

APRIL 10, 2013

**BOROUGH COUNCIL MEETING MINUTES
APRIL 10,2013**

Meeting called to order at 7:00P.M.

Pledge of Allegiance

Moment of Silence for Edward L. Biglin

Mayor Campbell announced the Opening Statement “All the notice requirements of the Open Public Meeting Act have been complied with in full.”

ROLL CALL:

Present:

Councilman Gerald Bonsall
Councilman Mitch Brown
Councilman Michael MacFerren
Councilwoman Anita Mancini
Councilwoman Margie Schieber

Absent:

Councilman John Croghan

Professionals: John P. Jehl, Borough Solicitor
Gregory Fusco, Borough Engineer

FIRST ORDER OF BUSINESS:

2013-02 AN 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% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.14 provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Gibbsboroin the County of Camdenfinds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Councilhereby determines that a 1 1/2% increase in the budget for said year, amounting to \$30,609.06in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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WHEREAS, the Mayor and 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 Mayor and Council of the Borough of Gibbsboro, 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 Gibbsboro shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$71,421.14, and that the CY 2013 municipal budget for the Borough of Gibbsboro be approved and adopted in accordance with this ordinance; and.

BE IT FURTHER ORDAINED, that any 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 filed with said Director within 5 days after such adoption.

Edward G. Campbell, III
Mayor

Anne D. Levy, RMC
Borough Clerk

Meeting Open to the Public. No voice from the public. Meeting Closed to the Public.

Motion to approve ordinance Councilman Bonsall, Second Councilwoman Schieber

Poll Vote:	Councilman Bonsall	Aye	Councilman Brown	Aye
	Councilman Croghan	Absent	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

PUBLIC HEARING ON 2013 BUDGET:

Open to the Public: No comment from the public. Closed to the Public.

VOUCHERS:

Motion to dispense reading and approve vouchers in the amount of **\$347,011.88** Councilman Bonsall, Second Councilman MacFerren

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Aye
	Councilman Croghan	Absent	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

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ORDINANCES:

FIRST READING: None

SECOND READING:

2013-04 AN ORDINANCE MOVING THE ZONING BOARD OF ADJUSTMENT
 POWERS, DUTIES AND RESPONSIBILITIES TO THE PLANNING BOARD

WHEREAS, in Camden County it has been determined that 90% of the towns with a population of 10,000 or less have moved the Zoning Board of Adjustment powers, duties and responsibilities to the Planning Board; and

WHEREAS, in accordance with N.J.S.A. 40:55D-25, in municipalities having a population of 15,000 or less, a nine member Planning board, if so provided by ordinance, shall exercise, to the same extent and subject to the same restrictions, all the powers of a Zoning Board of Adjustment; and

WHEREAS, N.J.S.A. 40:55D-25 allows the Planning Board to assume the powers of the Zoning Board of Adjustment; and

WHEREAS, the Mayor and Council have determined that the assumption of the Zoning Board of Adjustment's powers by the Planning Board would permit a more effective process, economic savings and increased resident satisfaction.

NOW THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Gibbsboro, County of Camden, and State of New Jersey as follows:

SECTION 1. Chapter 400 of the Code of the Borough of Gibbsboro is hereby amended and supplemented with the following:

 § 3-21 All powers of the Zoning Board of Adjustment shall be assumed by the Planning Board pursuant to N.J.S.A. 40:55D-25.

SECTION 2. Wherever the words "Zoning Board of Adjustment" appear within the Code of the Borough of Gibbsboro, said words shall now read "Planning Board".

SECTION 3. All ordinances or parts of ordinances which are inconsistent with the provisions hereof, are, to the extent of such inconsistencies, hereby repealed.

SECTION 4. This ordinance becomes effective immediately upon final adoption and publication as required by law.

Edward G. Campbell, III
Mayor

Anne D. Levy, RMC
Borough Clerk

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Meeting Open to the Public. No comment from the public. Meeting Closed to the Public.

Motion to approve ordinance Councilman MacFerren, Second Councilman Brown

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Aye
	Councilman Croghan	Absent	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

MEETING OPEN TO THE PUBLIC FOR COMMENT ON PENDING RESOLUTIONS

No voice from the public.

CLOSED TO THE PUBLIC

RESOLUTIONS:

2013-4-58 RESOLUTION APPROVING ON-PREMISE TOMBOLA RAFFLE LICENSE
RL 2013-03 TO FATHER’S CLUB OF CAMDEN CATHOLIC HIGH SCHOOL

BE IT RESOLVED by Mayor and Council of the Borough of Gibbsboro, County of Camden, State of New Jersey that a Raffle application has been submitted to the Borough of Gibbsboro by the Father’s Club of Camden Catholic High School who is sponsoring an on-site Chinese Raffle to be held on May 3, 2013 at Lakeside Manor; and

BE IT RESOLVED by the Mayor and Council that License RL2013-03 is hereby granted to the Father’s Club of Camden Catholic High School; and

BE IT FURTHER RESOLVED that said proceeds are targeted to technology programs and equipment at Camden Catholic High School.

Edward G. Campbell, III
Mayor

Anne D. Levy, RMC
Borough Clerk

2013-4-59 RESOLUTION APPROVING ON-PREMISE 50/50 RAFFLE LICENSE RL2013-04 TO FATHER’S CLUB OF CAMDEN CATHOLIC HIGH SCHOOL

BE IT RESOLVED by Mayor and Council of the Borough of Gibbsboro, County of Camden, State of New Jersey that a Raffle application has been submitted to the Borough of Gibbsboro by the Father’s Club of Camden Catholic High School who is sponsoring an on-site 50/50 Raffle to be held on May 3, 2013 at Lakeside Manor; and

BE IT RESOLVED by the Mayor and Council that License RL2013-04 is hereby granted to the Father’s Club of Camden Catholic High School; and

BE IT FURTHER RESOLVED that said proceeds are targeted to technology programs and equipment at Camden Catholic High School.

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Edward G. Campbell, III
Mayor

Anne D. Levy, RMC
Borough Clerk

2013-4-60 RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A INTERLOCAL SERVICES AGREEMENT BY AND BETWEEN THE COUNTY OF CAMDEN AND TOWNSHIP OF VOORHEES, BOROUGH OF BERLIN AND BOROUGH OF GIBBSBORO TO PROVIDE THE MUNICIPALITIES FUNDS FROM THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Gibbsboro, State of New Jersey. County of Camden that the Mayor is hereby authorized to execute an Interlocal Services Agreement by and between the County of Camden and Township of Voorhees, Borough of Berlin, and Borough of Gibbsboro to provide the municipalities funds provided by the Governor's Council on Alcoholism and Drug Abuse.

Edward G. Campbell, III
Mayor

Anne D. Levy, RMC
Borough Clerk

2013-4-61 RESOLUTION PRESENTING GENERAL COMMENTS AND ADOPTING RECOMMENDATIONS FOR 2012 ANNUAL AUDIT

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 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

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

WHEREAS, the Local Finance Board has promulgated 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:

General Comments 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:

General Comments and Recommendations

as evidenced by the group affidavit form of the governing body, and

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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, per the regulations of the Local Finance Board, 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 promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-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 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 \$1,000 or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, the governing body of the Borough of Gibbsboro, County of Camden, State of New Jersey hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON APRIL 10, 2013.

Anne D. Levy, RMC
Borough Clerk

**GROUP AFFIDAVIT FORM
CERTIFICATION OF GOVERNING BODY**

**STATE OF NEW JERSEY)
) SS.
COUNTY OF CAMDEN)**

We, members of the governing body of the Borough of Gibbsboro, County of Camden, of full age, being duly sworn according to law, upon our oath depose and say:

- 1. We are duly elected members of the Borough of Gibbsboro governing body of the Borough of Gibbsboro.
- 2. In the performance of our duties, and pursuant to the Local Finance Board Regulation, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2012.

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3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled:

<p>_____ (L.S.) Edward G. Campbell, III Mayor</p> <p>_____ (L.S.) John Croghan Councilman</p> <p>_____ (L.S.) Mitchell Brown Councilman</p> <p>_____ (L.S.) Margie Schieber Councilwoman</p>	<p>General Comments Recommendations</p>	<p>_____ (L.S.) Gerald Bonsall Council President</p> <p>_____ (L.S.) Michael F. MacFerren Councilman</p> <p>_____ (L.S.) Anita Mancini Councilwoman</p>
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Sworn to and subscribed before me this 10th Day of April 2013.

Anne D. Levy, RMC
Borough Clerk

2013-4-62 RESOLUTION ADOPTING YEAR 2013 BUDGET

BE IT RESOLVED by the Borough Council of the Borough of Gibbsboro, County of Camden that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations.

RECORDED VOTE:

	AYES	NAYS	ABSTAIN	ABSENT
Bonsall	X			
Brown	X			
Croghan				X
MacFerren	X			
Mancini	X			
Schieber	X			

Anne D. Levy, RMC
Borough Clerk

Motion to approve Resolutions Councilwoman Schieber, Second Councilman MacFerren

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Aye
	Councilman Croghan	Absent	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

APRIL 10, 2013

MINUTES:

Motion to dispense reading and approve minutes of 2/13/13 Councilman Brown, Second Councilwoman Schieber

Voice Vote:	Councilman Bonsall	Abstain	Councilman Brown	Aye
	Councilman Croghan	Absent	Councilman MacFerren	Aye
	Councilwoman Mancini	Abstain	Councilwoman Schieber	Aye

REPORT OF MUNICIPAL OFFICERS:

Borough Clerk	<u> X </u>	Police Department	<u> X </u>
Construction Official	<u> X </u>	Sewer Clerk	<u> X </u>
Tax Collector	<u> X </u>	Court Clerk	<u> X </u>
Treasurer	<u> X </u>	Welfare Director	<u> X </u>
Compliance/Zoning Officer	<u> X </u>	Engineer	<u> X </u>
Fire Official	<u> X </u>	Risk Manager	<u> X </u>

COUNCIL COMMITTEE REPORTS:

PLANNING BOARD/PUBLIC WORKS

COUNCILMAN BONSCALL

Councilman Bonsall reported that the Planning Board approved an application by Brandywine for repairs to the smoke stakes at the Paint Works and demolition of a tool shed. Signs for around town have been ordered. The Scout Building at the Pole Hill Park will be opened in a couple of weeks.

PUBLIC EVENTS

COUNCILMAN BROWN

Councilman Brown reported that the Easter egg hunt was very successful and a large crowd was present. The next event will be the Memorial Day services and preparations are underway for the Miss Gibbsboro pageant to be held July 2nd.

POLICE/ENVIRONMENTAL COMMISSION

COUNCILMAN CROGHAN

Councilman Croghan was absent. Mayor Campbell commented that a new police car will be discussed at the next meeting.

RECYCLING/SANITATION/RECREATION

COUNCILMAN MACFERREN

Councilman MacFerren reported that trash was 75.11 tons, recycling 17.17 and a rebate check was received in the amount \$413.02. Recreation, the GVAA started their season kick off last Saturday. The softball league will be starting this week. The River Sharks night will be Friday June 7th.

LOCAL ASSISTANCE/INSURANCE

COUNCILWOMAN MANCINI

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Councilwoman Mancini reported that the Elected Officials seminar may be taken on-line. She will forward the link to anyone who has not taken the course. The HIF was running in the plus and as of early April they were 18 million dollar deficit because of the high cost of claims. Councilwoman Mancini commented that she is against Bill 1196 which limits workmen's compensation for first responders.

L&I/ZONING BOARD

COUNCILWOMAN SCHIEBER

Councilwoman Schieber reported that seven permits were issued in March, total value of construction \$48,700 and received \$1,063 in permit fees.

MAYOR'S REPORT

MAYOR CAMPBELL

Mayor Campbell reported that there was a brush fire on Sunday along United States Avenue. A meeting with the fire warden may be beneficial to protect lives and property. The bikeway has been paved and it looks awesome. June 1st is National Trails Day and now that the bikeway system is almost completely connected we should have a dedication on that day. Trails will be open all over the state. Mayor Campbell will provide the clerk and engineer with an up to date bikeway map.

Lastly, the pump has failed on one of the pump stations and a pump failure at the Tanglewood pump station. The cost for the emergency repairs will be approximately \$11,000 by C. Stevenson & Sons. A resolution will be prepared declaring an emergency and charged to the USDA grant loan package – sewer work.

Motion to put written reports on file for one year Councilman Bonsall, Second Councilman MacFerren

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Aye
	Councilman Croghan	Absent	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

1. MAYORAL APPOINTMENTS

Mayor Campbell makes the following appointments to the Planning Board and Environmental Commission:

Planning Board:

- | | | | | |
|----|------------------|-----------------|----------------|----------|
| a. | LuAnn Watson | Class #4 Member | Unexpired term | 12/31/16 |
| b. | Patricia Croghan | Alt. #1 | Unexpired term | 12/31/13 |

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Environmental Commission:

a. Susan R. Croll Member Unexpired term 12/31/15

2. BANNING SMOKING IN BOROUGH PARKS

Mayor Campbell commented about the Borough parks and that smoking in the parks is dangerous. The parks ordinance needs some changes, including "NO SMOKING and prohibiting dogs at the Cricket Field and Pole Hill Park and Lauer Playground. The rules will be posted at the entrances to the bikeways and parks. Solicitor Jehl will work on the ordinance changes.

INFORMATIONAL:

1. Next regular council meeting is Wednesday, May 8, 2013

MEETING OPEN TO THE PUBLIC

No voice from the public.

CLOSED TO THE PUBLIC

MOTION TO ADJOURN AT 7:40 P.M. COUNCILMAN BONSALL, SECOND COUNCILWOMAN SCHIEBER

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Aye
	Councilman Croghan	Absent	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

Anne D. Levy, RMC
Borough Clerk

Edward G. Campbell, III
Mayor

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