchantville, are amended as follows:

**ARTICLE I.      ARTICLE IV.      SECTION 86-7.3      Intersections      prohibiting  
left turns on red signal designated.**

No person shall operate a vehicle to make a left turn when facing a steady red signal (stop indication) at any of the locations described in Schedule XI attached to and made a part of this Chapter whenever an official sign is present prohibiting such a left turn.

**ARTICLE II.      ARTICLE X.      SECTION 86-27.7      Schedule XI - Prohibited  
Left Turns on Red Signal – Stop Intersections**

In accordance with the provisions of Section 86-7.3, no person operate a vehicle to make a left turn when facing a steady red signal (stop indication) at any of the following locations, whenever an official sign is present prohibiting such a left turn:

<b>Location:</b>	<b>Stop Sign On:</b>	<b>Time:</b>
Block 26, Lot 18.02	Ingress/egress to/from parking lot unto South Centre Street	7:00 am to 9:00 am , 2:30 pm to 6:00 pm Monday through Friday

**ARTICLE III.**

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

**ARTICLE IV.**

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**Public portion for Ordinance:**

**Wanda Rotan, 1 Linden Avenue,** would like firewood ordinance to limit firewood storage to back of yard only. Thanks to Mr. Alloway, Mrs. Fields and Mark for all their help.

**Public:**

**Kevin Barnett, 121 Browning Road**, had a question regarding Mayor's letter on web site. Web site is private and thought it was official. We need to make it clear. Mrs. Fields responded on web site recommendations. Mr. Brennan stated he would like the Council to purchase the web site and man it.

**Tom Evaul, 125 St. James**, can Merchantville run the other web site that we own?

**Harris Edkstut, 13 N. Centre St.**, request to close streets for Arts Fair on May 16-17, Centre Street to Maple Walnut.

**APPROVAL OF MINUTES**-On the motion of Mr. Brunton and a second of Mrs. Fields, (Mr. Brennan abstained) Council approved the October 20, 2008 regular meeting minutes.

On the motion of Mrs. Fields and second of Mr. Perno, (Mr. Brennan and Mr. Brunton abstained), Council approved the October 27, 2008 regular meeting minutes.

**OLD BUSINESS:** Ordinance adoption.

**ORDINANCE ADOPTION**-Council adopted the following Ordinance.

**09-01**

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COUNTY OF CAMDEN AND STATE OF NEW JERSEY  
AMENDING CHAPTER 20, DEMOLITION OF BUILDINGS,  
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 Chapter 20, Demolition of Buildings, in the

Code of the Borough of Merchantville, be and hereby is amended, as follows:

**ARTICLE I. SECTION 20-1 Permit required; fee; application.**

A. Permit required.

1. No person, firm or corporation shall remove or demolish or commence the removal or demolition of any building or structure in the Borough of Merchantville without first filing with the Building Inspector an application in writing and obtaining a permit therefore.

2. Prior to the issuance of a permit, the Building Inspector shall determine if a required Certificate of Appropriateness has been issued by the Historic Preservation Commission as defined in Article VIII B of Chapter 94 of the Code of the Borough of Merchantville.

B. Retained in its entirety.

C. Retained in its entirety.

**ARTICLE II. SECTION 20-2 Method of demolition.**

C. In demolishing any structure or part thereof, story after story shall be removed in a manner that is practical and consistent with demolition practices at the time the permit is issued. The Building Inspector shall approve the method of demolition. In addition to the safety measures as described in Section 20-3 of this Chapter, such approval shall consider the orientation of the structure to be demolished to nearby structures, pedestrian walkways and streets; the area available to undertake the demolition; and consideration of any needed coordination with local and county authorities relative to pedestrian and vehicular traffic flow and safety. The material to be removed shall be properly wet to minimize the dust incident to its removal.

D. Demolition, removal and disposal of building materials and/or other building site debris shall be in accordance with any and all requirements of the New Jersey Department of Environmental Protection, and/or any other state, federal and/or other agency having jurisdiction related to the disposal of such materials.

**ARTICLE III.**

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Firewood may be stored upon a residential property solely for use on the premises and not for resale.

ARTICLE II.

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ARTICLE III.

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**09-04**

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE,  
COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING  
CHAPTER 86, VEHICLES AND TRAFFIC, OF THE CODE OF  
THE BOROUGH OF MERCHANTVILLE**

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**ARTICLE I. ARTICLE IV. SECTION 86-7.3 Intersections prohibiting left turns on red signal designated.**

No person shall operate a vehicle to make a left turn when facing a steady red signal (stop indication) at any of the locations described in Schedule XI attached to and made a part of this Chapter whenever an official sign is present prohibiting such a left turn.

**ARTICLE II. ARTICLE X. SECTION 86-27.7 Schedule XI - Prohibited Left Turns on Red Signal – Stop Intersections**

In accordance with the provisions of Section 86-7.3, no person operate a vehicle to make a left turn when facing a steady red signal (stop indication) at any of the following locations, whenever an official sign is present prohibiting such a left turn:

<b>Location:</b>	<b>Stop Sign On:</b>	<b>Time:</b>
Block 26, Lot 18.02	Ingress/egress to/from parking lot unto South Centre Street	7:00 am to 9:00 am , 2:30 pm to 6:00 pm Monday through Friday

**ARTICLE III.**

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**ARTICLE IV.**

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

**NEW BUSINESS:**

**Introduction of Ordinance 09-05 Authorizing financing of redevelopment project.** On a motion by Mr. Perno and second of Mr. Brunton, Council introduced the following Ordinance:

**Resolution:** On a motion of Mr. Alloway and second of Mrs. Fields, Council unanimously approved the following Resolution:















**R09-28**

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY, ESTABLISHING SPECIFIC SALARIES AND WAGES FOR EMPLOYEES FOR 2009**

**WHEREAS**, the Mayor and Council of the Borough of Merchantville have established the maximum salaries of the following employees of the Borough of Merchantville by ordinance adopted January 26, 2009 for 2009; and

**WHEREAS**, said salaries shall be subject to the appropriation of funds in the 2009 temporary and the approved 2009 budget;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Merchantville hereby establishes the following specific salaries for 2009 for the following employees of the Borough of Merchantville, to be effective as of January 1, 2009:

<u>POSITION</u>	<u>SALARY</u>
Police Detective Sergeant	78,355.00
Police Sergeant	74,136.00
Police Corporal	70,385.00
Police Patrol:	
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**Police Experience Pay –Additional compensation paid to each police officer based upon years of police experience with the Borough.**

<u>Start of Year</u>	<u>End of Year</u>	<u>% of Base Pay</u>
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**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%

Mr. Brunton stated that Resolution 09-27 Designation the paid fireman, should be tabled until budget time. Mr. Brennan stated that hold over is within 30 days. Mr. Alloway questioned this and the Solicitor indicated he was unaware of any such requirement. Mrs. Fields stated that less than 20% of time was spent driving EMS vehicle. Mr. Perno stated that it is important to have a paid fireman because we don't have a driver during the day. He does training, inspections, and fire inspections on buildings. Mrs. Fields asked if inspector is same as fire official. Mr. Perno replied fire inspector can ticket and fine and it is much more difficult to reduce in court. Mr. Brunton asked that if we would like to terminate this position, will we be required to go through DOP process. Mrs. Fields asked if we could redefine the position if we reappoint at this time. Mr. Perno asked if it matters if we are non-civil service, non union?

**Resolution:** On a motion of Mr. Perno and second of Mr. Brennan, (Mr. Brunton abstained), Council approved the following Resolution:

#### **R09-27**

#### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY DESIGNATING THE BOROUGH'S PAID FIREMAN**

**WHEREAS**, the Borough of Merchantville, a public agency, would like to designate a paid Fireman for the Merchantville Fire Department; and

**WHEREAS**, it is the desire of the Mayor and Council of the Borough of Merchantville to appoint Kevin Patti as the paid Fireman;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Merchantville, that Kevin Patti, is hereby appointed as the paid fireman for a term of one year, expiring December 31, 2009.

**APPROVAL-USE OF WELLWOOD PARK FOR EVENT**-On a motion of Mrs. Fields and second of Mr. Brunton, Council approved the use of Wellwood Park.

**APPROVAL-STREET CLOSING FOR ARTS FAIR**-On a motion of Mr. Perno and second of Mr. Brennan, Council approved the Street closing for Arts Fair.

**APPROVAL-PUBLIC WORKS EMPLOYEE**-On a motion of Mr. Brunton and second of Mr. Perno, Council approved the hiring of a new public works employee.

**ANNOUNCEMENTS:** There was a Elected Officials training. We had a contracts review from the State regarding all professional agreements and contracts. We had a surprise inspection from OSHA for our Police Dept. and we are working on compliance. Wear red on Friday, February 6 in support of American Heart Association Go Red for Women. Announcement of Smart Growth Grant was made. Professional Agreements are in the office of Council review.

#### **ADJOURNMENT:**

On the motion of Mr. Perno and second of Mr. Alloway, the meeting was adjourned at 8:24 PM.

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DENISE L. BROUSE  
BOROUGH CLERK