

A regular meeting of Borough Council was held at 7:30 PM, Monday, November 19, 2012. Mayor Frank 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: Volkert, Grasso, Brennan, Perno and Madden, Clerk Brouse, Attorney Higgins and CFO Moules were present.

**PRIVATE SESSION-Matters of contract negotiations.****PUBLIC HEARING**

**Jane Weschenko, 8 Morris St.-**What is the time requirement for a resolution? Meeting information should be listed on the bulletin board and website 48 hours in advance when possible.

**Bob Paulson, 19 N. Centre St.-**Member of Shade Tree-Victoria Street was resurfaced without consent of an arborist. On other projects, engineer walked the streets. We may lose a lot of trees. Engineer was to discuss with Shade Tree. Should be part of the contract to have an arborist look at the trees. We will reach out to Bob Hunter regarding trees.

**Gary Meyer, 204 Browning Road-**against any tax abatement for 606 W. Maple Avenue.

**Tom Evaul, 125 St. James Avenue-**Thank you for the confirmation on the resolution on tonight's agenda. Update on bank and DiPietro, none at this time. Borough is not at risk, it is between Texas and DiPietro.

**Jeanne Collins, 116 Poplar Avenue-**Don't let this abatement happen tonight.

**Tom Evaul, 125 St. James Avenue-**What's the word execute mean for the resolution? Public Works-Police-Fire response for Sandy was terrific. Successfully working together. The abatement ordinance for 606 W Maple Avenue will not to be considered until January, correct? Correct.

**Gary Meyer, 204 Browning Road-**Maybe we should have a volunteer first response set up.

**Bill Walker, 23 W Cedar Avenue-**Response to Borough was outstanding during the storm. Thank you for educating us regarding the resolution.

**APPROVAL OF MINUTES-** On a motion of Mrs. Madden and second of Mr. Grasso, Council approved the caucus meeting minutes for 10-1-12 (Mr. Brennan and Mr. Perno abstained) and the regular meeting minutes for 10-15-12. (Mr. Perno abstained).

**CORRESPONDENCE****COUNCIL REPORTS**

**Mr. Volkert-** Public Works report-Great working with emergency response groups. Public works is back on regular leaf and lawn debris schedule. We have new recycle buckets. Storm grates are being cleaned twice a week. Bike path benches and cans removed because the project is getting ready to begin. We now have a pro active Public Works manager.

**Mr. Grasso-**No Fire Report- Successful Safe Halloween. The holiday parade and tree lighting will be on November 30<sup>th</sup> beginning at 6:45 with the choir. Thanks to Public Works for snowflake banners and lights.

Clean up day is this Saturday and we also need help on day of parade. December 15<sup>th</sup> is Breakfast with Santa beginning at 10:00AM at the Community Center.

**Mr. Brennan**-Court \$13,981, 355 added, 413 disposed, 27,000 more than this time last year. Court collection should begin soon. Raffle license is on the agenda for St. Peter. Police Chief Bauer was present most of the time during the storm. Cooperation with Pennsauken was terrific. 292 calls, 226 traffic, 85 parking.

**Mrs. Madden**-HPC-DiPietro appeared. December 13<sup>th</sup> at 1:00 PM will be the West End task force meeting.

**Mr. Perno**-the engineer and I will do a walk through tomorrow for the community center roof for final approval. My recommendation for the abatement calculation for 606 W Maple Avenue is the formula that is available as follows County 5%, BOE 63% and remaining 32% amount to Boro. The committee will meet with the school before the ordinance goes before council.

**Clerk's Report**-Parade and Tree Lighting  
Breakfast with Santa  
Victoria and Leslie project  
Clean Up day 24  
Collecting for flowers for Pat Fields mom

#### **OLD BUSINESS**

#### **NEW BUSINESS**

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

#### **R12-129**

#### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY ESTABLISHING AND IMPLEMENTING A FAIR AND OPEN PROCESS FOR THE SELECTION OF PROFESSIONAL SERVICES PROVIDERS FOR THE BOROUGH OF MERCHANTVILLE IN THE CALENDAR YEAR 2013**

**WHEREAS**, the Borough of Merchantville requires the services of various professional service providers; and

**WHEREAS**, professional services are exempt from the requirement of public bidding pursuant to N.J.S.A.40A:11-5; and

**WHEREAS**, the Borough of Merchantville continues to find it advisable to select professionals primarily on the basis of qualification including qualifications uniquely suited to the needs of the Borough of Merchantville; and

**WHEREAS**, the Borough of Merchantville has determined that it is appropriate to implement a fair and open process for the awarding of professional service contracts; and

**WHEREAS**, to receive statements of qualification in a manner that fosters a fair and open process it is necessary and advisable to establish advance general criteria and specific minimum requirements for so many of those appointments as possible; and

**WHEREAS**, the Borough of Merchantville has determined that a fair and open process requires public advertisement of professional appointments in a manner and with sufficient time to provide notice in advance of the contemplation of the appointment and the criteria to be considered in making the appointment; and

**WHEREAS**, the Borough of Merchantville has determined that a fair and open process requires that all responses be publicly opened and announced and thereafter that all appointments be made at a public meeting of the governing body and then published in accordance with N.J.S.A. 40A:11-5.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the Borough Council of the Borough of Merchantville as follows:

1. All professional service appointments contained on Schedule A attached to and made a part hereof shall be subject to a fair and open process as set forth below.
2. The Borough Clerk shall cause a legal notice to be published in a newspaper authorized to publish legal notices for the Borough, stating that a full listing of all professional service appointments subject to a fair and open process together with the criteria established for the consideration of qualifications will be posted on the Borough's internet website beginning no later than November 20, 2012.
3. The criteria for each position contained on Schedule A follows immediately subsequent to the listing on Schedule A. These criteria shall be disclosed together with the posting of these positions on the Borough's internet website as set forth above.
4. The website posting shall inform potential applicants that all submissions must be made to the Office of Borough Clerk and received not later than 12:00 p.m. December 6, 2012.
5. Commencing at 12:01 p.m. on December 6, 2012, or as soon thereafter as may be possible, the Borough Clerk or his designee shall publicly open and announce all submissions in the Borough's public meeting room.
6. The Mayor and Borough Council shall thereafter review all submissions.
7. Appointments shall thereafter be made at a public meeting of the Mayor and Borough Council of the Borough of Merchantville.
8. Subsequent to appointments, appropriate notices shall be published in accordance with the requirements of N.J.S.A. 40A:11-5.

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Council have determined that the terms of this Resolution constitute a fair and open process as to all positions included herein.

#### **R12-130**

#### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY ADVERTISING FOR THE PURCHASE OF A FOUR WHEEL DRIVE ½ TON PICK UP TRUCK POLICE VEHICLE FOR POLICE DEPARTMENT**

**WHEREAS**, the Borough Council of the Borough of Merchantville is desirous of purchasing a Four Wheel Drive ½ Ton Pick Up Truck, Police Vehicle for the Police Department; and

**WHEREAS**, bids are desired for this purchase;

**NOW, THEREFORE, BE IT RESOLVED**, that approval has been granted for the Borough Clerk to advertise in the local paper to receive sealed bids for a Four Wheel Drive ½ Ton Pick Up Truck, Police Vehicle.

#### **R12-131**

#### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY HIRING JASON GEORGE KOESTEL AS A PUBLIC WORKS EMPLOYEE OF THE BOROUGH OF MERCHANTVILLE**

**WHEREAS** the Mayor and Council of the Borough of Merchantville would like to hire Jason George Koestel as an employee of Public Works with a 90 day review period;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Merchantville that Jason George Koestel be and is hereby hired as a Public Works employee for the Borough of Merchantville,

#### **R12-132**

#### **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 raffle licenses with proper approval; and

**WHEREAS**, St. Peter Catholic Church has properly completed the raffle 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 Fields, Director 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 12-01SPC to St. Peter Catholic Church for the raffle taking place on April 27, 2013.

#### **R12-133**

### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING EXECUTION OF THE 2013 DEER CARCASS REMOVAL INTER-LOCAL AGREEMENT WITH CAMDEN COUNTY**

**WHEREAS**, the Mayor and Council of the Borough of Merchantville wish to participate in the Camden County Cooperative agreement for Deer Carcass removal; and

**WHEREAS**, the Camden County Board of Chosen Freeholders authorized the agreement on September 20, 2012 awarding the second year option between Camden County Cooperative Members and Deer Carcass Removal Services for the removal of Deer Carcass, Bid A-33;

**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, be and hereby is authorized to execute the agreement effective October 1, 2012 to September 30, 2013, attached hereto as Exhibit "A," providing for participation with Camden County in the Deer Carcass Removal Services.

#### **R12-134**

### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, AUTHORIZING VARIOUS CONTRACTS FOR THE HOLIDAY PUBLIC EVENTS IN MERCHANTVILLE**

**WHEREAS**, the Governing Body of the Borough of Merchantville desires to provide fun and exciting entertainment, for the holiday tree lighting Celebration, parade and breakfast with Santa; and

**WHEREAS**, Councilwoman Fields has recommended the awarding of contracts to the below listed vendors for services to be provided as part of the Holiday tree lighting, breakfast with Santa and parade;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Merchantville, that the Mayor and Clerk are hereby authorized to execute contracts with the below listed vendors, copies of which shall be attached hereto; and

**BE IT FURTHER RESOLVED** that the cost for these contracts is not to exceed \$2,000.00 and that the funds are provided through the 2013 Public Events Budget by the below certification from the Finance Officer.

Crescent Shrine Motorcycle Drill Team	700.00
Liberty Band	450.00
Rustics Mini String Band	600.00
Steve Volkert	250.00
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	2,000.00

**R12-135****RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY FOR CANCELLATION OF OUTSTANDING CHECKS**

**WHEREAS**, there exists outstanding checks through the Payroll Account which has been outstanding for over six months; and

**WHEREAS**, the checks have been investigated and have been determined to have been lost or otherwise destroyed;

**NOW, THEREFORE BE IT RESOLVED**, that the following checks be cancelled and the expenditure be deposited into the Current Fund:

CHECK NO.	CHECK DATE	AMOUNT	ACCOUNT
10792	01-01-2010	168.39	Payroll
10822	01-01-2010	594.61	Payroll
	TOTAL	<u>763.00</u>	

**R12 -136****RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING 2012 BUDGET TRANSFERS**

**WHEREAS**, there are certain 2012 Budget Appropriations of the Borough of Merchantville with balances insufficient to meet requirements for operating Borough Affairs as indicated on the attached schedule; and

**WHEREAS**, there are 2012 Budget Appropriations with unexpended balances that are not needed for such purposes; and

**WHEREAS**, Revised Statutes 40A:4-59 provides for Transfers to those accounts having insufficient balances:

Operating Budget Description	Account Number	Transfer Out	Transfer In
Social Security	2-01-36-845-302	8,000.00	
Streets & Roads Regular Salary & Wages	2-01-26-765-100	4,000.00	
Liability Insurance	2-01-23-730-000	2,196.38	
Uniform Construction Code Salary & Wages	2-01-22-725-100		1,500.00
Uniform Construction 3rd Party Inspections	2-01-22-725-253		4,000.00
Admin/Clerk Dues	2-01-20-701-230		2,500.00
Legal Litigation	2-01-20-712-252		3,000.00
Historic Preservation Commission Legal	2-01-21-722-251		1,196.38
Animal Control Dog Regulation	2-01-27-788-251		2,000.00
	TOTAL	14,196.38	14,196.38

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Merchantville that the following transfers are hereby approved as indicated on the above schedule.

**R12-137****RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY CANCELING 2012 BUDGET APPROPRIATIONS WITH UNEXPENDED BALANCES**

**WHEREAS**, the attached schedule indicates those budget accounts with unexpended balances; and

**WHEREAS**, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Sewer Utility Surplus and Current Fund Surplus;

Sewer - Regular Salary & Wages	2-07-55-501-100	4,000.00
Sewer - Social Security	2-07-55-541-501	1,000.00
Sewer – Capital Outlay	2-07-55-522-501	5,000.00
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	TOTAL	10,000.00
Current – Police Overtime by Contract	2-01-25-745-108	10,000.00
Current – Streets/Roads Regular S&W	2-01-26-765-101	10,000.00
		<hr/>
	TOTAL	20,000.00

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

**R12-139**  
**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF**  
**CAMDEN AND STATE OF NEW JERSEY APPROVING CHANGE ORDER**  
**#1 FOR MULTI USE PATH PROJECT**

**WHEREAS**, it was necessary to make changes in the scope of work to be done in completing the multi use path project in the Borough of Merchantville, Camden County, New Jersey;

**WHEREAS**, a change Order was developed to itemize and authorize those changes;

**WHEREAS**, certification has been received by the Certified Finance Officer that sufficient funds have been allocated for this Change Order;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Merchantville that the following Change Order which is considered not to be the final change order is hereby authorized and approval is hereby granted to revise the contract amount from \$285,184.25 to \$320,879.05 (increase of \$35,694.80).

On a motion of Mr. Brennan and second of Mr. Volkert, Council approved the following resolution:

**R12-138**  
**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE**  
**OF NEW JERSEY APPROVING THE APPLICATION OF CITADEL WELLWOOD URBAN**  
**RENEWAL LLC FOR A LONG TERM TAX EXEMPTION AGREEMENT, PURSUANT TO**  
**N.J.S.A. 40A:20-8 ET SEQ.**

**WHEREAS**, Citadel Wellwood Urban Renewal LLC (the “Sponsor”) proposes to extensively rehabilitate a certain fifty-four (54) unit apartment complex (the “Project”) within the Borough of Merchantville (the “Borough”), on a site described as Lots 2 and 3, Block 9 as shown on the Official Tax Map of the Borough of Merchantville, and commonly known as 606 West Maple Avenue, Merchantville, New Jersey; and

**WHEREAS**, the Project will qualify for a tax exemption and/or abatement under the Long Term Tax Exemption Law N.J.S.A. 40A:20-8, et seq; and

**WHEREAS**, the Sponsor has presented an application to the Borough Council for a Long Term Tax Exemption pursuant to N.J.S.A. 40A:20-8, et seq., a copy of which is attached hereto as Exhibit “A” and made a part hereof, and

**WHEREAS**, the Borough Council of the Borough of Merchantville deems it in the best interests of the Borough to grant a Long Term Tax Exemption under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-8 et seq., to Citadel Wellwood Urban Renewal LLC, relative to its extensive rehabilitation of the fifty-four (54) unit apartment complex located at 606 West Maple Avenue in the Borough of Merchantville;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Merchantville, as follows:

The Council authorizes the execution of an agreement substantially in the form attached hereto as Exhibit "B" and made a part hereof authorizing an in lieu tax payment of seven (7.00) percent of the gross shelter rent of the Project, subject to the provisions of Section 5 of the Agreement; and

The Council hereby authorizes and directs the Mayor of the Borough to execute, on behalf of the Borough, the agreement attached hereto as Exhibit "B"; and

The Council understands and agrees that the revenue projections set forth in Exhibit "A" are estimates and the actual payments in lieu of taxes to be paid by the Sponsor to the Borough shall be determined pursuant to the Agreement; and

The Council understands that the Sponsor has formed an urban renewal entity limited liability company, and that the Borough may enter into the payment in lieu of taxes agreement with such urban renewal entity limited liability company,

The Council authorizes Frank M. North, Mayor of the Borough of Merchantville, and Denise Brouse, Borough Clerk of the Borough of Merchantville, to execute the attached Financial Agreement on behalf of the Borough of Merchantville.

The Municipal Clerk is hereby authorized to forward a certified true copy of this Ordinance to Citadel Wellwood Urban Renewal LLC, c/o DePetro Real Estate Organization, LLC, 201 Union Lane, Suite B, Brielle, New Jersey 08730. The Municipal Clerk is hereby authorized to forward a certified true copy of this Ordinance, and the Financial Agreement implementing it, to both the Municipal Tax Assessor and the Director of the Division of Local Government Services.

**PAYMENT OF BILLS:** On the motion of Mr. Volkert and second of Mr. Grasso, Council approved the follow resolution:

<b>R12-142</b>				
<b>RESOLUTION</b>				
<b>RESOLVED</b> 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.				
<b>CURRENT FUND</b>			<b>REVENUE</b>	<b>BUDGET</b>
CHECKS CURRENT FUND	2011 BUDGET			1,982.87
	2012 BUDGET	417.46		96,745.72
	GRANTS			8,288.48
	PFRS			
	PERS			
	DEBT SERVICE			
	BOARD OF EDUCATION*			1,111,912.50
	CAMDEN COUNTY			512,180.31
WIRE TRANSFERS PAYROLL	10/19/12-11/16/12			177,626.16
WIRES / MANUAL CHECKS				80,941.60
	<b>TOTAL CURRENT</b>	417.46		1,989,677.64
<b>SEWER UTILITY</b>				
CHECKS SEWER FUND				
	2012 BUDGET			4,610.50
	DEBT SERVICE			
WIRE TRANSFERS PAYROLL	10/19/12-11/16/12			6,200.27
WIRE NJEIT LOAN				
WIRES /MANUAL CHECKS				
	<b>TOTAL SEWER</b>	0.00		10,810.77

<b>GENERAL CAPITAL FUND</b>			
CHECK CAPITAL FUND			14,307.50
MANUAL CHECK			
WIRE TRANSFERS PAYROLL			3,337.08
	TOTAL CAPITAL	0.00	17,644.58
<b>TRUST FUND</b>			
CHECK TRUST OTHER FUND			964.75
WIRE TRANSFERS PAYROLL	10/19/12-11/16/12		5,974.76
WIRES / MANUAL CHECKS			3,520.00
	TOTAL TRUST	0.00	10,459.51
<b>SEWER CAPITAL FUND</b>			
CHECK SEWER CAPITAL			
MANUAL CHECKS			
WIRE TRANSFERS PAYROLL			73,705.47
	TOTAL SEWER CAPITAL	0.00	73,705.47
<b>RECREATION TRUST</b>			
CHECK RECREATION TRUST	2012 BUDGET	650.00	250.50
MANUAL CHECKS			
WIRE TRANSFERS PAYROLL	10/19/12-11/16/12		487.72
	TOTAL RECREATION	650.00	738.22
<b>ANIMAL TRUST FUND</b>			
ANIMAL TRUST CHECK			
	TOTAL ANIMAL TRUST	0.00	0.00
<b>UNEMPLOYMENT</b>			
UNEMPLOYMENT CHECK			
	TOTAL UNEMPLOYMENT	0.00	0.00
<b>TOTAL BILL LIST &amp; MANUAL CHECKS/WIRE</b>		1,067.46	2,103,036.19
		<b>GRAND TOTAL</b>	<b>2,104,103.65</b>

**ANNOUNCEMENTS:****PRIVATE SESSION**

**ADJOURNMENT:** On the motion of Mr. Grasso and second of Mr. Volkert, the meeting was adjourned at 9:47 P.M.

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DENISE BROUSE  
BOROUGH CLERK