

A regular meeting of Borough Council was held at 7:30 PM, Monday, April 8, 2013. 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, Grasso, Brennan and Sperrazza, Clerk Brouse, CFO Moules and Attorney Higgins were present.

PUBLIC HEARING ON ORDINANCE for second reading and adoption

13-04 Amend Chapter 73A

NONE

ADOPT ORDINANCE 13-04 Amend Chapter 73A -On a motion of Mr. Volkert and second of Mr. Brennan, the following Ordinance was adopted:

13-04

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING CHAPTER 73A, SUBDIVISION OF LAND, 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 73A, Subdivision of Land, in the Code of the Borough of Merchantville, is amended as follows:

ARTICLE I. SECTION 73A-4 General procedures.
Retained in its entirety.
Retained in its entirety.
Retained in its entirety.
Retained in its entirety.
Retained in its entirety.

Fees. Fees are to be remitted at the time of submission of the development application. Application. The application fee for a minor subdivision review shall be three hundred dollars (\$300.00); the application fee for a preliminary major subdivision review shall be five hundred dollars (\$500.00); and the application fee for a final major subdivision review shall be two hundred dollars (\$200.00). Escrow. In addition to this application fee, an applicant for subdivision is responsible for all escrow fees to cover the costs of professional services, including but not limited to engineering, legal and other expenses connected with the submitted materials. For a minor subdivision, an escrow deposit of \$300.00 plus \$200.00 per lot must accompany the application along with the application fee when submitted to the Zoning Official. For a preliminary major subdivision, an escrow fee of \$1,000.00 plus \$200.00 per lot will be required at the time of the application. For a final major subdivision, an escrow fee of \$200.00 plus \$75.00 per lot will be required at the time of final application. Where a subdivision application also requires a variance or other procedure covered under the provisions of Chapter 94, Zoning, the application and escrow fees required under that chapter shall be paid in addition to those under this section. Any additional required deposit must be received by the borough by the end of the business day prior to the applicable Planning Board or Zoning Board meeting in order for the application to be heard. Sums not utilized in the review process shall be returned to the applicant. Sums required for review that exceed the deposit must be paid to the borough before a construction permit will be issued. If escrow amounts are

determined to be insufficient, additional escrow must be paid before any additional action can be taken on the application.

Application forms. Suitable application forms, as referenced in Section 94-104(B) of this Chapter, for the application for review of major and minor subdivisions, shall be furnished by the Zoning Official.

Retained in its entirety.

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.

PUBLIC HEARING ON ORDINANCE for second reading and adoption

13-05 Amend Chapter 94

NONE

ADOPT ORDINANCE 13-05 Amend Chapter 94 -On a motion of Mrs. Fields and second of Mr. Volkert, the following Ordinance was adopted:

13-05

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING CHAPTER 94, ZONING, 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 Chapter 94, Zoning, of the Code of the Borough of Merchantville, is amended as follows:

ARTICLE I. ARTICLE XVII. SECTION 94-104 Applications for approval. Prior to the erection, construction or structural alteration of any building, structure or portion thereof or change in use of any building, lot or parcel of land, application forms in duplicate shall be obtained from the Zoning Officer or Borough Clerk and filled out by the owner or his authorized agent. Such forms shall be accompanied by a plot plan drawn to scale showing the actual dimensions, radius and location of the building or buildings in its or their exact relation to the lot and front property lines and such other information as may be necessary to determine compliance with or provide for the enforcement of this chapter. One (1) application with accompanying plot plan shall be returned to the owner, approved or rejected by the Zoning Officer. Applications for certain uses are subject to site plan approval as provided for in Article XVI.

The application forms to be completed by the owner or his authorized agent, as applicable to the particular application, are attached hereto as "Exhibit A" to this Ordinance, and shall be on file in the Office of the Borough Clerk.

ARTICLE II. ARTICLE XVII. SECTION 94-108 Applications for approval.

Retained in its entirety.

Retained in its entirety.

Fees enumerated. The appropriate fees and escrow requirements for an Occupancy Permit, Variance, Major Site Plan Review, Minor Site Plan Review, Fence Review, Historic Preservation Commission Review, Certification of Appropriateness, a certified list of property owners and/or a Zoning permit as required under this Chapter are set forth in Chapter 25 of the Code of the Borough of Merchantville. An application fee for a zoning permit for change of tenancy and/or use shall not be required if there are other fee payments to be submitted as required under the provisions of Subsections C(2) through (6) of this Section, or for which a fee is required under the provisions of the New Jersey Uniform Construction Code.

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 HEARING ON ORDINANCE for second reading and adoption

ADOPT ORDINANCE 13-06 Amend Chapter 25 -On a motion of Mr. Brennan and second of Mr. Grasso, the following Ordinance was adopted:

13-06

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

Article I.

Photocopying and Reports

ARTICLE I. SECTION 25-1. Purpose.

New Jersey has adopted the Open Public Records Act which has as its general purpose making government records more available to the public than they have been in the past. In certain instances, the production of archived records or records in a format which is not the usual format maintained by the municipality or other special circumstances would be costly and time consuming. The New Jersey Public Records Act permits the municipality to require the payment of fees, special service charges and/or special charges as a pre-requisite to the production of records requiring extraordinary time and effort, special equipment or special formatting.

ARTICLE II. SECTION 25-2. Ordinary requests for information.

The statutory fee schedule shall apply to routine requests under the Open Public Records Act. The fees of N.J.S.A. 47:1A-5 are hereby incorporated herein as such fee schedule presently exists or as such fees might appear in future modifications or amendments of the statute. At present time, fees under N.J.S.A. 47:1A-5 for routine copies of municipal documents are:

Letter size pages or smaller: \$0.05 per page.

Legal size page or large: \$0.07 per page.

If actual costs to produce the paper copy exceeds the \$0.05 and/or \$0.07 rates, the actual costs of duplication will be charged.

Actual postage for any documents sent by mail.

Actual costs for the envelope for any documents sent by mail.

Photographs will be photocopied at the actual cost. If requests are made for suplicate photographs, the actual cost of making the photographs shall be charged.

Duplication of videotapes, computer disc, CD-ROM and/or DVD will be charged the actual costs to provide this record.

Any document that has to be retrieved from the off-site record archive facility will be charged the actual costs to retrieve this document.

ARTICLE III. SECTION 25-3 No research or interpretation may be compelled. Nothing in this Article shall require the custodian of documents or any other municipal official to examine, analyze, tabulate, or interpret documents which are subject to production under the New Jersey Open Public Records Act.

ARTICLE IV. SECTION 25-4. Special services charges; special charges authorized.

Charges authorized. The Borough Clerk or other custodian or keeper of documents qualifying for mandatory production as "governmental records" under the New Jersey Public Records Act shall be entitled to special service charges and/or special charges as set forth in Section 25-5 below.

Requests to be in writing. Any requests for documents shall be made to the Borough Clerk on a form established by the Borough Clerk for such purposes.

Advance notice of fees; special service charges and special charges; deposit. Any requester of government records which are eligible for the imposition of a special charge or special service charge under Section 25-5 below shall receive advance notice of the amount of fees and charges before any work is started. The Borough Clerk shall require prepayment of such charges before causing the work to begin.

ARTICLE V. ARTICLE I. SECTION 25-5 Fees, special services charges and special charges when charged; amounts authorized.

Duplication or other work beyond capability of municipal-in-house work force. Whenever the in-house municipal work force or available municipal equipment is insufficient to duplicate or produce government records in a timely fashion, the Borough Clerk may cause such duplication or production to be accomplished by outside vendors such as copy centers or producers of digital images. If the costs of such duplication or production charged by such vendors exceeds the routine charges set forth in N.J.S.A. 47:1A-5, the actual direct cost of same without any additional surcharge for labor costs shall be paid. Special service charges authorized. Whenever government records cannot be reproduced by regular copying equipment or fulfillment of the request would involve extraordinary expenditure of time and effort to accommodate the request (for example, where a large number of records must be recovered from storage or substantial staff time is required to review, sort and assemble records), charges may be imposed as follows:

The actual cost (materials and supplies but no staff labor) of duplication or reproduction; plus A special service charge of \$25.00 per hour or the actual direct cost of labor (if less) shall be imposed for each hour of extraordinary time predicted to be utilized to respond to the request. Rates for in-house production of prints or blueprints.

Any prints or blueprints produced in-house in response to a governmental records request shall be produced for actual cost of labor and materials for reproduction of such prints or blueprints.

Cost of GIS data. The cost of any GIS data owned by the Borough of Merchantville shall be actual cost of labor and materials for reproduction of such data.

Digital records. If a request for governmental records involves production or conversion of digital or computerized records or film which is:

In a medium not routinely used by the agency (i.e., electronic or film);

Not routinely developed or maintained by an agency; or

Requiring a substantial amount of manipulation or programming of information technology;

Then requester shall pay fees and special charges as follows:

Direct costs (no overhead) to comply with the request; plus

Special charges; the cost of technology and labor actually incurred.

ARTICLE VI. ARTICLE I. SECTION 25-6. Application of copyright laws.

The Borough of Merchantville may be compelled by New Jersey Law to produce or duplicate governmental records but no compliance with these legal obligations shall be deemed to constitute a license, sublicense or waiver of copyright laws.

ARTICLE VII. ARTICLE I. SECTION 25-7. Custodians of records; collection of fees.

The Chief of Police or some responsible police officer designated by him shall be custodian of Police Department records. The Borough Clerk shall be custodian of all other records of the Borough of Merchantville. These officials shall reproduce or cause to be reproduced requested copies of records in their custody and shall collect the fees and charges designated in Section 25-2. Such fees and charges shall be delivered to the Borough Treasurer within forty-eight (48) hours of their receipt.

ARTICLE VIII. ARTICLE I. SECTION 25-8. Effect on other legislation.

Nothing herein contained shall prevent any person from examining and making copies of any public record, not otherwise restricted, without charge as provided in Chapter 73 of the Laws of New Jersey 1963.2

ARTICLE IX. ARTICLE I. SECTION 25-9. Exceptions.

There shall be no charge for copies of reports or other documents which the Borough shall be required to give and/or make for any public officer or law enforcement authority or which may be given to aid any public officer or law enforcement authority in the enforcement of the law.

Article II.

Uniform Construction Code; Fees

ARTICLE X. ARTICLE II. SECTION 25-10 Fees.

A. The basic construction permit fee shall be the sum of the parts computed on the basis of the volume or cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electrical fixtures and devices and the number of sprinklers, standpipes and detectors (smoke and heat) at the unit rates provided herein plus any special fees, and shall be paid before the permit is issued.

(1) Building subcode fees.

a) The minimum fee shall be \$65.

(b) New construction fees.

[1] Fees for Subcodes B, H, I-1, I-3, M, E, R-1, R-2, R-3, R-4, R-5, U, I shall be \$0.027 times cubic feet of volume.

[a] Garden-type sheds.

[i] One hundred to 200 square feet: \$75 minimum fee.

[ii] Over 201 square feet: \$200 minimum fee.

[b] Exceptions: open structures (roofs without walls) accessory to one-and two-family dwelling: \$100 minimum fee.

[2] Fees for Subcodes A-1, A-2, A-3, A-4, F-1, F-2, S-1, S-2 shall be \$0.015 times cubic feet of volume.

[3] Farm use buildings, exclusively used for storage of food or grain or the sheltering of livestock: \$0.0008 times cubic feet of volume. The maximum fee is \$1,145.

(c) Renovations, alterations and repairs.

[1] Open deck structures.

[a] Under 100 square feet: \$65 minimum fee.

[b] One hundred square feet to 200 square feet: \$100 minimum fee.

[c] Two hundred one square feet to 400 square feet: \$150 minimum fee.

[d] Four hundred one square feet and over: \$200 minimum fee.

[2] Estimated cost, up to and including \$50,000: \$30 per \$1,000.

[3] Estimated cost of \$50,001 up to and including \$100,000: \$23 per \$1,000 (additional fee).

[4] Estimated cost above \$100,000: \$19 per \$1,000 (additional fee).

[5] Handicapped fees. Pursuant to the authority under N.J.S.A. 52:27D-126e, no construction permit fee shall be required for the construction, reconstruction, alteration, improvement or repair of a structure and related devices installed or erected for the sole purpose to promote accessibility by the handicapped; handicapped being defined under N.J.S.A. 52:27d-126e; and conforming to the current N.J.A.C. 5:23.7 Barrier Free Code, and any subsequent amendments or additions thereto. By waiving of the fees, in no way waives the right of enforcing agency to request plans for the purpose of reviewing plans for code compliance.

(d) Demolition.

[1] Structures of less than 5,000 square feet and less than 30 feet in height, one- and two-family residences (R-3) and structures on farms, including commercial farm buildings used exclusively for storage of food or grain or sheltering of livestock: \$65.

[2] All other groups: \$120.

(e) Signs: square foot surface area of sign times \$2.50. The minimum fee is \$65.

(f) Fees for new construction shall be based upon the volume of the structure.

Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be in the amount of \$0.27 per cubic foot of volume for buildings and structures of all use groups and types of construction as classified in Articles 3 and 4 of the building subcode.

(g) Fees for renovations and alterations and repairs or site construction, including sidewalks and aprons, shall be based on the estimate cost of the work. The fee shall be in the amount of \$30 per \$1,000. From \$50,001 to and including \$100,000, the additional fee shall be in the amount of \$23 per \$1,000 of estimated cost above \$50,000. Above \$100,000, the additional fee shall be in the amount of \$19 per \$1,000 of estimated cost. The applicant shall submit to the Construction Official such data as may be available produced by the architect or engineer of record, or by a recognized estimating firm, or by the contractor. A bona fide contractor's bid, if available, shall be submitted. The Construction Official shall make the final decision regarding estimated cost.

(h) Fees for additions shall be computed on the same basis as for new construction for the added portion.

(i) Fees for combination renovations and additions shall be computed separately in accordance with Subsection A(1)(f) and (g) above.

(j) The fee for tents, in excess of 900 square feet or 30 feet in any dimension, shall be \$116.

(k) The fee for roofing work on Use Groups R-3 and R-4 structures shall be \$65.

(1) The fee for siding work on Use Groups R-3 and R-4 structures shall be \$65.

(2) Plumbing subcode fees.

(a) Minimum fee shall be \$65.

(b) The fee shall be in the amount of \$13 per fixture, piece of equipment or appliance connected to the gas or oil piping system except as indicated in Subsection A(2)(c) below.

(c) Additional fees shall apply to the following devices. The fee shall be \$82 per special device for the following: grease traps, oil separators, refrigeration units, utility service connections, backflow preventors equipped with test ports, (double check valve assembly, reduced pressure zone and pressure vacuum breaker backflow preventors), steam boilers, hot water boilers (excluding those for domestic heating), active solar systems, sewer pumps and interceptors. There shall be no inspection fee charged for gas service entrances.

(3) Electrical subcode fees.

(a) Minimum fee: \$65. For from one to 50 receptacles or fixtures, the fee shall be \$45; for each 25 receptacles or fixtures in addition to this, the fee shall be in the amount of \$10; for the purpose of computing this fee, receptacles or fixtures shall include lighting outlets, convenience receptacle, smoke and motors or devices of less than or equal to one horsepower or one kilowatt.

(b) For each motor or electrical device greater than one horsepower and less than or equal to 10 horsepower, and for transformers and generators greater than one kilowatt and less than or equal to 10 kilowatts, the fee shall be \$15.

(c) For each motor or electrical device greater than 10 horsepower and less than or equal to 50 horsepower, for each service panel, service entrance or subpanel less than or equal to 200 amperes, for each transformer and generator greater than 10 kilowatts and less than or equal to 45 kilowatts and for each utility load management device, the fee shall be \$60.

(d) For each motor or electrical device greater than 50 horsepower and less than or equal to 100 horsepower, for each service panel, service entrance or subpanel greater than 200 amperes and less than or equal to 1,000 amperes and for transformers and generators greater than 45 kilowatts and less than or equal to 112.5 kilowatts, the fee shall be \$120.

(e) For each motor or electrical device greater than 100 horsepower, for each service panel, service entrance or subpanel greater than 1,000 amperes and for each transformer or generator greater than 112.5 kilowatts, the fee shall be \$575.

(f) For the purpose of computing these fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming electrical current.

(g) The fee for aboveground swimming pools shall be \$65.

(4) Fire subcode fees.

(a) Minimum fee: \$65.

(b) Fire protection and other hazardous equipment: sprinklers, sandpipes, detectors (smoke and heat), pre-engineered suppression systems, gas and oil-fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums.

[1] The fee for 20 or fewer heads shall be \$82; for 21 to and including 100 heads the fee shall be \$151; for 101 to and including 200 heads the fee shall be \$289; for 1 to and including 400 heads the fee shall be \$748; and for 401 to and including 1,000 heads the fee shall be \$1,036; the fee for over 1,000 heads shall be \$1,323.

[2] The fee for one to 12 detectors shall be \$45; for each 25 detectors in addition to this, the fee shall be in the amount of \$15.

[3] The fee for each standpipe shall be \$289.

[4] The fee for each independent pre-engineered system shall be \$116.

[5] The fee for each gas- or oil-fired appliance that is not connected to the plumbing system shall be \$58.

[6] The fee for each kitchen exhaust system shall be \$58.

[7] The fee for each incinerator shall be \$460.

[8] The fee for each crematorium shall be \$460.

(5) Fees for certificates and other permits.

- (a) The fee for demolition or removal permit shall be \$82 for Use Groups R-3 and R-4; the fee for all other use groups shall be \$151.
- (b) The fee for a permit to construct a sign shall be in the amount of \$2.50 per square foot of surface area of the sign, computed on one side only for double-faced signs. The minimum fee shall be \$65.
- (c) The fee for a certificate of occupancy for Use Groups R-3 and R-5 structures shall be \$65.
- (d) The fee for a certificate of occupancy for all other use groups shall be 10% of the total permit fee, with a minimum charge of \$65. The fee for a certificate of continued occupancy issued under N.J.A.C. 5:23-2.23(c) shall be \$120.
- (e) The fee for a certificate of occupancy granted pursuant to a change of use group shall be \$120. The fee for plan review of a building for compliance under the alternate systems and indepletable energy source provisions of the energy subcode shall be \$274 for one- and two-family homes (Use Group R-3 of the building subcode) and for light commercial structures having the temperature controlled from a single point and \$1,369 for all other structures.
- (f) The fee for an application for a variation in accordance with N.J.A.C.5:23-10 shall be \$594 for Class I structures and \$120 for Class II and Class III structures. The fee for resubmission of an application for a variation shall be \$229 for Class I structures and \$65 for Class II and Class III.
- (g) The fee for lead hazard abatement work shall be \$140. The fee for lead abatement clearance certificate shall be \$28.
- (h) For cross-connections and backflow preventors that are subject to testing, requiring reinspection annually, the fee shall be \$65.
- (i) Mechanical systems. The fee for a mechanical inspection in a Use Group R-3 or R-4 structure by a mechanical inspector shall be \$65 for the first device and \$13 for each additional device. No separate fee shall be charged for gas, fuel oil or water piping connections associated with the mechanical equipment inspected.
- (j) Tanks, in-ground or aboveground: on-site inspection fee shall be \$65.
- (k) The building subcode permit fee for construction and installation for an aboveground swimming pool shall be \$65.
- (l) The fee for a bonding/grounding inspection and certificate as required for public swimming pools, spas and hot tubs by P.L. 1998, c.137, Editor's Note: See N.J.S.A. 52:27D-133.2 shall be \$69.

(6) Minimum fee. In any case, the minimum fee for a construction permit, in part or total, shall be \$65, with the following exceptions as determined by the Construction Office:

- (a) Sheds and other small renovations or accessory structures on Use Groups R-3 and R-4 property: the charge for each such structure or renovation shall be \$50.
- (b) Fence: the fee for construction and installation of a fence under six feet shall be \$35.
- (c) Water heater: the fee for inspecting a replacement water heater in a Use Group R-3 or R-4 structure shall be \$35.
- (d) Flatwork: concrete patios, slabs, driveways, walkways (does not include sidewalk and aprons) shall be \$35.

B. Third-party agencies. In the event that a third-party agency is used for any one of the subcodes, an administrative surcharge of 15% shall be added per subcode.

C. Discontinuance of building project. Pursuant to N.J.A.C. 5:23-2.27, in case of a discontinuance of a building project, plan review fees are not refundable.

D. Exemptions. The only exemptions to fees are for municipal buildings or use of buildings for municipal business and buildings of Use Group A-4.

Article III.
Miscellaneous Fees

ARTICLE XI. ARTICLE III. SECTION 25-11 Fees for Certified Records.

The following fees shall be charged for each certified copy the following records:

Marriage License (issuance)	\$28.00
Affidavit of Domestic Partnership (issuance)	\$28.00
Burial Permits (issuance)	\$ 5.00

Certified Copies of Birth, Marriage and Death Certificates:	\$10.00 each
Certifications (Birth, Marriage and Death):	\$10.00 each
Affidavit of Domestic Partnership – certified copy	\$10.00 each
Notary Public fees	\$1.00 per document

ARTICLE XII. ARTICLE III. SECTION 25-12 Municipal Court Fees.

A. All requests for discovery in matters pending in the Merchantville Borough Municipal Court shall be submitted through the Municipal Prosecutor.

B. The following fees as set forth in Section 25-2 of this Chapter shall be payable by the requestor to the Borough of Merchantville for the discovery provided.

C. Where the discovery must be obtained from an entity other than the Borough of Merchantville (e.g. another police department), the actual costs paid to the other entity shall be paid by the requestor.

ARTICLE XIII. ARTICLE III. SECTION 25-13 Community Center Rental Fees.

Rental – Sunday through Thursday

Resident - \$25.00 per hour and \$150.00 Security Deposit, plus any cost for insurance for alcoholic beverages.

Non-Resident - \$25.00 per hour and \$150.00 Security Deposit, plus any cost for insurance for alcoholic beverages.

Rental – Friday and Saturday

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

Residents may rent one time during the calendar year for \$300.00 and \$150.00 security deposit plus any cost for insurance for alcohol beverages.

There will be a \$60.00 clean up fee for all rentals.

Meetings – Sunday through Thursday - \$45.00

Lessons – Sunday through Thursday - \$25.00 per hour if fee is being charged; free if no fee is being charged then rental is free.

ARTICLE XIV. ARTICLE III. SECTION 25-14 Municipal Fees.

Alcoholic beverage licenses

Annual license: plenary retail consumption	\$1,056.00
Annual license: plenary retail distribution	\$1,056.00
Annual license: club	\$100.00

Amusements and amusement devices

Bingo (each)	\$ 20.00
Raffle-50/50 (each)	\$ 20.00

Annual dog license:

Male/female, spayed or neutered	\$ 9.00
Male/female, unspayed or unneutered	\$ 12.00
License for potentially dangerous dogs as set by municipal court per N.J.S.A. 4:19-31	\$150 to \$700

Late Fees

License purchased after March 31	\$ 10.00
License purchased after June 30	\$ 15.00
License purchased after September 30	\$ 20.00

Fire Prevention Inspection Fees

Multi Family units

R1=UP to 3 units	\$ 55.00
R2=4 to seven units	\$ 90.00
R3=8 to 35 units	\$125.00
R4=6 to 65 units	\$225.00
R5=66 to 100 units	\$325.00
R6=over 100 units	\$425.00

Single business buildings

SB1=one floor business	\$ 35.00
SB2=two floor business	\$ 65.00
SB3=three floor business	\$ 85.00

SB4=four floor business	\$150.00
SB5=building over 10,000 sq. ft.	\$175.00
Multiple business buildings	
MB1=individual business	\$ 35.00
MB2=common area	\$ 65.00
MB=each floor	\$ 65.00
Historic Preservation Commission Review	
New Construction	\$200.00
Escrow:	\$250.00
Application for alterations/demolitions/additions	\$100.00
Escrow:	\$250.00
General review	\$ 75.00
Certificate of appropriateness	\$ 50.00
Escrow for review of application for demolition referred to the Planning Board (in addition to other fees charged)	\$250.00
License for temporary locale	
Dumpster/Container Permit (10 Day)	\$ 25.00
5 day Renewal (up to three times)	\$ 15.00
Peddling and soliciting	
License issued for a three-month period	\$ 50.00
Planning/Zoning Board fees	
Certificate of appropriateness, per dwelling unit (residential)	\$ 50.00
Re-inspection fee	\$ 10.00
Certificate of occupancy, per dwelling unit (commercial)	\$ 50.00
Re-inspection fee	\$ 10.00
Land Use and Zoning Book	
Copy of Master Plan	\$ 25.00
CD copy of Master Plan	\$ 5.00
Lists of property owners furnished for any reason	\$ 10.00
Professional Fees:	
Engineer's fees:	To be billed to the applicant directly.
Solicitor's fees:	To be billed to the applicant directly.
Site Plan Review – Major (Preliminary or Final)	\$300.00
Escrow	\$1,500.00
Site Plan Review – Minor	\$150.00
(can be waived for change of use, sign application or exterior changes visible from a public street)	
Escrow	\$250.00
Subdivision – Minor	\$300.00
Escrow	\$250.00 plus
	\$200 per lot
Subdivision – Major (Preliminary)	\$500.00
Escrow	\$1,000.00 plus
	\$200 per lot
Subdivision – Major (Final)	\$200.00
Escrow	\$200.00 plus
\$75 per lot	
Variances	
“A” Variance (appeal and interpretation)	\$150.00
Escrow	\$250.00
Bulk “C” Variance	\$300.00
Escrow	\$500.00
Use “D” Variance	\$300.00
Escrow	\$500.00

Fence Exception		\$ 25.00
Escrow		\$250.00
Fences Front Yard (ornamental)		\$ 50.00
Escrow		not required
Zoning permit fee		\$ 25.00
Returned checks		\$ 25.00
Sewers		
Permit to make connection with sewer system		\$1,207.00
Sign permit application fee		
Business		\$ 50.00
Dangerous sign administration fee		\$100.00
Smoke and CO detectors and fire extinguisher inspections:		
More than ten business days the fee is		\$ 35.00
Fewer than ten but more than four business days		\$ 70.00
Four business days or fewer		\$125.00
If re-inspection required /per re-inspection		\$ 10.00
The Borough of Merchantville hereby adopts the fee structure of the New Jersey Department of Community Affairs for the State Uniform Construction Code, as authorized by New Jersey regulations. The above hereby incorporates N.J.A.C. 5123-4:20 as currently in place and any future amendments and/or appropriate regulatory provision pertinent to the fee structure.		
		On file
Street openings		
Permit fee		\$ 20.00-100.00
Bond for street opening		
Deposit in lieu of bond for street opening		
Summer Parks and Playgrounds Program - Registration	Borough residents	
		\$150.00 per child
Non-residents		\$175.00 per child
Swimming pools		
Basic permit fee for wading pool		\$ 5.00
Permit fee		\$ 20.00
Tax Collector's Office		
Duplicate tax sales certificate		\$ 25.00
Tax Search Fee	First Request	no charge
	Second Request	no charge
	Third Request	\$ 50.00

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.

PUBLIC HEARING ON ORDINANCE for second reading and adoption

ADOPT ORDINANCE 13-07 Amend Chapter 86 Vehicles and Traffic -On a motion of Mr. Volkert and second of Mr. Sperrazza, the following Ordinance was adopted

13-07

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 86-25 Schedule III – One-Way Streets

In accordance with the provisions of Section 86-5, the following described streets or parts of streets are hereby added to Schedule III of the described streets or parts of streets designated as one-way streets in the direction indicated:

Street	Direction	Limits
East Chestnut Avenue 38 feet east of East Park Avenue	West	From East Park Avenue to a point
East Chestnut Avenue 68	East	From East Park Avenue to a point feet east of East Park Avenue

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.

PUBLIC

Bill Walker, 23 W. Cedar Avenue-109 Myrtle report-Mr. McAdams is interested in the property along with Mr. DiPietro but there is a problem with the bank at this time. Regarding any handbill questions, who should we talk to? We want to make sure the Observer is delivered correctly. As long as it is delivered on the porch it is correct. License might be required for certain types of deliveries.

ENGINEER'S REPORT-Todd Day gave an update on the slip line. A letter was sent to EPA and we still waiting for change order approval, it needed a few extra items. An email was sent on Friday and still waiting for response. Contract extended out to July 1st, Scott Silvestre will be the contact. Allstate wants to get in and do all work in one shot and he doesn't see any issues at this time. State aid notification may not be out until May or June? Delay in awards. Should we be working on the plans now to be ahead of the game? Should have a survey of roads done. What will the cost be from R & V? What about the County roads? How long will it take for them to move on those roads? Steve will talk to Mr. Esposito.

APPROVAL OF MINUTES- On a motion of Mrs. Fields and second of Mr. Volkert, Council approved the regular meeting minutes for 3-11-13 and caucus minutes for 2-25-13.

COUNCIL REPORTS

Mr. Sperrazza- nothing to report

Mr. Brennan-Police handled 246 calls in March and had a reverse 911 training. National Night Out will be on August 6, Click it or ticket. Finance –moving budget.

Mr. Grasso- Court's year total to date is \$18,115.36. In March cases added 342, dismissed 354. No fire report this month. Egg Hunt was a success with 225 children and about 600 total present. Birthday Celebration-vendor info-letters to local merchants, asking for participation.

Mr. Volkert-Public works disposed of 22.85 tons of waste, they are working in the Community Center basement, installing wall frames and bead board. Leaf collection continues and clean up to the EMS and PNC property, storm grades cleanup, sign review and replacement. Street light inventory, 20 stumps were removed on Saturday. No Planning Board meeting at this time.

Mrs. Fields- new section to personal manual for accidents taking place during the work day. Parks and Playgrounds will begin on Monday, June 24th to July 26th 9 :00-12:00
HPC had two new signs approved.
Code meeting, April 24th, Apartment registration moving forward, 7 court hearings this month, no skateboarding signs were purchased. OEM will have a meeting on May 16th . 17 rentals at Community Center so far this year.

Clerk's Report

Historic Trust Grant is in the application process
Open Space Grant was submitted
Arbor Day April 27th at 1:00
Clean Up Day April 27th from 9-12
Disclosure forms have not been sent from the state yet
Old drug drop off event April 27th
Auditors are here

OLD BUSINESS

NEW BUSINESS

PROCLAMATION-Click It or Ticket-May 20 – June 2

APPROVAL-Recycling Event at Community Center by Jr. Woman’s Club -Council approved the recycling event at Community Center.

APPROVAL-American Legion Memorial Day Ceremony- Council approved the American Legion Memorial Day Ceremony.

APPROVAL-Handicap parking sign, Council approved the handicap parking sign.

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

R13-52

MUNICIPAL BUDGET OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY FOR THE FISCAL YEAR 2013

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2013;

BE IT FURTHER RESOLVED, that said Budget be published by title only in The Retrospect in the issue of April 12, 2013. The Governing Body of the Borough of Merchantville does hereby approve the following as the Budget for the year 2013;

Recorded Vote Ayes
 Nays
 Abstained
 Absent

Notice is hereby given that the Budget and Tax Resolution was approved by the Borough Council of the Borough of Merchantville, County of Camden, on April 8, 2013
A Hearing on the Budget and Tax Resolution will be held at Borough Hall on May 13, 2013 at 7:30 o’clock PM at which time and place objections to said Budget and Tax resolution for the year 2013 may be presented by taxpayers or other interested parties.

R13-53

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS

WHEREAS, adoption of the 2013 Municipal Budget has not been approved; and
WHEREAS, no provision was made in the 2013 Temporary Budget for budget appropriations beyond March 31, 2013; and
WHEREAS, NJSA 40A:4-20 provides for the creation of an emergency temporary appropriation for operating expenditures when the adoption of the Municipal Budget has been delayed; and
WHEREAS, the total emergency operating expenditures for the second quarter of 2013 are expected to be \$ 1,049,455.84 for the Current Fund and \$ 79,498.13 for the Sewer Fund;
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville in accordance with the provisions of NJSA 40A:4-20 that:

An emergency temporary appropriation in the amount of \$ 1,049,455.84 for the Current Fund and \$ 79,498.13 for the Sewer Fund is hereby made.

That said emergency temporary appropriations have been provided for in the 2013 Municipal Budget.

R13-54

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
CANCELLING BOROUGH OF MERCHANTVILLE 2012 MUNICIPAL
DRUG ALLIANCE GRANT MATCHING FUND UNEXPENDED BALANCE**

WHEREAS, the 2012 Borough of Merchantville Municipal Drug Alliance Grant was expended and all programs were completed with an unexpended matching fund balance; and

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

2012 Municipal Drug Alliance Program G-01-41-725-312 1,530.04

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 balance of the 2012 Municipal Alliance Program are hereby canceled.

R13-55

**RESOLUTION AUTHORIZING APPLICATION FOR RECREATION FACILITY
ENHANCEMENT PROJECT FUNDING FROM THE CAMDEN COUNTY
OPEN SPACE, FARMLAND, RECREATION, AND HISTORIC TRUST FUND**

WHEREAS, The Mayor and Borough Council of the Borough of Merchantville, County of Camden, State of New Jersey recognizes that parks and recreational facilities are important to the public; and

WHEREAS, the Borough of Merchantville further recognizes that the existing bike and walking path would be enhanced by additional improvements to the exercise equipment, historic plaque and lighting;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey hereby does authorize submission of an application for Recreation Facility Enhancement Project Funding from the Camden County Open Space, Farmland, Recreation, and Historic Preservation Trust Fund in the amount of \$25,000.

R13-56

**RESOLUTION FOR THE BOROUGH OF MERCHANTVILLE,
AUTHORIZING APPLICATION FOR THE NEW JERSEY
HISTORIC TRUST 1772 FOUNDATION GRANT**

WHEREAS, The Mayor and Borough Council of the Borough of Merchantville, County of Camden, State of New Jersey recognizes that the Senior/Community Center is important to the residents of Merchantville; and

WHEREAS, the Borough of Merchantville further recognizes that the Senior/Community Center would be greatly enhanced by additional improvements to the exterior of the building, including painting, wood replacement and repairs, along with upgrades to the fire detection system;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey hereby does authorize submission of an application for the New Jersey Historic Trust 1772 Foundation Grant in the amount of \$15,000.

ORDINANCES FOR INTRODUCTION ON FIRST READING

Ordinance 13-08 Amend Chapter 42, Littering (Handbill): On a motion of Mr. Brennan and second of Mr. Sperrazza, the following Ordinance was introduced:

13-08

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING CHAPTER 42, LITTERING, 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 Chapter 42, Littering, of the Code of the Borough of Merchantville, is amended as follows:

ARTICLE I. SECTION 42-22 Distribution of handbills at inhabited private premises.

A No person shall throw or deposit any commercial or noncommercial handbill in or upon any private grounds, except on the porch or steps of the private or commercial premises. Any commercial or noncommercial handbill not thrown or deposited on the porch or steps of the private or commercial premises shall constitute a violation of this chapter.

B. No person shall throw or deposit more than one commercial or noncommercial handbill in or upon any private grounds, except on the porch or steps of the private or commercial premises, within a twenty-four-hour period. Each commercial or noncommercial handbill thrown or deposited in or upon any private grounds, except on the porch or steps of the private or commercial premises, in excess of one handbill within a twenty-four-hour period, shall constitute a violation of this chapter, with each commercial or noncommercial handbill thrown or deposited in excess of one handbill within a twenty-four-hour period constituting a separate and distinct offense.

C. The provisions of this section shall not apply to the distribution of mail by the United States nor to newspapers, except that newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk, or other public place or upon private property. In addition, persons, firms and corporations engaged in the distribution of commercial handbills shall obtain a license as hereinafter provided and make all distributions between the hours of 9:00 a.m. and 5:00 p.m., prevailing time.

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.

Ordinance 13-09 Establish A Cap Bank: On a motion of Mr. Brennan and second of Mr. Volkert, the following Ordinance was introduced

13-09

CALENDAR YEAR 2013

MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 1.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 1.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Merchantville in the County of Camden finds it advisable and necessary to increase its CY 2013 budget by up to 1.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 1.5% increase in the budget for said year, amounting to \$50,446.14 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Merchantville, in the County of Camden, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Borough of Merchantville shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.5%, amounting to \$50,446.14, and that the CY 2013 municipal budget for the Borough of Merchantville be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be file with said Director within 5 days after such adoption.

PAYMENT OF BILLS: On the motion of Mr. Brennan and second of Mr. Sperrazza, Council approved the follow resolution:

**R13-57
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	2012 BUDGET		39.30
	2013 BUDGET	3,104.92	102,859.74
	GRANTS		4,051.48
	PFRS		250,075.00
	PERS		29,045.00
	DEBT SERVICE		
	BOARD OF EDUCATION*		
	CAMDEN COUNTY		
WIRE TRANSFERS PAYROLL	3/22/13-4/5/13		125,684.65
WIRES / MANUAL CHECKS			110,138.84
TOTAL CURRENT		3,104.92	621,894.01
<hr/>			
SEWER UTILITY			
CHECKS SEWER FUND	2012 BUDGET		
	2013 BUDGET		908.25
	DEBT SERVICE		
WIRE TRANSFERS PAYROLL	3/22/13-4/5/13		4,653.24
WIRE NJEIT LOAN			
WIRES /MANUAL CHECKS			
TOTAL SEWER		0.00	5,561.49

GENERAL CAPITAL FUND

CHECK CAPITAL FUND

MANUAL CHECK

168,999.65

TOTAL CAPITAL

0.00

168,999.65

TRUST FUND

CHECK TRUST OTHER FUND

2,663.00

WIRE TRANSFERS PAYROLL 3/22/13-4/5/13

3,286.56

WIRES / MANUAL CHECKS

44,117.40

TOTAL TRUST

0.00

50,066.96

SEWER CAPITAL FUND

CHECK SEWER CAPITAL

MANUAL CHECKS

55,479.00

WIRE TRANSFERS PAYROLL

TOTAL SEWER CAPITAL

0.00

55,479.00

RECREATION TRUST

CHECK RECREATION TRUST 2012 BUDGET

300.00

4,723.79

MANUAL CHECKS

WIRE TRANSFERS PAYROLL 3/22/13-4/5/13

619.24

TOTAL RECREATION

300.00

5,343.03

ANIMAL TRUST FUND

ANIMAL TRUST CHECK

8.40

TOTAL ANIMAL TRUST

0.00

8.40

TOTAL BILL LIST & MANUAL CHECKS/WIRE

3,404.92

907,352.54

GRAND

TOTAL

910,757.46**ANNOUNCEMENTS:****PRIVATE SESSION**

ADJOURNMENT: On the motion of Mrs. Fields and second of Mr. Grasso, the meeting was adjourned at 8:17 P.M.

DENISE BROUSE
BOROUGH CLERK

