

MARCH 24, 2010

**BOROUGH COUNCIL MEETING MINUTES
MARCH 24, 2010**

Meeting called to order at 8:00P.M.

Pledge of Allegiance

Moment of Silence for Lewis (Wimpy) Williams

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 Michael MacFerren
Councilwoman Anita Mancini
Councilwoman Margie Schieber

Absent:
None

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

Mayor Campbell commented that Mr. Williams served on Borough Council, former council president, former Captain of Gibbsboro police department, a resident almost all of his life, a unique person and a contributor to all that is great about Gibbsboro.

FIRST ORDER OF BUSINESS:

2010-04 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Motion to approve Ordinance Councilman Bonsall, Second Councilman Croghan

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

2010 BUDGET INTRODUCTION

Comments:

Mayor Campbell commented that the budget had been discussed two meeting ago and no changes have been made to the appropriations. The Governor has announced that Gibbsboro’s aid has been cut by approximately \$77,000. Since the legislature has to adopt the budget the number may change. For the present Gibbsboro is increasing the anticipated revenue so the fiscal impact of the budget is as it was a month ago. Between now and the end of the year we

MARCH 24, 2010

may increase deferred school taxes. If revenues increase the increased deferred school taxes will not be used.

The budget is at cap and meets the 2 1/2% cap but the bad news is this may be the last year that debt service is exempted.

2010-3-52 RESOLUTION APPROVING THE MUNICIPAL BUDGET OF THE BOROUGH OF GIBBSBORO, COUNTY OF CAMDEN FOR FISCAL YEAR 2010

WHEREAS, it is hereby certified that the Budget and Capital Budget annexed hereto and hereby made a part hereof is a true copy of the Budget and Capital Budget approved by Resolution of the Governing Body on the 24th Day of March, 2010.

NOW, THEREFORE, BE IT RESOLVED that public advertisement will be made in accordance with the provisions of N.J.S.A. 40A:4-6 and N.J.A.C. 5:30-4.4(d).

Certified by me this 24h Day of March, 2010

Anne D. Levy, RMC
Borough Clerk

RECORDED VOTE:

	AYE	NAY	ABSTAIN	ABSENT
Bonsall	X			
Brown	X			
Croghan	X			
MacFerren	X			
Mancini	X			
Schieber	X			

Motion to approve Resolution Councilman Bonsall, Second Councilman Brown

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

VOUCHERS:

Motion to dispense reading and approve vouchers in the amount of **\$2,395,528.99**
Councilman Bonsall, Second Councilman Brown

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

MARCH 24, 2010

ORDINANCES:

FIRST READING:

2010-02 AN ORDINANCE REPEALING CHAPTER 259 OF THE ORDINANCES OF THE BOROUGH OF GIBBSBORO, MOBILE HOMES

Motion to approve Ordinance Councilman Bonsall, Second Councilwoman Schieber

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

2010-03 AN ORDINANCE AMENDING CHAPTER 311, SEWERS, OF THE ORDINANCES OF THE BOROUGH OF GIBBSBORO

Motion to approve Ordinance councilman Brown, Second Councilwoman Schieber

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

SECOND READING:

2010-01 A BOND ORDINANCE OF THE BOROUGH OF GIBBSBORO PROVIDING FOR THE CONSTRUCTION AND RECONSTRUCTION OF VARIOUS ROADWAYS, SIDEWALKS, CURBING AND BIKEWAYS WITHIN THE BOROUGH OF GIBBSBORO BY THE BOROUGH OF GIBBSBORO, COUNTY OF CAMDEN, AND APPROPRIATING \$240,000 AND AUTHORIZING THE ISSUANCE OF BONDS AND/OR NOTES IN THE AMOUNT OF \$57,000 AND THE PAYMENT OF \$3,000 DOWN PAYMENT FROM THE CAPITAL IMPROVEMENT FUND AND THE ACCEPTANCE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION MUNICIPAL AID \$180,000

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF GIBBSBORO, IN THE COUNTY OF CAMDEN, NEW JERSEY AS FOLLOWS:

SECTION I

\$3,000 is hereby appropriated from the Capital Improvement Fund and \$180,000 through the New Jersey Department of Transportation construction and reconstruction of various roads, sidewalks, curbs and bikeways within the Borough of Gibbsboro and the engineering and associated costs for the Borough of Gibbsboro, in the County Camden, New Jersey.

SECTION II

The capital budget of the Borough of Gibbsboro conforms to the provisions of this ordinance to the

MARCH 24, 2010

extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the capital budget and capital program as approved by the Director of the Division of Local Government Service is on file with the Clerk and is available for the public inspection.

For the financing of said improvements or purposes and to meet said \$240,000 appropriation not provided by application hereunder of said down payment of \$3,000 and the acceptance of aid in the amount of \$180,000, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$57,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds, and to temporarily finance said improvements or purposes, negotiable notes in a principal amount equal to said principal amount of bonds are hereby authorized to be issued pursuant to and within the limitations prescribed by said law.

SECTION III

- (A) The improvement hereby authorized and the purpose for the financing of which said obligations are to be issued is the construction and reconstruction of various roadways, sidewalks, curing and bikeways within the Borough of Gibbsboro.
- (B) The estimated maximum amount of bonds or notes to be issued for said purposes is as stated in Section II.
- (C) The estimated cost of said purpose is equal to the amount of the appropriation herein made therefor, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of said down payment for said purposes.

SECTION IV

The following additional matters are hereby determined, declared, recited and stated:

- (A) The said purposes described in Section III of this Bond Ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as a general improvement, and no part of the cost hereof has been or shall be specially assessed on property specially benefited thereby.
- (B) The period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance is fifteen years (15).
- (C) The Supplemental Debt Statement required by said Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate 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, and such statement shows that the gross debt of the Borough as defined in said Law is increased by the authorization of the bonds and notes provided for in this Bond Ordinance and said obligation authorized will be within all debt limitations prescribed by said Law.
- (D) An aggregate amount not exceeding \$30,000 for the items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

SECTION V

MARCH 24, 2010

The Borough Council of the Borough of Gibbsboro is hereby authorized to apply and receive funding under the New Jersey Department of Transportation Trust Fund. Any funds obtained thereunder may be applied to the \$240,000 appropriation provided for in Section I hereof.

SECTION VI

The full faith and credit of Gibbsboro Borough are hereby pledged to the punctual payment of the principal and interest on the said obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all of the taxable property within the Borough for payment of said obligations and interest thereon without limitations of rate or amount.

SECTION VII

The Capital Budget is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistencies therewith and Resolutions promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as provided by the Division of Local Government Services, as on file with the Borough Clerk and is available for public inspection.

SECTION VIII

The Borough reasonably expects to reimburse itself from proceeds of the obligations authorized by this Ordinance for capital expenditures with respect to the projects initially paid for from current or other available funds of the Borough. This constitutes a declaration of "official intent" within the meaning of Treasury Regulations 1.103-18. The Borough hereby certifies that this declaration is reasonable on the date hereof in that:

- (A) It is consistent with the budgetary and financial circumstances of the Borough,
- (B) No funds (other than the proceeds of the obligations authorized by this Ordinance) are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside by the Borough pursuant to its budget and financial policies with respect to the capital expenditures to be reimbursed, and
- (C) The Borough does not have a pattern of failing to reimburse itself for capital expenditures actually paid and for which an official intent was declared, other than due to unforeseeable extraordinary circumstances beyond the Borough's control. The Borough acknowledges that in order to reimburse itself for capital expenditures incurred with respect to the projects, the obligations authorized by this Ordinance must be initially issued not later than one year after the later of the date the relevant capital expenditure is initially paid or the date the relevant capital improvement is placed into service.

SECTION IX

This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

Edward G. Campbell, III
Mayor

Anne D. Levy, RMC
Borough Clerk

Public Hearing: Open to the Public. No comment from the public. Hearing closed to the Public.

MARCH 24, 2010

Motion to approve Ordinance Councilman Croghan, Second Councilman MacFerren

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

MEETING OPEN TO THE PUBLIC FOR COMMENT ON PENDING RESOLUTIONS

No comment from the public.

CLOSED TO THE PUBLIC

RESOLUTIONS:

2010-3-50 A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Borough of Gibbsboro wishes to apply for funding for a project under the Safe and Secure Communities Program (Grant #P-4550); and

WHEREAS, the Mayor and Borough Council have reviewed the accompanying application and have approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Mayor and Borough Council of the Borough of Gibbsboro for the purpose described in the application;

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council that:

1. As a matter of public policy the Borough of Gibbsboro wishes to participate to fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

Edward G. Campbell, III
Mayor

Anne D. Levy, RMC
Borough Clerk

MARCH 24, 2010

2010-3-51 A RESOLUTION AUTHORIZING CHANGE ORDER NO.1 FOR THE RECONSTRUCTION OF KINGSBRIDGE ROAD

WHEREAS, it was necessary to make changes in the Scope of Work to be done in completing the Reconstruction of Kingsbridge Road (funded by the NJDOT Discretionary Aid, FY 2009) in the Borough of Gibbsboro, Camden County, New Jersey.

WHEREAS, Change Order Number 1 was developed to itemize and authorize those changes; and

WHEREAS, certification has been received by the Borough Chief Finance Officer that sufficient funds have been allocated for this Change Order;

NOW, THEREFORE BE IT RESOLVED by the Borough of Gibbsboro, County of Camden, State of New Jersey that Change Order Number 1 is hereby authorized and approval is hereby granted to revise the contract amount from **\$183,654.36 to \$204,308.36.**

Edward G. Campbell, III
Mayor

Anne D. Levy, RMC
Borough Clerk

2010-3-53 RESOLUTION AUTHORIZING A 2nd YEAR OPTION - COMMENCING 9/26/09 THROUGH 9/25/10 WITH SWIFTREACH NETWORKS, INC. PURSUANT TO BID A-58, FURNISHING OF AN EMERGENCY NOTIFICATION SYSTEM UNDER THE CAMDEN COUNTY COOPERATIVE PRICING SYSTEM

WHEREAS, on bids were received by Camden County for the project known as Bid A-58, **FURNISHING OF AN EMERGENCY NOTIFICATION SYTEM** under the Camden County Cooperative Pricing System, System Identifier #57 CCCPS, the receipt of which bids were duly advertised in accordance with law; and

WHEREAS, the Board of Chosen Freeholders recommended award to the lowest responsible bidder, Swiftreach Networks, Inc., 31 Industrial Avenue, Mahwah, NJ 07430; and

WHEREAS, this project was bid under Camden County Cooperative pricing with Camden County listed as Lead Agency; and

NOW, THEREFORE, BE IT RESOLVED it is the desire of the County to exercise the 2nd year option from 9/26/09 and terminating 9/25/10; and

1. That the Mayor and Borough Clerk are hereby authorized to execute the necessary contract to affect this award.

Edward G. Campbell, III
Mayor

Anne D. Levy, RMC
Borough Clerk

MARCH 24, 2010

Motion to approve Resolutions Councilman Bonsall, Second Councilman MacFerren

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Aye
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	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>

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

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

CORRESPONDENCE:

TO: Mayor & Council dated 3/16/10
 FROM: Maria Chalmers, Business Administrator – Victorious Foundation
 RE: 2nd Annual 5K Run/Walk – Sunday 5/23/10
 ACTION: Motion made by Councilman Bonsall and seconded by Councilman MacFerren granting permission to hold the 2nd Annual 5K Run/Walk.

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

OLD BUSINESS:

1. POLICY FOR THE USE OF BOROUGH FACILITIES

A resolution will be prepared for action at the next council meeting.

2. FIBERTECH NETWORKS

Motion made by Councilman Bonsall and Seconded by Councilman MacFerren to have Solicitor prepare documentation for action at the next council meeting.

MARCH 24, 2010

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

NEW BUSINESS:

1. SIGNS

Mayor Campbell commented that there is Clean Community funds available that has accrued over the years. The funds can be used for signs. Proposed signs will be for Borough Hall, and Pole Hill Park as installed along Route 561. Council concurred with the purchase of signs.

2. 4TH OF JULY CELEBRATION AND FIREWORKS

Place under Old Business for next council meeting.

INFORMATIONAL:

1. Easter Egg Hunt Saturday March 27, 2010
2. Next Borough Council meeting is Wednesday 4/14/10

MEETING OPEN TO THE PUBLIC

1. Gus Egizi, 12 Henry Road. Mr. Egizi addressed the council commenting that he maintains his property along with his neighbors and he indicated that the Borough does nothing for the residents in that area. Pine Road has standing water and the fenced area is again being used as a dump.

2. Barbara Headley, 6 Henry Road. Ms. Headley commented that the street sweepers have been in her area. At the end of Henry Road there are two big trunks that need to be removed and a pothole filled.

CLOSED TO THE PUBLIC

MOTION TO ADJOURN AT 9:00 P.M. COUNCILMAN BONSALL, SECOND COUNCILWOMAN SCHIEBER

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

Anne D. Levy, RMC
Borough Clerk

Edward G. Campbell, III
Mayor

MARCH 24, 2010

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