

JULY 11, 2012

**BOROUGH COUNCIL MEETING MINUTES
JULY 11, 2012**

Meeting called to order at 7:00 P.M. by Mayor Campbell

Pledge of Allegiance

Moment of Silence for Joan Johnston

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
Councilwoman Anita Mancini
Councilwoman Margie Schieber

Absent:

Councilman Michael MacFerren

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

VOUCHERS:

Motion to dispense reading and approve vouchers in the amount of **\$788,042.94**
Councilman Bonsall, Second Councilman Croghan

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

ORDINANCES:

FIRST READING: None

SECOND READING: None

MEETING OPEN TO THE PUBLIC FOR COMMENT ON PENDING RESOLUTIONS

No voice from the public.

CLOSED TO THE PUBLIC

RESOLUTIONS:

2012-7-74	RESOLUTION	AUTHORIZING	EMERGENCY	APPROPRIATION
	PURSUANT TO NJS 40A:4-48			

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WHEREAS, an emergency has arisen with respect to NJEIT Bonds & Loans and, no adequate provision was made in the 2012 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$22,000 and three (3) percent of the total operating appropriations in the budget for 2013 is \$65,454.80; and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2012,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for NJEIT Bonds & Loans in the amount of \$22,000.
2. That said emergency appropriation shall be provided for in full in the 2013 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1).
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

Edward G. Campbell, III
Mayor

Anne D. Levy
Borough Clerk

2012-7-75 RESOLUTION TO ADOPT THE YEAR 34 COMMUNITY DEVELOPMENT
GRANT AGREEMENT

WHEREAS, A Cooperative Agreement was heretofore entered into between the Borough of Gibbsboro and the County of Camden for the establishment of a cooperative means of conducting certain community development activities; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. **40A:65-4** et seq.) permits local units such as counties and municipalities to enter into agreements for the provision of joint services; and

WHEREAS, the County has achieved "Urban County" status in accordance with the requirements set forth in Title I of the Housing and Community Development Act of 1974, as amended and the Housing and Urban-Rural Recovery Act of 1983; and

WHEREAS, the County has entered into a Grant Agreement with the U.S. Department of Housing and Urban Development under Title I of the Housing and Community Development Act, as amended, for an Entitlement Grant; and

WHEREAS, this Grant is administered for the County by the County's Community Development Office; and

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WHEREAS, the Borough of Gibbsboro has proposed certain activities to be carried out under the 34th Year Program: and

WHEREAS, the County has approved funding for eligible project(s) of the Borough of Gibbsboro from said grant and desires the Borough of Gibbsboro to undertake said project(s)

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body, that the Year 34 Municipal CDBG Grant Agreement be adopted between the Borough of Gibbsboro and the County of Camden, a copy of the Agreement which is attached thereof; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its enactment as provided by law.

Edward G. Campbell, III

Mayor

Anne D. Levy, RMC

Municipal Clerk

2012-7-76 RESOLUTION PRESENTING GENERAL COMMENTS AND ADOPTING RECOMMENDATIONS FOR 2011 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 2011 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,

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sections of the Annual Report of Audit entitled:

General Comments
Recommendations

Edward G. Campbell, III
Mayor

Gerald Bonsall
Council President

John Croghan
Councilman

Michael F. MacFerren
Councilman

Mitchell Brown
Councilman

Anita Mancini
Councilwoman

Margie Schieber
Councilwoman

Sworn to and subscribed before me this 13th Day of July, 2011.

Anne D. Levy, RMC
Borough Clerk

2012-7-77 RESOLUTION ADOPTING CORRECTIVE ACTION PLAN FOR 2011 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 2011 Audit recommendations that a Corrective Action Plan be developed; and

NOW THEREFORE IT BE RESOLVED that the following Corrective Action Plan for the 2011 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.

Edward G. Campbell, III
Mayor

2012-7-78 RESOLUTION OF THE COUNCIL OF THE BOROUGH OF GIBBSBORO APPROVING AN APPLICATION FOR THE SUBMISSION OF A N.J.D.O.T. MUNICIPAL AID APPLICATION THROUGH THE NEWJERSEY DEPARTMENT OF TRANSPORTATION STREETScape IMPROVEMENTS TO HADDONFIELD-BERLIN ROAD (COUNTY ROUTE NO. 561) FROM CLEMENTON AVENUE (CR 686) TO MARLTON AVENUE

WHEREAS, the Municipal Aid Program provides funds through the New Jersey Department of Transportation for a variety of "Transportation Enhancements"; and

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trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds and proceeds from the sale of affordable units; and

WHEREAS, the Planning Board and Borough Council of the Borough of Gibbsboro, Camden County, adopted a third round Housing Element and Fair Share Plan, respectively, dated November 11, 2008 and submitted it to the NJ Superior Court for court review and approval on December 30, 2008; and

WHEREAS, *N.J.A.C. 5:97-8.1(d)* requires a municipality with an affordable housing trust fund to receive approval of a spending plan from COAH prior to expending funds in such account; and

WHEREAS, *N.J.A.C. 5:97-8.10* requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
4. A description of the anticipated use of all affordable housing trust funds pursuant to *N.J.A.C. 5:97-8.7, 8.8, and 8.9*;
5. A schedule for the expenditure of all affordable housing trust funds;
6. If applicable, a schedule for the creation or rehabilitation of housing units;
7. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and
8. A plan to spend the trust fund balance as of July 2008 within four years of the Council's approval of the spending plan, or in accordance with an implementation schedule approved by the Council;
9. A plan to spend and/or contractually commit all development fees and any payments in lieu of construction within three years of the end of the calendar year

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in which funds are collected, but no later than the end of third round substantive certification period;

10. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and
11. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

WHEREAS, the Borough of Gibbsboro has prepared a spending plan amendment consistent with *N.J.A.C. 5:97-8.10* and P.L. 2008, c.46 for pre-development surveying and engineering work of the Borough's affordable housing site, commonly known as Block 8.03; Lots 5, 6.01 and 6.05, as previously established in the Borough's Housing Element and Fair Share Plan.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Gibbsboro, Camden County, to request of COAH administrative review and approval of Gibbsboro Borough's spending plan, attached hereto.

Anne Levy, RMC
Borough Clerk

2012-7-80 **RESOLUTION OF THE COUNCIL OF THE BOROUGH OF GIBBSBORO COMMITTING TO THE DEVELOPMENT OF AFFORDABLE HOUSING IN ACCORDANCE WITH THE HOUSING ELEMENT AND FAIR SHARE PLAN OF THE THIRD ROUND DATED JULY 11, 2012**

WHEREAS, the Borough Council of the Borough of Gibbsboro ("Borough Council") has established an Affordable Housing Trust Fund pursuant to *N.J.A.C. 5:97-8.1* and adopted a Spending Plan providing for the expenditure of such monies for affordable housing purposes dated November 11, 2008 and updated to June 15, 2012; and

WHEREAS, Resolution 2012-7-79 requests approval of such amended Spending Plan by the Council on Affordable Housing ("COAH"); and

WHEREAS, in furtherance of the development of affordable housing in the Borough of Gibbsboro, the Borough Council seeks to commit funds from the Affordable Housing Trust Fund for pre-development work, including planning, engineering and surveying of the Borough's municipal site for affordable housing consisting of Block 8.03; Lots 5, 6.01 and 6.05 in the amount of \$15,271 pursuant to a proposal prepared by the Borough Engineer; and

WHEREAS, the Borough Council further seeks to commit funds from the Affordable Housing Trust Fund for the administration of the Borough's affordable housing plan

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implementation and monitoring of activities in the amount of \$2,387; and

WHEREAS, the Borough of Gibbsboro’s affordable housing trust fund is consequently “committed for expenditure” in accordance with the requirements of N.J.S.A. 52:27D-329.2d; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council continues its support for the development of affordable housing on the municipal housing site as described herein and authorizes the Borough Engineer to undertake such as required in accordance with a proposal dated July 9, 2012 for pre-development work thereon.

Anne Levy, RMC
Borough Clerk

Motion to approve Resolutions Councilman Bonsall, Second Councilwoman Schieber

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

MINUTES: None

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 BONSALL

Councilman Bonsall reported that the Planning Board conditionally approved the construction of a new home on Haddon Avenue. The application for a new home on Kresson Road was again delayed as there is a settlement being considered and if completed by the August meeting the application will be withdrawn. Discussions were held with the Mayor regarding contracting for clean up, weeding and grass cutting at Borough Hall, the streetscape, warning tracks at the Cricket Field, the island at Hidden Woods. This would allow Wally to concentrate on main items.

PUBLIC EVENTS

COUNCILMAN BROWN

Councilman Brown reported that there were 11 contestants for the Miss Gibbsboro

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Pageant. Councilman Brown thanked Anne, Sharon Maher and Mike MacFerren for their efforts. The 4th of July went very good and Wally Pratz did a great job. Something to discuss at the September meeting is fireworks. Mayor Campbell commented that the Miss Gibbsboro Pageant was the best to date.

POLICE/ENVIRONMENTAL COMMISSION

COUNCILMAN CROGHAN

Councilman Croghan reported that there was a police vehicle accident and Patrolman Myers was slightly injured and is on light duty for a week. The insurance company is evaluating the police car. Councilman Croghan commented that he received an e-mail regarding speeders on Route 561. The Police Chief said he is aware of the problem. There are funds to purchase a new police car. The police committee will make a recommendation for a new vehicle at the next meeting.

RECYCLING/SANITATION/RECREATION

COUNCILMAN MACFERREN

Councilman MacFerren absent – no report.

LOCAL ASSISTANCE/INSURANCE

COUNCILWOMAN MANCINI

Councilwoman Mancini reported that she and Roger Leonard, Risk Manager, will be addressing the loss control report as some of the items date by to 2002. Each location will be visited and pictures will be taken. The pictures will be sent to John Saville in an attempt to eliminate the problems. Most of the departments have dealt with the items on the list. The HIF forwarded a copy of their suggestions and recommendations. Gibbsboro has been invited to host classes in 2013.

L&I/ZONING BOARD

COUNCILWOMAN SCHIEBER

Councilwoman Schieber reported that the construction office issued 8 permits for June and total amount collected was \$817. In accordance with the Compliance Officer's report, Ray is keeping up with properties that need to be cut. Regarding the 4th of July "hot dog land", it went very well with many helpers including employees.

MAYOR'S REPORT

MAYOR CAMPBELL

Mayor Campbell reported that a resident approached him at the Miss Gibbsboro Pageant and was non-stop on the accolades regarding the senior center. He called the senior center and Pole Hill Park a "hidden gem".

Councilman Bonsall commented that a couple of seniors have requested that a council person act as liaison with the seniors. Councilwoman Mancini volunteered to be liaison.

Mayor Campbell also reported that the path to Pole Hill Park has been cleared by Tri-Boro and that will be a good extension for the system. Berlin Road has been closed by the

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County as the culvert collapsed. Kirkwood Road will be closed the week of 7/23/12 for sewer work from Farwood Road Hilliards Road. The statues at the Cricket Field are now lit at night. The renovations to the Charger Building are underway. A mold problem was discovered and the interior of the building had to be power washed.

The Mayor distributed a wetlands determination letter to Council from the NJDEP. The letter is in reference to the Tri-Boro tract. When the original sewer system was built, the Borough planned and was required to install a sewer system that could handle the Square Circle tract and the Tri-Boro tract. A lot of extra money was paid for capacity to deal with the two sites when they were developed. It is in the Borough's and the County's sewer plan. Camden County has recently revised their sewer plan based on State identification of sensitive lands and have taken that area out of their sewer service district which means there will no longer be capacity available for the sites. On one hand that's good, less housing, and on the other hand we're not in the situation as 10 years ago where there's no capacity in the school. Mayor Campbell believes Gibbsboro should protest and would like the authorization to continue to fight the battle. Council did not object.

There are a number of tax liens that the Borough holds from last year and at the August council meeting we will discuss the list and request authorization to foreclose.

The decorative street lights have been installed at Pole Hill Park. There are a number of dead trees on Route 561 – one fell by the CVS. Letters will be sent to the owners regarding removal of the dead trees.

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 MacFerren	Absent
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

1. EDUCATION/PROFESSIONAL ENRICHMENT REQUEST

- A. Officer Don Fisher – Alcotest Operator – 10/9/12 – 10/12/12
Cost: \$0, Location: Gloucester County College

Motion to approve Education/Professional Enrichment Request Councilman Croghan Second Councilman Brown

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

2. REPAIRS TO POLE HILL PARK FLAG POLE

Quotes were solicited to scrape, wire brush, spot prime and paint with rust inhibitive oil base aluminum paint. Lubricate and check pulley, replace halyard and flag snaps and supply and install a 6’x10’ US nylon flag with stars.

Flagpole Technology	\$ 935.00
Acme/Lingo Flagpoles, LLC	\$1,035.00
AVCO Signs	No bid

Motion to award to Flagpole Technology in the amount of \$935 charged to Ordinance 2003-16 Open Space and contingent upon certification of availability of funds from the CFO Councilman Bonsall, second Councilman Brown

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

3. PAINTING OF EXTERIOR SENIOR CENTER BUILDING

Quotes were received from:

Custom Constructors, LLC	\$2,545
Ron Seddon	\$1,800
R.A. Janis Painting, Inc.	No bid
Kenneth Waters	No bid
Stojanov Bros. Paining & Paperhanging	No bid

Motion to award to Ron Seddon in the amount of \$1,800 charged to Ordinance 2008-03 Senior Center and contingent upon certification of availability of funds from the CFO Councilman Bonsall, second Councilman Brown

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

INFORMATIONAL:

1. Next Regular council meeting is August 8, 2012.

MEETING OPEN TO THE PUBLIC

No voice from the public.

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CLOSED TO THE PUBLIC

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

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

Anne D. Levy, RMC
Borough Clerk

Edward G. Campbell, III
Mayor

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