

A regular meeting of Borough Council was held at 7:30 PM, Monday, May 14, 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: Fields, Volkert, Brennan and Madden , Clerk Brouse, Attorney Higgins and CFO Moules were present.

PUBLIC HEARING ON ORDINANCE

12-04 Amend Chapter 86 Vehicle and Traffic

Jeanne Collins, 116 Poplar Avenue, Ordinance 12-04 parking on street, possible problems with parking too close to driveway, etc. Yellow lines can be added for clear designation. Mayor asked Jeanne to call police if people are parking in area that they should not.

Charles McAdams, 614-616 W. Maple Avenue, owns two businesses and two apartments. People may park better on Poplar because they can't park on the other side of the street at this time and it should allow more area to park on the street. I'm very interested in opening up parking on both sides of Maple to eliminate issues that exist now with parking on Maple Avenue.

Agnes Madden-thanks to residents for coming tonight to help with the West End and for attending the meetings.

ADOPT ORDINANCE 12-04 Amend Chapter 86 Vehicle and Traffic

On a motion of Mrs. Madden and second of Mr. Brennan, Council adopted the following Ordinance:

12-04

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 Article X of Chapter 86, Vehicles and Traffic, of the Code of the Borough of Merchantville, is amended as follows:

ARTICLE I. ARTICLE X. SECTION 86-23 Schedule I – No Parking

In accordance with the provisions of Section 86-3, the following described streets or parts of streets are hereby deleted from the list of streets or parts of streets whereupon no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

| Street | Side | Location |
|----------------------------------------------|------|-----------------------------------|
| Poplar Avenue feet south of Maple Avenue | West | From Maple Avenue to a point 192 |
| Poplar Avenue feet north of Myrtle Avenue | West | From Myrtle Avenue to a point 218 |

ARTICLE II. ARTICLE X. SECTION 86-24 Schedule II – Time Limit Parking

In accordance with the provisions of Section 86-4, the following described streets or parts of streets are hereby added to the list of streets or parts of streets whereupon no person shall park a vehicle for longer than the time limit shown upon any of the following described streets or parts of streets:

| Time Limit Street | Side | (minutes) | Hours | Location |
|----------------------------------|-------|------------|----------------------------|--------------------------------|
| Maple Avenue west boundary | North | 15 minutes | 8:00 a.m. to 10:00 p.m. | Euclid Street to Pennsauken |

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 passage and publication according to law.

PUBLIC

Tom Evaul, 125 St. James Avenue, The agenda has a resolution for special council for TCE- Mayor responded that it is time to look at things from a different view. Maley has a lot of experience with this type of development, he has been redevelopment council for us in the past on an as need basis. Has development committee met with Fieldstone lately? "about 4-5 months ago" Court debt-do we have a lot. Ted-We have about \$250,000 of collectible debt. Woodbine refund for use of community center-is there a policy in place? Yes. How many public works trucks require a CDL license and how many drivers do we have? Two trash and one dump. 1 CDL license driver other driver has not gotten CDL yet.

Rich McDonough-101 E. Walnut Avenue-Public estate auction on my property in May and would like to propose closing Gilmore Avenue at my street during the auction. Can barricades be dropped off on Friday and owner will set up 10:00AM when auction begins.

Rich De Petro-606 W. Maple Avenue-appreciation for having faith in me. Been working over the weekend on front of building. Thanks Tim, Denise and Denise, they have been very cooperative. The community spirit is terrific in this town and we are making progress. The oil tank is coming out as well as the asbestos getting wrapped and coming out. Warm winter with heat. PSE & G has been difficult and we can't get Public Service Engineer to come to building. Working on permits, should be ready to submit in a week or so. The building has been neglected for so long.

Bill Walker-23 W Cedar Avenue-Regarding the Verizon lot, we have room for the article in the paper and can sum up a report for your review. Thank you Mr. De Petro for all of your work.

Dorothy Foley-210 Westminster Avenue-request for consideration of cell tower ordinance or at least investigate the issue. We should be able to turn it over to the Planning Board for review. The Cherry Hill contact is Natalie.

ENGINEER'S REPORT-R & V sewer ling project-Anita Hogan is working on issues with the project. Holding all R & V invoices at this time.

APPROVAL OF MINUTES- On a motion of Mrs. Madden and second of Mrs. Fields, Council approved the caucus meeting minutes for 4-2-12 (Mr. Volkert abstained) and regular meeting minutes for 4-9-12.

CORRESPONDENCE

Letter from Masonry Preservation
Kris Donahue

COUNCIL REPORTS

Mrs. Fields-Recreation had no report. Community Center fees ordinance will be introduced tonight, we are waiting for the ADA path to be discussed and need a price estimate. Parks and Playgrounds applications are available. Code Enforcement does not have a report. Fred listed 92 properties in need and gave 30 written warnings. Wednesday is the Code Enforcement meeting at 3:30. The RFP for 29 Volan Street is due on May 22, 2012. License report attached.

Mr. Volkert-Public works hauled 64 tons, 360 yards of leaves were removed this season and grass cutting season has begun. A diesel tank was removed from public works. Salt is being held at Cherry Hill. We will continue to lien properties that are being cleaned up. A site visit at 710 W. Maple regarding sewer issues determined that it is the owner's area that is blocked. Public works helped shade tree remove trees and we had another successful clean up day. The Business Association is getting organized.

Mr. Grasso-Public Events had slow progress on the Birthday Celebration activities; we need more help from others. Movies, etc. is on hold. Should we consider recycle buckets on wheels? It would be a large investment.

Mr. Brennan-Court- \$17,296.50 added 366 cases, disposed 430 cases, 246 more cases from this time last year. Police-253 calls, 228 traffic, 22 ordinances, 29 arrests. On clean up day, 130 lbs. of old drugs were collected during operation take back drugs. The police are now having Gloucester repair the traffic signals in town at a much more reasonable cost. Savings have been high. Click it or Ticket will begin soon.

Mrs. Madden-A memorial tree ceremony was held at the circle for Vern Collins by Shade Tree, HPC had one application and they did not show up for the meeting. The garden club needs volunteers.

Mr. Brennan-Fire dept 14 calls, 5 Borough and 9 Pennsauken a total of 68 for year with no apparatus issues. Full report will be coming in June.

Clerk's Report-The Borough received another Clean communities Grant of over \$5,000. Memorial Day ceremony will be in Wellwood Park at 10:00 AM. The Birthday celebration will be on June 2nd also at Wellwood Park, rain or shine from 10:00 to 2:00. The bid opening for 29 Volan Street will be on May 22nd. Representatives from the west maple neighborhood will attend the Pennsauken committee meeting on May 16th at 5:30 to discuss improvements to the area. On May 24th the municipal office will participate in Jeans for Troops. The key fob system will be installed on Wednesday and you will receive information shortly on how to enter the building.

Mrs. Moules-Audit complete

OLD BUSINESS

NEW BUSINESS

Review ordinance on cell tower. Mrs. Fields will review with Planning Board.
Walk for education at St. Peter's last week, Fred gave a use of facility form.

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

R12-58
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN, STATE OF NEW JERSEY
APPROVING THE MAYOR TO SIGN AND THE CLERK
TO ATTEST THE PROFESSIONAL SERVICES AGREEMENT FOR TCE

WHEREAS, the Borough of Merchantville, and Maley & Associates, A professional corporation, Counselors at Law. wish to enter into an agreement for the legal services of a Redevelopment attorney

for the Town Centre East project; and

WHEREAS, Maley and Associates has prepared the agreement and Council has approved the Mayor to sign and the Borough Clerk to attest the agreement; and

NOW, THEREFORE, BE IT RESOLVED, that Mayor shall sign and the Clerk attest to the agreement.

R12-59

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN, STATE OF NEW JERSEY
APPROVING THE MAYOR TO SIGN AND THE CLERK
TO ATTEST THE PROFESSIONAL SERVICES
AGREEMENT FOR COURT DEBT**

WHEREAS, the Borough of Merchantville, and Duncan Solutions, Professional Solutions, LLC. 633 W. Wisconsin Avenue, Suite 1600, Milwaukee, WI 53203-1920. wish to enter into an agreement for the private collection of municipal court debt for; and

WHEREAS, the solicitor has prepared the agreement and Council has approved the Mayor to sign and the Borough Clerk to attest the agreement;

NOW, THEREFORE, BE IT RESOLVED, that Mayor shall sign and the Clerk attest to the Agreement for Duncan Solution, Professional Solutions, LLC.

R12-60

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY FOR
REFUND FOR COMMUNITY CENTER RENTAL FEE**

WHEREAS, the Merchantville Borough Clerk has called to Mayor and Council's attention a request to refund a Community Center rental payment because the Woodbine Swim Club has canceled their event;

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Merchantville that the following refund be approved on this account in the amount of \$480.00 for the rental fee and the refund be forwarded to Woodbine Swim Club, PO Box 1054, 7025 Maple Avenue, Pennsauken, NJ 08109.

R12-61

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AWARDING CONTRACT FOR SENIOR CENTER
BATHROOM RENOVATIONS**

WHEREAS, the Borough of Merchantville has received bids for the purpose of bathroom renovations at the Merchantville senior center of the Borough of Merchantville; and

WHEREAS, the base bid of \$30,900 was received from J.H. Williams Enterprises, 231 Haines Drive, Moorestown, NJ 08057;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, the base bid of \$30,900 was received from J.H. Williams Enterprises, 231 Haines Drive, Moorestown, NJ 08057, conditional upon the following:

That a certificate has been received from the Certified Municipal Finance Officer stating that funds are available for this Contract.

That the bid documents and bidding procedures have been reviewed and approved by the Municipal Solicitor.

That the presiding officer of this body be and is hereby directed to sign for and on its behalf the Contract for said services.

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.

This Resolution hereby authorizes the Mayor and Clerk to endorse the Contract document.

R12-62
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AWARDING CONTRACT FOR THE FIRE
HOUSE ROOF REPLACEMENT

WHEREAS, the Borough of Merchantville has received bids for the purpose of roof replacement at the fire department of the Borough of Merchantville; and

WHEREAS, the base bid of \$42,970, alternate bid #1 \$2,600 and alternate bid #2 \$6,300 was received from Laurant Construction Company, Inc., 3 Meadows Ct. Pennington NJ 08534;

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 \$42,970, alternate bid #1 \$2,600 and alternate bid #2 \$6,300 for the roof of the Borough of Merchantville is hereby awarded to Laurant Construction Company, Inc., 3 Meadows Ct. Pennington NJ 08534, 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.

R12-63
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
DEDICATION BY RIDER

Donations – Acceptance of Bequests and Gifts (NJS 40A:5-29)

Purchase plaques and shade trees

Borough of Merchantville of County of Camden

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION
 BY RIDER FOR Shade Tree Memorial Trust
 REQUIRED BY NJSA 40A:5-29

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:5-29 provides for receipt of Shade Tree Memorial Trust by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Donations, accept of Bequest gifts are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Merchantville of, County Camden, New Jersey as follows:

The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Shade Tree Memorial Trust. The Clerk of the Borough of Merchantville, County of Camden is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

R12-64**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 2012 in the sum of \$ 5,769.44, 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 \$ 5,769.44 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 \$ 5,769.44 from:

| | |
|-----------------------------------------|-----------------|
| DARE Donation – Municipal Drug Alliance | 178.87 |
| 2012 CLEAN COMMUNITIES GRANT | 5,590.57 |
| TOTAL | 5,769.44 |

R12-65**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AWARDING CONTRACT FOR THE
BOROUGH HALL KEY FOB SYSTEM**

WHEREAS, the Borough of Merchantville has received quotes for the purpose of a key fob system for the Borough Hall building of the Borough of Merchantville; and

WHEREAS, the bid of \$7,050 was received from Arnolds Safe and Lock Company, 36 15 Haddonfield Road, Pennsauken, NJ 08109 ;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, that the bid of \$7,050 was received from Arnolds Safe and Lock Company, 36 15 Haddonfield Road, Pennsauken, NJ 08109, conditional upon the following:

That a certificate has been received from the Certified Municipal Finance Officer stating that funds are available for this Contract.

That the bid documents and bidding procedures have been reviewed and approved by the Municipal Solicitor.

That the presiding officer of this body be and is hereby directed to sign for and on its behalf the Contract for said services.

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.

This Resolution hereby authorizes the Mayor and Clerk to endorse the Contract document.

R12-66**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AWARDING CONTRACT FOR TEMPORARY
PUBLIC WORKS EMPLOYMENT**

WHEREAS, the Borough of Merchantville has received quotes for the purpose of temporary public works employment for the public works department of the Borough of

Merchantville; and

WHEREAS, the quote of \$11.88 for laborer, manning vehicles and \$17.16 for truck drivers with CDL license not to exceed \$5,000 for 2012;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, that the quote of \$11.88 for laborer, manning vehicles and \$17.16 for truck drivers with CDL license for Labor Team USA, INC, 2508 Federal Street, Camden, NJ 08105-1934 and, conditional upon the following:

That a certificate has been received from the Certified Municipal Finance Officer stating that funds are available for this Contract.

That the bid documents and bidding procedures have been reviewed and approved by the Municipal Solicitor.

That the presiding officer of this body be and is hereby directed to sign for and on its behalf the Contract for said services.

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.

This Resolution hereby authorizes the Mayor and Clerk to endorse the Contract document.

R12-67

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AWARDING CONTRACT FOR TEMPORARY PUBLIC WORKS EMPLOYMENT

WHEREAS, the Borough of Merchantville has received quotes for the purpose of temporary public works employment for the public works department of the Borough of Merchantville; and

WHEREAS, the quote of \$13.99 for laborers not to exceed \$5,000 for 2012;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, that the quote of \$13.99 for laborer, for Labor Ready, 6015 S. Crescent Blvd. Pennsauken, NJ 08110 and, conditional upon the following:

That a certificate has been received from the Certified Municipal Finance Officer stating that funds are available for this Contract.

That the bid documents and bidding procedures have been reviewed and approved by the Municipal Solicitor.

That the presiding officer of this body be and is hereby directed to sign for and on its behalf the Contract for said services.

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.

This Resolution hereby authorizes the Mayor and Clerk to endorse the Contract document.

ORDINANCES FOR INTRODUCTION ON FIRST READING

Ordinance 12-05 Salary Ordinance: On a motion of Mrs. Fields and second of Mr. Volkert, the following Ordinance was introduced:

12-05

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 2012 as of January 1, 2012.

| POSITION | SALARY |
|-----------------------------------------------------------------------|------------------------------------------------------------|
| Tax Clerk (Per Hour) | 16.50 |
| Accounts Payable Clerk (Per Hour) | 11.35 |
| Tax Assessor | 8,709.00 |
| Borough Clerk/Registrar | 51,500.00 |
| Planning/Zoning Officer | 12,731.00 |
| Code Enforcement Official | 12,731.00 |
| Police Chief | 100,600.00 |
| Police Secretary | 34,281.00 |
| Community Relations Officer | 38,530.00 |
| School Traffic Guard (Per shift) | 10.00 |
| Drug Alliance Coordinator | 2,000.00 |
| Meter Attendant (Per Hour) | 7.25 |
| Public Works Supervisor | 48,204.00 |
| Wastewater Collection Operator | 3,000.00 |
| Paid Fireman | 41,068.00 |
| Fire Official (\$1,800 flat rate plus Pd per Inspection by pay scale) | 5,700.00 |
| Fire Inspector (Paid per Inspection per pay scale) | 3,800.00 |
| Sound Recorder (Per Hour) | 10.30 |
| Prosecutor | 10,500.00 |
| Public Defender | 7,500.00 |
| Clean Communities Worker (Per Hour) | 7.50 |
| Clean Communities Coordinator | 1,000.00 |
| 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 | 9,500.00 |
| Municipal Court Administrator | 40,824.00 |
| Deputy Court Administrator (Per Hour) | 17.20 |
| Special DWI Session – Municipal Judge per session | 500.00 |
| Special DWI Session – Court Administrator (Per Hour) | 43.56 |
| Special DWI Session – Deputy Court Administrator (Per Hour) | 33.40 |
| Special DWI Session – Sound Recorder (Per Hour) | 20.00 |

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, 2012.

12-06

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND
STATE OF NEW JERSEY AMENDING CHAPTER 25, FEES, 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 Article II of Chapter 25, Fees for Public Records, in the Code of the Borough of Merchantville is hereby amended as follows:

ARTICLE I. SECTION 25-7 Fee Schedule.

The following schedule of fees is hereby added to the fees so listed in Section 7 of Article II. of Chapter 25 of the Code of the Borough of Merchantville, as follows:

Community Center fees

Hourly rental Sunday-Thursday

Resident-\$25.00 per hour and \$100.00 Security Deposit
plus any cost for insurance for alcohol

Non-Resident \$50.00 per hour and \$150.00 Security Deposit
plus any cost for insurance for alcohol

Friday or Saturday

\$600.00 for five (5) hour rental and \$150.00 security deposit
plus any cost for insurance for alcohol

Residents may rent during these times for half price or \$300.00 once per year
Security deposit remains the same as well as insurance

Funeral- Flat rate \$50.00

Meeting- \$45.00

Lessons-\$25.00 per hour if fee is being charged

If no fee is being charged then rental is free

Yearly Liquor license fees \$880.00 for

Plenary Retail Consumption with broad package privilege and

Plenary Retail Distribution license

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 its passage and publication according to law.

**BOROUGH OF MERCHANTVILLE, NEW JERSEY
ORDINANCE 2012-07**

**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF CAPITAL
EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND
FOR THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY;
APPROPRIATING THE SUM OF \$540,000 THEREFOR; AUTHORIZING THE ISSUANCE OF
GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF
MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE
PRINCIPAL AMOUNT OF UP TO \$332,500, MAKING CERTAIN DETERMINATIONS AND
COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH
THE FOREGOING**

BE IT ORDAINED by the Borough Council of the Borough of Merchantville, County of Camden, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Borough of Merchantville, County of Camden, New Jersey ("Borough").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Borough from all sources for the purposes stated in Section 7 hereof is \$540,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$332,500; and a down payment in the amount of \$17,500 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$332,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$17,500, which amount represents the required down payment, and the sum of \$190,000, which represents a grant from the New Jersey Department of Transportation, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Borough in an amount not to exceed \$332,500 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Borough in an amount not to exceed \$332,500 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell all or part of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$108,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the amount of available grants; the maximum amount of obligations to be issued for said purpose and the period of usefulness of said purpose within the limitations of the Local Bond Law are as follows:

| Purpose/Improvement | Estimated Total Cost | Down Payment | Grant | Amount of Obligation | Period of Usefulness |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|--------------|-------|----------------------|----------------------|
| A. Acquisition of Various Pieces of Equipment for the Fire Department including, but not limited to, Turnout Gear, Pagers, Breathing Apparatus Bottles and a Thermal Camera, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto | \$97,000 | \$4,850 | \$0 | \$92,150 | 5 years |
| B. Acquisition of Various Pieces of Equipment for the Police Department including, but not limited to, a Four Wheel Drive Vehicle, Signage and Radar Units, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto | 56,500 | 2,825 | 0 | 53,675 | 5 years |
| C. Various Improvements to the Community Center, Borough Hall, Fire House and Public Works Building including, but not limited to, Electrical Upgrades, Roof Improvements, HVAC System, Door and Window Replacements, together with the | 166,500 | 8,325 | 0 | 158,175 | 15 years |

| Purpose/Improvement | Estimated Total Cost | Down Payment | Grant | Amount of Obligation s | Period of Usefulne ss |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------|-----------|---------------------------------|-----------------------------|
| acquisition of all materials and equipment and completion of all work necessary therefore or related thereto, all as further described in the documentation on file and available for review at the Borough Clerk's office | | | | | |
| D. Reconstruction and/or Repaving of Leslie and Victoria Streets, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto | 220,000 | 1,500 | 190,000 | 28,500 | 10 years |
| TOTAL | \$540,000 | \$17,500 | \$190,000 | \$332,500 | |

Section 8. The average period of useful life of the purposes for the financing of which the Bond Ordinance authorizes the issuance of bonds or bond anticipation notes authorized for such several purposes, is not less than 10.19 years.

Section 9. Except for those described in Section 7., above, grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$332,500 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the Borough are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Borough shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The Borough hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.

Section 14. The Borough hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and
it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the Borough may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

PROCLAMATION-CLICK IT OR TICKET

APPROVAL-Use of facility for car show-On a motion of Mrs. Fields and second of Mr. Volkert, Council approved the use of facility for the car show.

APPROVAL-Use of facility for baby shower at Wellwood Park. On a motion of Mrs. Fields and second of Mr. Volkert, Council approved the use of Wellwood Park for a baby shower.

APPROVAL-Street closing on Lexington Avenue. On a motion of Mrs. Fields and second of Mr. Volkert, Council approved the closing of Lexington Avenue.

APPROVAL-Street closing on Gilmore Avenue. On a motion of Mrs. Fields and second of Mr. Volkert, Council approved the closing of Gilmore Avenue.

PAYMENT OF BILLS: On the motion of Mrs. Fields and second of Mr. Brennan, Council approved the following resolution:

ANNOUNCEMENTS:

PRIVATE SESSION

On a motion of Mrs. Fields and second of Mr. Brennan, Council adjourned into private session to discuss matters of personnel and contract.

R12-69 RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING A PRIVATE SESSION OF COUNCIL

Pat Fields offered the following resolution and moved its adoption:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

Personnel and contract

3. It is anticipated at this time that the above stated subject matter shall be made public.
4. This Resolution shall take effect immediately.

Seconded by Ed Brennan and adopted on roll call by the following vote:

| | Yes | No | Abstain | Absent |
|-------------|-------|-----|---------|--------|
| Mrs. Fields | (x) | () | () | () |
| Mr. Volkert | (x) | () | () | () |
| Mr. Grasso | () | () | () | (x) |
| Mr. Brennan | (x) | () | () | () |
| Mrs. Madden | (x) | () | () | () |
| Mr. Perno | () | () | () | (x) |

Back into public session

On a motion of Mr. Perno and second of Mr. Volkert council returned to public session

ADJOURNMENT: On the motion of Edward Brennan and second of Steve Volkert, the meeting was adjourned at 9:10PM.

DENISE BROUSE
BOROUGH CLERK