

**BOROUGH COUNCIL MEETING MINUTES
MAY 10, 2017**

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

Pledge of Allegiance

Moment of Silence for William (Bill) Gerace

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 John Croghan
Councilman Fred Deterding
Councilman Jack Flynn
Councilman Michael MacFerren

Absent:
None

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

VOUCHERS:

Motion to dispense reading and approve vouchers in the amount of **\$798,986.93**
Councilman Bonsall, Second Councilman Flynn

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Aye
	Councilman Croghan	Aye	Councilman Deterding	Aye
	Councilman Flynn	Aye	Councilman MacFerren	Aye

ORDINANCES:

FIRST READING: None

SECOND READING:

2017-07 ORDINANCE APPROPRIATING \$175,000 IN FUNDS FOR THE ACQUISITION OF REAL PROPERTY, PRELIMINARY STUDIES AND COSTS ASSOCIATED WITH THE ACQUISITION OF LAND AND DEVELOPMENT AND AUTHORIZING THE ISSUANCE OF BONDS AND/OR NOTES IN THE AMOUNT OF \$166,250,000 AND \$8,750 DOWN PAYMENT FROM THE CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF GIBBSBORO, IN THE COUNTY OF CAMDEN, NEW JERSEY

MAY 10, 2017

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF GIBBSBORO, IN THE COUNTY OF CAMDEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The sum of \$175,000 is hereby appropriated from the Capital Improvement Fund for the acquisition of real property and development, preliminary studies and costs associated with the acquisition of land and \$8,750 is authorized for down payment..

Section 2. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect as provided by the law.

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

Motion to approve ordinance Councilman Bonsall, Second Councilman Croghan

Poll Vote:	Councilman Bonsall	Aye	Councilman Brown	Aye
	Councilman Croghan	Aye	Councilman Deterding	Aye
	Councilman Flynn	Aye	Councilman MacFerren	Aye

2017-08 AN ORDINANCE PROVIDING FOR THE PREPARATION AND EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY AND AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$114,480 AS AUTHORIZED BY THE BOROUGH OF GIBBSBORO, IN THE COUNTY OF CAMDEN, NEW JERSEY.

WHEREAS, the Borough Council of the Borough of Gibbsboro, in the County of Camden, New Jersey (the "Borough") has determined that it is in the best interest of the Borough to prepare and execute a complete program of revaluation of real property in the Borough for the use of the local tax assessor; and

WHEREAS, the estimated cost of such purposes is \$114,480.

NOW, THEREFORE, BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF GIBBSBORO, IN THE COUNTY OF CAMDEN, STATE OF NEW JERSEY (not less than a majority of the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. Pursuant to U.S.A. 40A:4-53(b) of the Local Budget Law (constituting Chapter 4 of Title 40A of the New Jersey Statutes), the sum of \$114,480 is hereby appropriated and shall be deemed a special emergency appropriation for the preparation and execution of a complete program of revaluation of real property in the Borough for the use of the local tax assessor.

MAY 10, 2017

SECTION 2. Said special emergency appropriation shall be provided for in succeeding annual budgets by the inclusion of at least one-fifth (1/5) of said amount each such year, commencing in 2017, and shall be financed from surplus funds available or from the issuance of special emergency notes, as authorized by separate resolution adopted pursuant to N.J.S.A. 40A:4-55.

SECTION 3. The Borough Council of the Borough shall adopt an appropriate resolution providing that the services to be rendered are of a special technical nature and further that a contract shall be executed and entered into by the Borough for the preparation and execution of a complete program of revaluation of real property.

SECTION 4. This ordinance shall take effect immediately upon its passage, approval and publication as provided by law.

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

Motion to approve ordinance Councilman Bonsall, Second Councilman Flynn

Poll Vote:	Councilman Bonsall	Aye	Councilman Brown	Aye
	Councilman Croghan	Aye	Councilman Deterding	Aye
	Councilman Flynn	Aye	Councilman MacFerren	Aye

MEETING OPEN TO THE PUBLIC FOR COMMENT ON PENDING RESOLUTIONS

No comment from the public.

CLOSED TO THE PUBLIC

RESOLUTIONS:

2017-5-75 RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO PROFESSIONAL PROPERTY APPRAISERS, INC., DELRAN, NEW JERSEY FOR THE 2017 REASSESSMENT CONTRACT FOR THE BOROUGH OF GIBBSBORO

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Gibbsboro, County of Camden, State of New Jersey that a contract is awarded to Professional Property Appraisers, Inc., Delran, New Jersey for the 2017 reassessment in the amount of \$89,480.

2017-5-76 RESOLUTION ENDORSING THE SUBMISSION OF THE 2016 RECYCLING TONNAGE GRANT APPLICATION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987,c.102, has established a recycling fund from which tonnage grants may be made to municipalities, in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling

MAY 10, 2017

Act to use the tonnage grants to develop new municipal recycling programs, and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to making and keeping accurate, verifiable records of materials collected and claimed by the Borough of Gibbsboro; and

WHEREAS, a Resolution authorizing the Borough of Gibbsboro to apply for such tonnage grants for calendar year 2015 will memorialize the commitment of Gibbsboro to recycling, and will indicate the assent of the Mayor and Borough Council to the efforts undertaken by Gibbsboro and to the requirements contained in the Recycling Act and recycling regulations, and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Gibbsboro, that Gibbsboro Borough hereby endorses the submission of the Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, and designates Borough Clerk, Anne Levy to ensure that the application is properly filed.

BE IT FURTHER RESOLVED that the money received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

2017-5-77 RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A HOLD HARMLESS AGREEMENT

WHEREAS, The Borough of Gibbsboro having acquired title to properties known as Block 8.03, Lots 6.01 and 6.05 from The Sherwin-Williams Company by virtue of a quitclaim deed dated March 2, 2017 and it appearing that there is a defect in said title in that a judgment had been entered against Sherwin-Williams on July 10, 2001 in favor of Twin County Grocers in the sum of \$8,291.36, docket number 00-5607 and it appearing that there is no other viable alternative for removing said defect;

NOW, THEREFOR BE IT RESOLVED by the Mayor and Borough Council of the Borough of Gibbsboro, County of Camden, State of New Jersey that the Mayor shall be authorized to execute the attached Hold Harmless Agreement..

2017-5-78 RESOLUTION PRESENTING GENERAL COMMENTS AND ADOPTING RECOMMENDATIONS FOR 2016 ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an

MAY 10, 2017

annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2015 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

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.

MAY 10, 2017

2017-5-79 RESOLUTION ADOPTING CORRECTIVE ACTION PLAN FOR 2016 AUDIT

BE IT RESOLVED by the Mayor and Council of the Borough of Gibbsboro, County of Camden, State of New Jersey that in accordance with the 2016 Audit recommendations that a Corrective Action Plan be developed; and

NOW THEREFORE IT BE RESOLVED that the following Corrective Action Plan for the 2016 Audit be adopted and a copy filed with the New Jersey Division of Local Government Services and the Borough's Registered Municipal Auditors, Ford, Scott & Associates, LLC.

2017-5-80 RESOLUTION APPROVING ON-PREMISES RL 2017-16 BASKET WHEEL RAFFLE AND RL2017-17 JEWELRY WHEEL RAFFLE FOR ST. ANDREW THE APOSTLE CATHOLIC CHURCH

BE IT RESOLVED by Mayor and Council of the Borough of Gibbsboro, County of Camden, State of New Jersey that an application for an On-Premise WHEEL GAMES go has been submitted to the Borough of Gibbsboro by St. Andrew the Apostle Catholic Church for their event to be held on June 10, 2017 and

BE IT RESOLVED by the Mayor and Council that Licenses RL 2017-16, and RA2017-17 is hereby granted to St. Andrew the Apostle Catholic Church; and

BE IT FURTHER RESOLVED that said license are for the benefit of ministries of St. Andrew the Apostle Catholic Church.

2017-5-81 CHANGE ORDER NO. 1 RESTORATION OF FARWOOD ROAD TO KIRKWOOD ROAD

WHEREAS, it was necessary to make changes in the scope of work to be done in completing the Restoration of Farwood Road to Kirkwood Road in the Borough of Gibbsboro, Camden County, New Jersey;

WHEREAS, Change Order No. 1 was developed to itemize and authorize those changes.

WHEREAS, certification has been received by the Borough Treasurer/Finance Director that sufficient funds have been allocated for this Change Order No. 1;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Gibbsboro that Change Order No. 2 is hereby authorized and approval is hereby granted to revise the contract from **\$307,476.50 to \$307,194.50 (reduction in the amount of \$284.00.**

2017-5-83 RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF GIBBSBORO APPROVING THE SUBMISSION OF AN APPLICATION TO THE N.J.D.E.P. DAM SAFETY SECTION FOR THE 2017 DAM RESTORATION LOANS PROGRAM

MAY 10, 2017

WHEREAS, the Borough of Gibbsboro owns and operates the earthen darn and concrete spillway that creates the water impoundment known as Clement Lake; and

WHEREAS, Clement Lake Darn consists of an earthen embankment approximately 450 linear feet in length with a height of 7 to 10 feet and a normal lake capacity of 7.8 acre-feet + ; and

WHEREAS, as formal darn safety inspection was performed in May of 2015 and the darn structure and associated concrete spillway was reported to be in poor condition; and

WHEREAS, the earthen structure is littered with very large mature trees on both the upstream and downstream earthen embankments, and the extensive tree root system from the trees have made any necessary repairs impractical, if not impossible; and

WHEREAS, it has been determined that significant repairs and/ or reconstruction is required to bring the structure into compliance with N.J.D.E.P. Darn Safety Guidelines; and

WHEREAS, it has been determined that Low Interest Rate Funding is available from the "Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992" and the "Dam, Lake, Stream, Flood Control, Water Resources and Wastewater Treatment Project Bond Act of 2003"; and

WHEREAS, the Governing Body of the Borough of Gibbsboro desires to take advantage of such Low Interest Rate Funding; and

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Gibbsboro, County of Camden, State of New Jersey, that the Borough Engineer is hereby authorized to complete and submit, and the Mayor of the Borough is hereby authorized to endorse an Application for Low Interest Rate Funding to the N.J.D.E.P. for the Reconstruction of Clement Lake Dam.

Motion to approve Resolutions Councilman Bonsall, Second Councilman Flynn

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Aye
	Councilman Croghan	Aye	Councilman Deterding	Aye
	Councilman Flynn	Aye	Councilman MacFerren	Aye

MINUTES:

Motion to dispense reading and approve minutes of 10/12/16 Councilman Bonsall, Second Councilman Deterding

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Aye
	Councilman Croghan	Aye	Councilman Deterding	Aye
	Councilman Flynn	Aye	Councilman MacFerren	Aye

MAY 10, 2017

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>	Library	<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 BONSTALL

Councilman Bonsall reported that the Planning Board granted final approval for Project Freedom. An amended final site plan for High Ridge Commons was also considered. Public Works received a new truck and awaiting Kubota field machine.

PUBLIC EVENTS

COUNCILMAN BROWN

Councilman Brown reported that Memorial Day services will be held on 5/29th. A question for the Gibbsboro Essay is needed. Suggestions are encouraged.

POLICE/LIBRARY

COUNCILMAN CROGHAN

Councilman Croghan reported that the library issued 24 books. Police issued 14 speeding tickets on Haddonfield-Berlin Road, Kirkwood Road and other areas.

TRASH & RECYCLING/HEALTH

COUNCILMAN DETERDING

Councilman Deterding reported 95 tons of trash and 18 tons of recycling was collected. A rebate check in the amount \$956.00 was received.

RECREATION/L&I

COUNCILMAN MACFERREN

Councilman MacFerren reported that \$2,380 was received in permit fees and the value of construction was \$90,537.

INSURANCE/ENVIRONMENTAL

COUNCILMAN FLYNN

Councilman Flynn reported there were no insurance claims for April. The Community Garden will hold a car wash and hoagie sale. A town wide yard sale will be held June 3rd.

MAYOR'S REPORT

MAYOR CAMPBELL

Mayor Campbell reported that work will begin shortly on the High Ridge parking.

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

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Aye
	Councilman Croghan	Aye	Councilman Deterding	Aye
	Councilman Flynn	Aye	Councilman MacFerren	Aye

MAY 10, 2017

CORRESPONDENCE:

TO: Mayor and Council dated 5/2/17
FROM: The Lee, Lamon, Alexander and the Vasta Families
RE: Neighborhood BBQ 6/24/17 – 4:00 – 10:00 pm
ACTION: Motion to approve request – Councilman MacFerren, Second Councilman Flynn

Voice Vote: Councilman Bonsall Aye Councilman Brown Aye
Councilman Croghan Aye Councilman Deterding Aye
Councilman Flynn Aye Councilman MacFerren Aye

TO: Mayor Edward Campbell dated 4/27/17
FROM: Mary Lou Capichioni, Director, Global Remediation – Sherwin-Williams
RE: Wildlife Refuge Monitoring Well and Wetlands Permit
ACTION: FYI

OLD BUSINESS:

1. MOUNUMENT SIGNS FOR HERITAGE VILLAGE AND COACH HARTMANN FIELD

Quotes received for signs at above locations:

- a. Alpha I Studio, Inc. \$6,845.00
- b. Nova Sign Group \$7,360.00
- c. Walter’s Signs No quote

Motion to award to Alpha 1 Studio, Inc. in the amount of \$6,845, charged to Clean Communities, contingent upon certification from CFO of available funds Councilman Bonsall, Second Councilman Croghan

Voice Vote: Councilman Bonsall Aye Councilman Brown Aye
Councilman Croghan Aye Councilman Deterding Aye
Councilman Flynn Aye Councilman MacFerren Aye

2. VERIZON NETWORK NODES IN PUBLIC RIGHT OF WAY
Continued to June.

3. PILOT PROGRAM TO ALLOW CHICKENS
Continued to June.

NEW BUSINESS:

1. USE OF GIBBSBORO MUNICIPAL FACILITIES

Applicant: Donna Deck

MAY 10, 2017

FACILITY: Senior Center
Date of Event: October 7, 2017 – 5:00 – 11:00 p.m.
Fee & Bond Paid: \$400

Motion to approve use of the Municipal Facilities Councilman Bonsall, Second Councilman Flynn

Voice Vote: Councilman Bonsall Aye Councilman Brown Aye
Councilman Croghan Aye Councilman Deterding Aye
Councilman Flynn Aye Councilman MacFerren Aye

2. USE OF GIBBSBORO MUNICIPAL FACILITIES

Applicant: Tina Bartell
FACILITY: Senior Center
Date of Event: August 12, 2017 – 2:00 – 6:00 p.m.
Fee & Bond Paid: \$75.00

Motion to approve use of the Municipal Facilities Councilman Brown, Second Councilman Flynn

Voice Vote: Councilman Bonsall Aye Councilman Brown Aye
Councilman Croghan Aye Councilman Deterding Aye
Councilman Flynn Aye Councilman MacFerren Aye

4. RESOLUTION TO ENTER CLOSED SESSION

2017-5-82 RESOLUTION PERMITTING THE EXCLUSION OF THE PUBLIC FROM A PORTION OF THE BOROUGH COUNCIL MEETING TO DISCUSS LITIGATION

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

WHEREAS, the Mayor and the Borough Council of the Borough of Gibbsboro is of the opinion that such circumstances presently exist; and

WHEREAS, the Mayor and the Borough Council of the Borough of Gibbsboro wishes to discuss litigation in which the Borough Council is a party requiring attorney-client privilege.

NOW THEREFORE BE IT RESOLVED that the public be excluded from a portion of the May 10, 2017 Borough Council meeting wherein no official action will be taken.

Motion to adopt Resolution and enter Closed Session Councilman Bonsall, Second Councilman Flynn

Voice Vote: Councilman Bonsall Aye Councilman Brown Aye
Councilman Croghan Aye Councilman Deterding Aye

MAY 10, 2017

Councilman Flynn Aye Councilman MacFerren Aye

Motion to leave Closed Session Councilman Bonsall, Second Councilman Flynn

Voice Vote: Councilman Bonsall Aye Councilman Brown Aye
 Councilman Croghan Aye Councilman Deterding Aye
 Councilman Flynn Aye Councilman MacFerren Aye

INFORMATIONAL:

1. The next regular council meeting is June 14, 2017
2. If you have not yet completed your Financial Disclosure Statement, please do so as soon as possible.

MEETING OPEN TO THE PUBLIC

No comment from the public.

CLOSED TO THE PUBLIC

MOTION TO ADJOURN AT 7:55 P.M. COUNCILMAN BONSALL, SECOND COUNCILMAN BROWN

Voice Vote: Councilman Bonsall Aye Councilman Brown Aye
 Councilman Croghan Aye Councilman Deterding Aye
 Councilman Flynn Aye Councilman MacFerren Aye

Anne D. Levy, RMC
Borough Clerk

Edward G. Campbell, III
Mayor

=====

REST OF PAGE INTENTIONALLY LEFT BLANK