

Merchantville, NJ January 8, 2018

A regular meeting of Borough Council was held at 7:30 PM, Monday, January 8, 2018. Mayor Ted Brennan 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: Kidd, Grasso and Sperrazza Attorney Higgins, Clerk Brouse, CFO Moules were present.

PUBLIC

APPROVAL OF MINUTES-On a motion of and second of, Council approved the regular meeting minutes of 12/11/17.

ENGINEER REPORT- none

CORRESPONDENCE

COUNCIL REPORTS

Mr. Kidd-Planning rescheduled to tomorrow. Planning board made approval of redevelopment plan at West End and will forward to Council at the next meeting. School board and Griffin met and trying to set up better relationship with Council. Green team December meeting cancelled. January 18th next meeting at Blue Monkey, working on applications and ideas.

Mr. Grasso-Court report about 20% ahead of previous year. 197 added, 267 disposed. Police-recap-police shorthanded, 1,000 more tickets than 2016. Parking meter revenue up, over 51.5 calls per day, donation again, amount not know yet. Chief last year-end report. Thanks for continued support of police by council. Chief retiring end of February,2 new patrolman, 1427 calls, 143 violations, 45 parking. Public Events-good year, new events by Ms. Swann-largest parade in years. Breakfast w/ Santa continues to grow. Car show coming along. July 14

Mr. Sperrazza-No code or fire report

Mayor-Online bill paying quote

Ms. Moules-Budget time

Clerk

OLD BUSINESS

DISCUSSION- Gold Medal Trash/Recycle Update

NEW BUSINESS

DISCUSSION: Community Development Director

DISCUSSION: Gazebo Planters

DISCUSSION: Business Incentive Program to Residents

Resolutions to be read by consent agenda:

R18-20 Refund Homeowner Solar Project Permit: On a motion of Mr. Kidd and second of Mr. Grasso, Council approved the following resolution

**R18-20
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY
OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING THE
REFUND OF PAYMENT OF BUILDING PERMIT FEES**

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Merchantville that the amount due for a building permit be refunded to the below person(s) because the project was canceled.

<u>Name/Address</u>	<u>Amount</u>
Lynn Davis 12 E Cedar Avenue Merchantville, NJ 08109	\$196.00

R18-21 Authorize Agreement for Release and Settlement with Gold Medal: On a motion of Mr. Grasso & second of Mr. Kidd, Council approved the following resolution:

**R18-21
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE
ACCEPTING OF THE SETTLEMENT OFFER FROM GOLD MEDAL
ENVIRONMENTAL OF NEW JERSEY, INC., A NEW JERSEY
CORPORATION AND AUTHORIZING THE MAYOR, SOLICITOR
AND/OR BOROUGH CLERK TO EXECUTE DOCUMENTS IN
FURTHERANCE OF THE SETTLEMENT**

WHEREAS, the Borough Council of the Borough of Merchantville authorized the commencement of a lawsuit against Gold Medal Environmental of New Jersey, Inc., a New Jersey corporation ("Gold Medal"), relative to the demand for liquidated damages for allegations of certain infractions occurring during the course of the performance of Gold Medal's contractual obligations as per the solid waste and recycling contract entered into by the parties on December 14, 2015; and

WHEREAS, the Borough of Merchantville has filed an action in the Superior Court of New Jersey, Law Division, Camden County, in the matter of Borough of Merchantville v. Gold Medal Environmental of NJ, Inc., under Docket No: CAM-L-004806-17 (hereinafter referred to as the "Litigation"), to redress these issues; and

WHEREAS, Gold Medal has offered the sum of Thirty Thousand Dollars (\$30,000.00), plus other good and valuable consideration, in full and final settlement of any and all claims as specified in this lawsuit, payable to the Borough of Merchantville; and

WHEREAS, the Borough Council of the Borough of Merchantville deems it in the best interest of the Borough of Merchantville to accept this settlement offer and conclude this lawsuit;

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Borough Council of the Borough of Merchantville, that the offer tendered in this matter by Gold Medal Environmental of New Jersey, Inc., a New Jersey corporation, in the amount of Thirty Thousand Dollars (\$30,000.00), plus other good and valuable consideration, in full and final settlement of any and all claims and in full and final settlement of the above-mentioned lawsuit be and hereby is accepted; and

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Merchantville that Edward F. Brennan, the Mayor of the Borough of Merchantville, Timothy J. Higgins, Esquire, Borough Solicitor of the Borough of Merchantville and/or Denise Brouse, Borough Clerk, be and are hereby

authorized to execute any and all documents necessary to effect the terms and conditions of this settlement.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Merchantville that payment of the agreed-to settlement amount of Thirty Thousand Dollars (\$30,000.00) shall be made from funds presently in escrow with the Borough, representing the monthly payments due to Gold Medal under the Contract for the months of September, October, November and December of 2017, in an amount totaling Sixty-Seven Thousand, Five Hundred, Ninety-Three Dollars and Thirty-Two Cents (\$67,593.32), with the balance of the escrowed funds totaling Thirty-Seven Thousand, Five Hundred, Ninety-Three Dollars and Thirty-Two Cents (\$37,593.32) being paid to Gold Medal in satisfaction of work performed and payments due to Gold Medal under the Contract for the months of September, October, November and December of 2017.

Payment of Bills-On a motion of Mr. Grasso and second of Mr. Kidd, council approved the payment of bills.

**R18-22
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	2017 BUDGET		\$ 37,884.13
	2018 BUDGET	\$ 200.00	\$ 99,255.08
	GRANTS		\$ 3,371.79
	PFRS		
	PERS		
	DEBT SERVICE		
	BOARD OF EDUCATION*		
	CAMDEN COUNTY		
WIRE TRANSFERS PAYROLL	12/22/17- 1/5/18		\$ 145,688.62
WIRES / MANUAL CHECKS			\$ 98,631.34
TOTAL CURRENT		\$ 200.00	\$ 384,830.96
SEWER UTILITY			
CHECKS SEWER FUND	2017 BUDGET		
	2018 BUDGET		\$ 616.00
	DEBT SERVICE		\$ 42,907.54
WIRE TRANSFERS PAYROLL	12/22/17- 1/5/18		\$ 6,136.58
WIRE NJEIT LOAN			
WIRES /MANUAL CHECKS			
TOTAL SEWER		\$ -	\$ 49,660.12
GENERAL CAPITAL FUND			
CHECK CAPITAL FUND			\$ 8,875.00
MANUAL CHECK			
WIRE TRANSFERS PAYROLL	12/22/17- 1/5/18		
TOTAL CAPITAL		\$ -	\$ 8,875.00

TRUST FUND

CHECK TRUST OTHER FUND		\$		680.00
WIRE TRANSFERS PAYROLL	12/22/17- 1/5/18	\$		5,201.84
WIRES / MANUAL CHECKS		\$		2,100.00
TOTAL TRUST		\$	-	\$ 7,981.84
SEWER CAPITAL FUND				
CHECK SEWER CAPITAL				
MANUAL CHECKS				
WIRE TRANSFERS PAYROLL	12/22/17- 1/5/18			
TOTAL SEWER CAPITAL		\$	-	\$ -
ANIMAL TRUST FUND				
ANIMAL TRUST CHECK				
TOTAL ANIMAL TRUST		\$	-	\$ -
TOTAL BILL LIST & MANUAL CHECKS/WIRE		\$	200.00	\$ 451,347.92
GRAND TOTAL				\$ 451,547.92

ANNOUNCEMENTS

ADJOURNMENT: On the motion of Mr. Sperrazza and second of Mr. Kidd the meeting was adjourned at 8:37 P.M.

Denise Brouse, Borough Clerk