

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

**PUBLIC**

**ENGINEER'S REPORT**

**APPROVAL OF MINUTES-** On a motion of Mr. Volkert and second of Mr. Sperrazza, Council approved the regular meeting minutes for 6-10-13 and caucus minutes for 6-10-13.

**PUBLIC HEARING ON ORDINANCES-none**

**13-13 Chapter 60B Maintenance of Vacant Properties**

**ADOPT ORDINANCE 13-13 Chapter 60B Maintenance of Vacant Properties-**On a motion of Mrs. Fields and second of Mr. Volkert, Council adopted the following Ordinance:

**13-13**

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE,  
COUNTY OF CAMDEN AND STATE OF NEW JERSEY  
ADDING ARTICLE III, MAINTENANCE OF VACANT  
PROPERTIES, TO CHAPTER 60B, PROPERTY  
MAINTENANCE, 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 III, Maintenance of Vacant Properties, is hereby added to Chapter 60B, Property Maintenance, in the Code of the Borough of Merchantville as follows:

**Article III.**

**Maintenance of Vacant Properties**

<b>ARTICLE I.</b>	<b>ARTICLE III.</b>	<b>SECTION 60B-17</b>	<b>Definitions.</b>
<b>OWNER –</b>	shall include the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions of C.46:10B-51 (P.L. 2008, c.127, Sec 17 as amended by P.L. 2009, c.296), or any other entity determined by the Borough of Merchantville to have authority to act with respect to the property.		
<b>VACANT PROPERTY –</b>	any building used or to be used as a residence which is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased, and which is in such condition that it cannot legally be reoccupied without repair or rehabilitation, including but not limited to any property meeting the definition of abandoned property in N.J.S.A. 55:19-80; provided, however, that any property where all building systems are in working order, where the building and grounds are maintained in good order, or where the building is in habitable condition, and where the building is being actively marketed by its owner for sale or rental, shall not be deemed a vacant property for purposes of this Ordinance.		

**ARTICLE II. ARTICLE III. SECTION 60B-18 Registration Requirements.**

Effective September 1, 2013, the owner of any vacant property as defined herein shall, within thirty (30) calendar days after the building becomes vacant property or within thirty (30) calendar days after assuming ownership of the vacant property, whichever is later; or within ten (10) calendar days of receipt of notice by the municipality, file a registration statement for such vacant property with the Code Enforcement Officer on forms provided by the Borough of Merchantville for such purposes. Failure to receive notice by the municipality shall not constitute grounds for failure to register the property.

A. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately.

B. The registration statement shall include the name, street address, telephone number and e-mail address (if applicable) of a person 21 years or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such owner or owners in connection with the enforcement of any applicable code; and the name, street address, telephone number and e-mail address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a 24 hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.

C. The registration shall remain valid for one (1) year from the date of registration, except for the initial registration time, which shall be pro-rated through December 31. The owner shall be required to renew the registration annually as long as the building remains a vacant property and shall pay a registration or renewal fee in the amount prescribed in Section 60B-25 of this Ordinance, for each vacant property registered.

D. The annual renewal shall be completed by January 1st each year. The initial registration fee shall be pro-rated for registration statements received less than ten (10) months prior to that date.

E. The owner shall notify the Borough Clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement on a form provided by the Borough Clerk for such purpose.

F. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the owner or owners of the building.

**ARTICLE III. ARTICLE III. SECTION 60B-19 Access to Vacant Properties.**

The owner of any vacant property registered under this Article shall provide access to the Borough to conduct exterior and interior inspections of the building to determine compliance with municipal codes, upon reasonable notice to the property owner or the designated agent. Such inspections shall be carried out on weekdays during the hours of 8:30 a.m. and 4:30 p.m., or such other time as may be mutually agreed upon between the owner and the Borough.

**ARTICLE IV. ARTICLE III. SECTION 60B-20 Responsible Owner or Agent.**

A. An owner who meets the requirements of this Article with respect to the location of his or her residence or workplace in the State of New Jersey may designate him or herself as agent or as the individual responsible for maintaining the property.

B. By designating an authorized agent under the provisions of this section, the owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purposes of this section until the owner notifies the Borough in writing of a change of authorized agent or until the owner files a new annual registration statement.

C. Any owner who fails to register vacant property under the provisions of this Article shall further be deemed to consent to receive by posting on the building, in plain view, and by service of notice at the last known address of the owner of the property on record within the Borough of Merchantville by

regular and certified mail, any and all notices of code violations and all process in an administrative proceeding brought to enforce code provisions concerning the building.

**ARTICLE V. ARTICLE III. SECTION 60B-21 Fee Schedule.**

- A. The initial registration fee for each building shall be Five Hundred Dollars (\$500.00).
- B. The fee for the first renewal is One Thousand Five Hundred Dollars (\$1,500.00).
- C. The fee for a second renewal is Three Thousand Dollars (\$3,000.00).
- D. The fee for any subsequent renewal beyond the second renewal is Five Thousand Dollars (\$5,000.00).

**ARTICLE VI. ARTICLE III. SECTION 60B-22 Requirements of Owners of Vacant Property**

The owner of any building that has become vacant property, and any person maintaining or operating or collecting rent for any such building that has become vacant, shall, within thirty (30) days thereof:

- A. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the Borough Code, or as set forth in the rules and regulations supplementing those codes; and
- B. Post a sign affixed to the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process (if designated pursuant to Section 60B-20 of this Article), and the person responsible for the day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than eight (8) inches by ten (10) inches; and
- C. Secure the building from unauthorized entry and maintain the sign until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete; and
- D. Ensure that the exterior grounds of the structure, including yards, fences, sidewalks, walkways, right-of-ways, alleys, retaining walls, attached or unattached accessory structures and driveways, are well maintained and free from trash, debris, loose litter and grass and weed growth; and
- E. Continue to maintain the structure in a secure and closed condition, keep the grounds in a clean and well-maintained condition, and ensure that the sign is visible and intact until the building is again occupied, demolished, or until repaired and/or rehabilitation of the building is complete.

**ARTICLE VII. ARTICLE III. SECTION 60B-23 Violations; Penalties.**

**A.** Any person who violates any provision of this Article shall, upon conviction in the Municipal Court of the Borough of Merchantville, or such other court having jurisdiction, be liable to a fine not exceeding \$1,250.00, or imprisonment for a term not exceeding 90 days, or community service for a term not exceeding 90 days, or all of the above. Each day that a violation occurs shall be deemed a separate and distinct violation, subject to the penalty provisions of this Article.

**B.** For purposes of this section, failure to file a registration statement within thirty (30) calendar days after a building becomes vacant property or within thirty (30) calendar days after assuming ownership of a vacant property, whichever is later, or within ten (10) calendar days of receipt of notice by the municipality, and failure to provide correct information on the registration statement, or failure to comply with the provisions of such provisions contained herein shall be deemed to be violations of this Ordinance.

**ARTICLE VIII.**

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

**ARTICLE IX.**

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

**13-14 Capital Budget**

**ADOPT ORDINANCE 13-14 Capital Budget**-On a motion of Mr. Brennan and second of Mrs. Fields, Council adopted the following Ordinance:

**BOROUGH OF MERCHANTVILLE, NEW JERSEY  
ORDINANCE 2013-14**

**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 \$588,600 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 \$369,170, 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 \$588,600;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$369,170; and
- (c) a down payment in the amount of \$19,430 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 \$369,170, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$19,430, which amount represents the required down payment, and the sum of \$200,000, 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 \$369,170 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 \$369,170 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 \$120,000.

**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:

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Grant</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Preliminary Costs Associated with the Town Centre East Redevelopment Project, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	\$50,000	\$2,500	\$0	\$47,500	5 years
B.	Acquisition of Various Pieces of Equipment for the Police Department including, but not limited to, a Records Management Program and Tactical Equipment, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	41,000	2,050	0	38,950	5 years
C.	Various Improvements to the Community Center and Borough Hall including, but not limited to, Exterior Improvements, Restroom Upgrades and/or Repairs, Roof Repair and/or Replacement, Steam Boiler Repair and/or Replacement, together with the 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	188,600	9,430	0	179,170	15 years
D.	Reconstruction and/or Repaving of West Chestnut Street and Linden Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	240,000	2,000	200,000	38,000	10 years
E.	Various Recreational Improvements including, but not limited to, a Rubber Ground Cover for the Community Center and Wellwood Park, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	35,000	1,750	0	33,250	5 years
F.	Acquisition of Various Office Equipment for Municipal Offices including, but not limited to, hardware and software, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	16,000	800	0	15,200	5 years
G.	Acquisition of Various Equipment for the Public Works Department including, but not limited to, a Plow, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	12,000	600	0	11,400	5 years
H.	Acquisition of Various Equipment for the Fire	6,000	300	0	5,700	5 years

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Grant</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
Department including, but not limited to, a four wheel drive command vehicle, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto					
<b>TOTAL</b>	\$588,600	\$19,430	\$200,000	\$369,170	

**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 10.36 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 \$369,170 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;

(d) 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

(e) 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.

**CORRESPONDENCE**-Citadell Wellwood letter, Meyer letter, Page Scholarship letter

### **COUNCIL REPORTS**

**Mrs. Fields-** Rec- Parks and Playgrounds is in full swing with 98 children enrolled. Working with Dawn and Denise to establish a comprehensive community center monthly report. Just Steaks received sign approval, 177 S. Centre new deli will be coming in for sign and color change. OEM is trying to meet in August. The annual Riversharks game took place on Friday, June 28<sup>th</sup>. Should we consider using the old EMS building as rental, regulations and code office? Complete an audit of costs to determine if we should use it.

**Mr. Volkert-** Nova Care and Eiland Arts were approved by Planning Board. The trees have been taken down in front of Borough Hall. A system upgrade by PSE&G is scheduled to be completed this year on Lexington and Browning.

**Mr. Grasso-** Public Events is off for the summer. Planning yard sale in August and planning movie nights, no fire report or court report. Car show went well.

**Mr. Brennan-** Car show was good with no real issues, will have a meeting with the committee. Will be working on signage ordinance and use of facility forms. Police-block party on agenda, bingo raffle license and beer garden application will be approved with required stipulations. 278 calls, 198 traffic, 83 parking and 20 arrests. August 6<sup>th</sup> is National Night out and the new Police vehicle is in service.

**Mr. Sperrazza-** The next Task Force meeting is Thursday at 1:00.

### **Clerk's Report**

- West Maple Plan Phase 2
- Audit Report
- Car Show
- Scholarship letter
- Cupola complete
- Curb cuts out to bid
- Electric Specifications
- Computers/server work should begin

### **NEW BUSINESS**

**APPROVAL-Use of facility for block party-**On a motion of Mr. Brennan and second of Mr. Grasso, Council approved the use of facility contingent upon certain requirements.

**APPROVAL-Beer Garden-**On a motion of Mr. Brennan and second of Mr. Grasso, Council approved Beer Garden contingent upon certain requirements.

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:

### **R13-85**

**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 \$280.00 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 Sperrazza council person 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 13-03SPC to St. Peter Catholic Church for the raffle taking place on September 18 and 25th and October 2, 9, 16, 23 and 30 November 6,13, 20 and 27th along with December 4, 11 and 18th of 2013.

#### **R13-86**

#### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY TO APPROVE A BINGO 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 bingo licenses with proper approval; and

**WHEREAS**, St. Peter Catholic Church has properly completed the bingo 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 \$280.00 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 Sperrazza council person 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 Bingo license numbered 13-03SPC to St. Peter Catholic Church for the raffle taking place on September 18 and 25th and October 2, 9, 16, 23 and 30 November 6,13, 20 and 27th along with December 4, 11 and 18th of 2013.

#### **RESOLUTION 13-87**

**WHEREAS**, N.J.S.A. 40a:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year ending December 31, 2012 has been filed by a Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Recommendations"; and

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Questioned Costs" or "Findings and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52- to wit: R.S. 52:28BB-52- A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office."

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Merchantville, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

#### **R13-89**

#### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY SELECTING REMINGTON & VERNICK ENGINEERS TO PROVIDE PROFESSIONAL SERVICES FOR THE INSTALLATION OF CURB CUTS**

**WHEREAS**, the Borough Council of the Borough of Merchantville selected Remington & Vernick Engineers Municipal Engineer by resolution dated January 2, 2013; and

**WHEREAS**, the Borough Council of the Borough of Merchantville desires to contract with Remington & Vernick Engineers for the preparation of planning, design and bidding documents, procurement of applicable permits and the inspection and construction management services for the installation of various curb cuts; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Merchantville does hereby select Remington & Vernick Engineers to provide the services as detailed in their May 13, 2013 proposal letter in an amount not to exceed \$5,000.00.

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

#### **R13-88**

#### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF A QUESTION TO THE PUBLIC IN A NON-BINDING REFERENDUM AT THE GENERAL ELECTION ON NOVEMBER 5, 2013**

**WHEREAS**, N.J.S.A. 19:37-1, et seq., authorizes a governing body of any municipality who desires to ascertain the sentiment of the legal voters of the municipality upon any question or policy pertaining to the government or internal affairs thereof by adoption of a resolution requesting the County Clerk to print upon the official ballots to be used at the next ensuing general election a certain proposition as formulated and expressed in the resolution; and

**WHEREAS**, such request must be submitted by duly adopted resolution to the County Clerk not less than eighty-one (81) days previous to the general election;

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

1. Pursuant to N.J.S.A. 19:37-1, et seq., the Mayor and Borough Council of the Borough of Merchantville hereby determines to submit the following question to a non-binding vote at the next general election, to be held on November 5, 2013:

**BOROUGH OF MERCHANTVILLE BALLOT MEASURE**

- ( ) YES      Shall the Borough of Merchantville be authorized to impose an annual levy not to exceed \$0.02 on the local municipal tax levy pursuant to N.J.S.A. 40:12-15.7 for the following purposes:
  - (a)      development of lands owned and/or acquired for recreation and conservation purposes;
  - (b)      maintenance of lands and historic buildings owned and/or acquired for recreation and conservation purposes.
  
- ( ) NO

**INTERPRETIVE STATEMENT**

This non-binding referendum will give the Mayor and Council of the Borough of Merchantville the ability to create a fund for the development and maintenance of lands and historic buildings owned by the Borough of Merchantville. The amount will not exceed \$0.02 of the local tax levy which is equivalent to approximately \$37.10 annually on the average assessed home in Merchantville. This tax will be a separate and an additional tax on your tax bill. Due to restrictive budgetary conditions, this is an option to help continue the future existence of the lands and historic buildings for the use and enjoyment of the residents.

2. The Camden County Clerk is hereby requested to print the above question and Interpretive Statement on the official ballots for the Borough of Merchantville for the General Election to be held on November 5, 2013.

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

**R13-90  
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		
	2013 BUDGET	\$	49,548.65
	GRANTS	\$	792.58
	PFRS		
	PERS		
	DEBT SERVICE		
	BOARD OF EDUCATION*		
	CAMDEN COUNTY		
WIRE TRANSFERS PAYROLL	5/17/13-5/31/13	\$	129,527.27
WIRES / MANUAL CHECKS		\$	30,437.89
<b>TOTAL CURRENT</b>		<b>\$</b>	<b>\$ 210,306.39</b>

**SEWER UTILITY**

CHECKS SEWER FUND	2012 BUDGET		
	2013 BUDGET	\$	349.65
	DEBT SERVICE	\$	128,031.01
WIRE TRANSFERS PAYROLL	5/17/13-5/31/13	\$	4,603.57
WIRE NJEIT LOAN			
WIRES /MANUAL CHECKS			
<b>TOTAL SEWER</b>		\$	-
		\$	132,984.23

**GENERAL CAPITAL FUND**

CHECK CAPITAL FUND		\$	60.00
MANUAL CHECK		\$	8,950.00
<b>TOTAL CAPITAL</b>		\$	-
		\$	9,010.00

**TRUST FUND**

CHECK TRUST OTHER FUND		\$	3,894.73
WIRE TRANSFERS PAYROLL	5/17/13-5/31/13	\$	5,816.56
WIRES / MANUAL CHECKS		\$	641.65
<b>TOTAL TRUST</b>		\$	-
		\$	10,352.94

**SEWER CAPITAL FUND**

CHECK SEWER CAPITAL		\$	4,687.50
MANUAL CHECKS			
WIRE TRANSFERS PAYROLL			
<b>TOTAL SEWER CAPITAL</b>		\$	-
		\$	4,687.50

**RECREATION TRUST**

CHECK RECREATION TRUST	2012 BUDGET	\$	1,050.00
MANUAL CHECKS	2013 BUDGET	\$	137.50
WIRE TRANSFERS PAYROLL	5/17/13-5/31/13	\$	504.16
<b>TOTAL RECREATION</b>		\$	1,050.00
		\$	641.66

**ANIMAL TRUST FUND**

ANIMAL TRUST CHECK		\$	1.20
<b>TOTAL ANIMAL TRUST</b>		\$	-
		\$	1.20

<b>TOTAL BILL LIST &amp; MANUAL CHECKS/WIRE</b>	\$	1,050.00	\$	367,983.92
---	----	----------	----	------------

<b>GRAND TOTAL</b>	<b>\$</b>	<b>369,033.92</b>
--------------------	-----------	-------------------

DIRECTOR OF ACCOUNTS & AUDITING  
ANTHONY PERNO

8-Jul-13

**ANNOUNCEMENTS:**

**ADJOURNMENT:** On the motion of Mrs. Fields and second of Mr. Volkert the meeting was adjourned at 8:24 P.M.

---

DENISE BROUSE  
BOROUGH CLERK