

DECEMBER 8, 2010

**BOROUGH COUNCIL MEETING AGENDA
DECEMBER, 2010**

Meeting called to order at 8:05 P.M.

Pledge of Allegiance

Moment of Silence for Joyce Riebel, Mildred A. Carley

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

VOUCHERS:

Motion to dispense reading and approve vouchers in the amount of **\$265,907.93**
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

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:

2010-12-105 RESOLUTION DEFERRING SEWER CONNECTION FEE FOR PROPERTY LOCATED AT 3 NORTH LAKEVIEW DRIVE, AKA BLOCK 7.04, LOT 16.09 BOROUGH OF GIBBSBORO

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BE IT RESOLVED by the Mayor and Borough Council of the Borough of Gibbsboro, County of Camden, State of New Jersey that the sewer connection fee due for property known as 3 North Lakeview Drive, Block 7.04, Lots 16.09 and 19.11 shall be deferred until such time as the owner shall apply for a Certificate of Occupancy. Payment of the sewer connection fee shall be a requirement for the issuance of a Certificate of Occupancy. The fee for said sewer connection fee shall be that fee applicable at the time of the application for the Certificate of Occupancy.

Edward G. Campbell, III
Mayor

Anne D. Levy, RMC
Borough Clerk

2010-12-106 RESOLUTION APPROVING OFF-PREMISE DRAW RAFFLE LICENSE
RL 2010-2 TO THE GIBBSBORO HOME & SCHOOL ASSOCIATION

BE IT RESOLVED by Mayor and Council of the Borough of Gibbsboro, County of Camden, State of New Jersey that an Off Premise Draw Raffle application has been submitted to the Borough of Gibbsboro by the Gibbsboro Home and School Association to be held on January 19, 2011; and

BE IT RESOLVED by the Mayor and Council that License RL2010-2 is hereby granted to the Gibbsboro Home and School Association; and

BE IT FURTHER RESOLVED that said license is for the benefit of the Gibbsboro Elementary School media center.

Edward G. Campbell, III
Mayor

2010-12-107 RESOLUTION AUTHORIZING THE AWARD OF BID B-19, FURNISHING
AND DELIVERY OF SODIUM CHLORIDE AND PRETREATED LIQUID
ENHANCED SODIUM CHLORIDE THROUGH THE CAMDEN COUNTY
COOPERATIVE PRICING SYSTEM

WHEREAS, bids were received by Camden County for the project known as Bid b-19, furnishing and delivery of sodium chloride and pretreated liquid enhanced sodium chloride through the Camden County Cooperative Pricing System, 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, International Salt; and

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

WHEREAS, said contract will commence on 11/1/10 to 10/31/11; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Gibbsboro,

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County of Camden, and State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute the necessary contract.

Edward G. Campbell, III
Mayor

Anne D. Levy, RMC
Borough Clerk

2010-12-109 RESOLUTION OF THE BOROUGH OF GIBBSBORO URGING ITS LEGISLATORS TO REVISE ASSEMBLY BILL NO. 3447 TO ENABLE THE SENDING MUNICIPALITY TO SECURE THE RIGHT TO COUNT THE AFFORDABLE UNITS IT FUNDED AGAINST THE NUMBER OF "QUALIFYING UNITS" IN THE MUNICIPALITY.

WHEREAS, Assembly Bill No. 3447 is currently pending before the Assembly, which includes significant amendments to the Fair Housing Act and will create a new system through which a municipality may comply with the Mount Laurel doctrine; and

WHEREAS, A-3447's system includes a means for municipalities to be deemed "compliant" through the demonstration that 10 percent of the municipality's housing stock is comprised of "qualified housing units" (hereinafter "the 10 percent standard"); and

WHEREAS, A-3447's definition of "qualified housing units", as presently written, gives credit for the units transferred via Regional Contribution Agreements to the receiving municipality, rather than the sending municipality, who paid significant amounts of money to create these affordable units; and

WHEREAS, A-3447 creates a situation where a sending municipality, who received credit for these units under current law, will lose the ability to count the affordable units it funded against satisfaction of the 10 percent standard; and

WHEREAS, the Borough of Gibbsboro, for example, spent **\$1,400,000** to fund the provision of **52 affordable units** through RCAs; and

WHEREAS, under A-3447, as presently written, would deprive the Borough of the right to count any of these 52 affordable units against satisfaction of the 10 percent standard; and

WHEREAS, this problem needs to be corrected so that municipalities that complied in good faith with the laws in existence at the time receive credit for the creation of affordable housing within their region; and

THEREFORE BE IT RESOLVED that **GIBBSBORO BOROUGH** urges its Legislators to rectify this significant problem with A3447 before the bill is passed into law.

BE IT FURTHER RESOLVED that a copy of this Resolution be submitted by the Borough Clerk to the Office of Governor Chris Christie and the Sixth District Legislators representing the Borough of Gibbsboro: Senator James Beach, Assemblywoman Pam Lampitt, and Assemblyman Louis Greenwald.

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Anne D. Levy, RMC
Borough Clerk

2010-12-110 RESOLUTION AUTHORIZING CHANGE ORDER NO. 1-FINAL FOR THE
ROOF REPLACEMENT AT THE GIBBSBORO FIRE HOUSE

WHEREAS, it was necessary to make changes in the Scope of Work to be done in completing the Roof Replacement at the Gibbsboro Fire House – State 681 located at 131 Hilliards Road (Block 65, Lots 1, 2 & 4), in the Borough of Gibbsboro, Camden County, New Jersey.

WHEREAS, Change Order Number 1-Final 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-Final is hereby authorized and approval is hereby granted to amend the contract amount from \$99,000 to \$89,000.

Edward G. Campbell, III
Mayor

Anne D. Levy, RMC
Borough Clerk

2010-12-111 RESOLUTION OF THE BOROUGH OF GIBBSBORO OPPOSING
ASSEMBLY BILL A3539 TO CONSOLIDATE MUNICIPALITIES

WHEREAS, Assembly Bill A3539, currently under consideration by the New Jersey Assembly, would dissolve the municipality of Teterboro and incorporate it with the neighboring towns of South Hackensack, Little Ferry, Moonachie and Hasbrouck Heights; and

WHEREAS, Teterboro has not consented to this consolidation; and

WHEREAS, and the bill will provide a twenty year, state-funded property tax subsidy to residential and commercial property owners within Teterboro; and

WHEREAS, the long term net effect of the consolidation is tantamount to an “economic taking” from Teterboro property owners; and

WHEREAS, Teterboro has a significantly lower effective property tax rate than all of the municipalities with which it would be consolidated; and

WHEREAS, the average effective property tax rate in Bergen County is less than the statewide average; and

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WHEREAS, the consolidation provides no economic benefit to the remainder of New Jersey, creates a twenty year unfunded burden that the state cannot afford, and is a consolidation that make no economic sense for the overall state.

NOW THEREFORE BE IT RESOLVED that **GIBBSBORO BOROUGH** urges its Legislators to oppose Assembly Bill A3539.

BE IT FURTHER RESOLVED that a copy of this Resolution be submitted by the Borough Clerk to the League of Municipalities, the Office of Governor Chris Christie, the Mayor and Council of Teterboro, and the Sixth District Legislators representing the Borough of Gibbsboro: Senator James Beach, Assemblywoman Pam Lampitt, and Assemblyman Louis Greenwald.

Anne D. Levy, RMC
Borough Clerk

2010-12-112 A RESOLUTION AUTHORIZING CHANGE ORDER NO. 9-FINAL FOR THE GIBBSBORO GATEWAY ENHANCEMENT ALONG HADDONFIELD-BERLIN AND CLEMENTON ROADS

WHEREAS, it was necessary to make changes in the scope of work to be done in completing the Gibbsboro Gateway Enhancement along Haddonfield-Berlin Road (CR 561) and Clementon Avenue (CR 686) (Funded through the Transportation Enhancement for the Twenty-First Century Program, TEA-21, FY2004TE) [Federal Project No. STP-4107 (103) Construction], in the Borough of Gibbsboro, County of Camden, State of New Jersey.

WHEREAS, Change Order No. 9-Final 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;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Gibbsboro that Change Order No. 9 is hereby authorized and approval is hereby granted to revise the contract from \$716,693.00 to \$736,982.00.

Date: _____

Mayor Edward G. Campbell, III

Date: _____

Anne Levy, R.M.C., Borough Clerk

Motion to approve Resolutions Councilman Bonsall, Second Councilman MacFerren

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

* Councilwoman Schieber voted Nay on Resolution 105.

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MINUTES:

Motion to dispense reading and approve minutes of 10/27/10* and 11/10/10 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

* Councilwoman Mancini abstained on the 10/27/10 minutes.

REPORT OF MUNICIPAL OFFICERS:

Borough Clerk	<u> X </u>	Police Department	<u> X </u>
Construction Official	<u> X </u>	Sewer Clerk	<u> No </u>
Tax Collector	<u> No </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>

COUNCIL COMMITTEE REPORTS:

PLANNING BOARD/PUBLIC WORKS

COUNCILMAN BONSTALL

Councilman Bonsall reported that Planning Board has not met. Salt has been ordered in anticipation of snow.

Motion made authorizing DiMeglio Company to assist Public Works during a snow emergency - Councilman Bonsall and seconded by Councilman MacFerren.

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

Councilman Brown commented that trailers parked on the streets have become a problem again. Mayor Campbell also commented that a snow emergency may be declared and the police will cite the residents to remove vehicles.

Councilman Bonsall commented that the Boy Scouts have withdrawn their request to use the senior center during the winter as they will meet at the Gibbsboro Methodist church.

Councilman Bonsall commented that Officer Girgenti submitted a request to be paid for two unused vacation weeks and carry one week. Councilman MacFerren recused himself from the discussion.

Motion made by Councilman Bonsall and seconded by Councilwoman Schieber granting buying back one week vacation, carry one week and use one week before the end of the year.

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

PUBLIC EVENTS

COUNCILMAN BROWN

Councilman Brown reported that the tree lighting is scheduled for December 10th and any help would be appreciated. The Environmental Commission does not have much going on and perhaps go to every other month for meetings.

POLICE/ENVIRONMENTAL COMMISSION

COUNCILMAN CROGHAN

Councilman Croghan was absent.

RECYCLING/SANITATION/RECREATION

COUNCILMAN MACFERREN

Councilman MacFerren reported that the November trash tonnage was 91.51, recycling 19.32 tons.

LOCAL ASSISTANCE/INSURANCE

COUNCILWOMAN MANCINI

Councilwoman Mancini reported that the energy one time membership fee has been reduced from \$600 to \$300. Perma will issue a dividend check for \$2,105. Regarding contacting Mr. Kickham regarding the 2011 budget increase for legal fees to manage claims for the new insurance policy, Mr. Kickham was contacted November 22nd and no response to date. A letter will be sent.

L&I/ZONING BOARD

COUNCILWOMAN SCHIEBER

Councilwoman Schieber reported there has been no zoning board meeting. Mayor Campbell commented that perhaps a revisit regarding combining the boards is in order. Ten permits were issued in November and total value of construction was \$47,904 and \$1,312 was collected in permit fees. The pot holes on West Road were fixed by Public Works, Wally Pratz.

MAYOR'S REPORT

MAYOR CAMPBELL

Mayor Campbell reported that upon a quick perusal of the financial report and a rough calculation of the appropriation reserves will be approximately \$650,000, somewhat better than last year. School taxes may be deferred. Next year there will be one meeting a month at an earlier time, 7:00 p.m. The cap for 2011 will be 2% and it is suggested that the salary resolution be deferred until the State provides guidance on state aid.

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

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

CORRESPONDENCE:

TO: Honorable Edward G. Campbell, III dated 11/16/10
FROM: Phyllis J. Magazzu, Mayor, Township of Berlin
RE: Shared Services/Regional Policing
ACTION: Mayor Campbell will contact Mayor Magazzu regarding shared services.

TO: Mayor and Council Received 11/29/10
FROM: Officer John W. Waechtler, Jr.
RE: Vacation Carry Over
ACTION: Motion made by Councilman Bonsall permitting a one week carry over into 2011,
Seconded by Councilwoman Schieber

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

TO: Councilman Gerald Bonsall dated 12/5/10
FROM: George a. Koehler, Jr., Boy Scout Troop 127
RE: Use of Senior Center
ACTION: This item was discussed earlier. Boy Scout Troop 127 will be meeting at the
Gibbsboro Methodist Church and they have withdrawn their request to use the
Senior Center

OLD BUSINESS: None

NEW BUSINESS:

1. FENCING AT CRICKET FIELD - SUMMARY OF BIDS

	LANDBERG CONSTRUCT.	MASTER WIRE	ACCENT FENCE	PRO MAX
BASE BID A *	133,694.00	215,375.00	223,128.40	202,547.48
BASE BID B *	8,349.00	9,075.00	10,164.00	16,552.80
BASE BID C *	4,114.00	12,716.00	18,700.00	10,472.00
BASE BID D *	1,925.00	1,650.00	880.00	2,970.00
BASE BID E **	8,027.00	12,905.00	11,840.40	12,530.14
BASE BID F **	8,432.60	13,433.20	12,262.80	12,892.00
BASE BID G **	7,902.00	12,601.00	9,354.40	17,542.80
ALT. #1	12,080.00	7,550.00	33,220.00	5,858.80
ALT. #2 *	12,243.00	7,141.75	5,101.25	5,917.45
ALT. #3	1,980.00	1,650.00	3,300.00	4,563.90
TOTAL	198,746.60	294,096.95	327,951.25	291,847.37

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Motion to award to Landberg Construction in the amount of \$184,687.80 for Base Bids A through D and Alternate 2 charged to Ordinance 2003-16 Open Space and Base Bids E through G charged to Sewer OE, conditioned upon certification by CFO of availability of funds and review of contract by Borough Solicitor Councilman Bonsall, Second Councilman Brown

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

2010-12-108 AWARDING CONTRACT RESOLUTION FOR INSTALLATION OF FENCING AT THE CRICKET FIELD

WHEREAS, the Borough of Gibbsboro has advertised for and received bids for the purpose of the Installation of Fencing at the Cricket Field in the Borough of Gibbsboro, Camden County, New Jersey; and

WHEREAS, the low bid of \$184,687.80 was received from Landberg Construction of Mays Landing, New Jersey; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Gibbsboro, County of Camden, State of New Jersey, that a contract in the amount of \$184,687.80 for the Installation of Fencing at the Cricket Field in the Borough of Gibbsboro, Camden County, New Jersey is hereby awarded to Landberg Construction of Mays Landing, New Jersey conditional upon the following:

1. That a certificate has been received from the Municipal Treasurer stating that funds are available for this Contract.
2. That all funds expended for this Contract shall be charged to Ordinance 2003-16 and Sewer OE.
3. That the bid documents and bidding procedures have been reviewed and approved by the Municipal Solicitor.
4. That the presiding officer of this body be and is hereby directed to sign for and on its behalf the Contract for said services.
5. That the clerk of this body be and is hereby directed to seal said Contract with the corporate seal of this body and attest to the same.
6. This Resolution hereby authorizes the Mayor and Clerk to endorse the Contract document.

APPROVED BY:

Date: _____

Mayor Edward G. Campbell, III

Date: _____

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Ms. Anne D. Levy, R.M.C., Borough Clerk

Motion to approve Resolution Councilman Bonsall, Second Councilman Brown

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

2. SEAL COAT CRICKET FIELD PARKING LOT

Bids received from:	
DiMeglio Construction	\$10,860
Command Company	7,242
Tars & Stripes	No Bid

Motion to award to Command Company in the amount of \$7,242, charged to Ordinance 2003-16, conditioned upon certification by CFO of availability of fund and review of contract by Borough Solicitor Councilman Bonsall, Second Councilman Brown

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

3. USE OF SENIOR CENTER

Applicant:	Dawn Williams
Date of Event:	Saturday, January 1, 2011
Fee & Bond Paid:	\$175

Motion to approve use of the Senior Center 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

INFORMATIONAL:

1. Tree Lighting Ceremony Friday December 10, 2010 at 7:00 p.m.
2. Senior Holiday Party is Monday December 13, 2010 at 6:30 p.m.
3. Next Council meeting is the Reorganization meeting on Wednesday January 5, 2011 at 7:00 p.m.

MEETING OPEN TO THE PUBLIC

No voice from the public.

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CLOSED TO THE PUBLIC

MOTION TO ADJOURN AT 9:50 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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