

**BOROUGH OF GIBBSBORO
COUNCIL MEETING MINUTES
July 11, 2023
7:00 P.M.**

Meeting called to order at 7:00 p.m.

Pledge of Allegiance

Mayor Campbell read the Opening Statement: "All the notice requirements of the Open Public Meeting Act have been complied with in full."

ROLL CALL

Present:

Councilman Mitchell Brown (arrived 7:44 p.m.)

Councilman Fred Deterding

Councilwoman Christine Karcsh (arrived 7:15 p.m.)

Councilman Michael MacFerren

Councilman Ronald Rickert

Councilman Glenn Werner

Professionals:

John P. Jehl, Solicitor

Gregory B. Fusco, Engineer

FIRST ORDER OF BUSINESS

Girl Scout Troop 30161 Silver Award Candidates:

Mackenzie Aversa

Jessica Gerace

Natalya Wheeler

ORDINANCES FOR FIRST READING

2023-11 BOND ORDINANCE OF THE BOROUGH OF GIBBSBORO, IN THE COUNTY OF CAMDEN, NEW JERSEY, AMENDING BOND ORDINANCE #2023-03, FINALLY ADOPTED MARCH 14, 2023

Motion to approve ordinance on first reading: Councilman Rickert, second Councilman Werner

Vote: Ayes unanimous (Brown, Karcsh – absent)

ORDINANCES FOR SECOND READING

2023-09 ORDINANCE ESTABLISHING REQUIREMENTS AND PENALTIES FOR PRIVATELY-OWNED SALT STORAGE

Public Comment: None

Motion to adopt ordinance: Councilman MacFerren, second Councilman Werner

Poll: Ayes – Deterding, MacFerren, Rickert, Werner

RESOLUTIONS

2023-7-101 RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SHARED SERVICE AGREEMENT BETWEEN THE COUNTY OF CAMDEN AND THE BOROUGH OF GIBBSBORO REGARDING THE PURCHASE OF GASOLINE AND DIESEL FUEL

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq., enables any local unit to enter into a contract with any other local unit to enter into a contract with any other local unit "for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction"; and

WHEREAS, the County of Camden (County) purchases regular and diesel fuel at state contract prices and maintains facilities at the Camden County Public Works facility in Lindenwold for dispensing the same; and

WHEREAS, County and the Borough of Gibbsboro (Gibbsboro) wish to enter into a Shared Services Agreement pertaining to the purchase of gasoline and diesel fuel.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Gibbsboro, County of Camden, State of New Jersey, that the Mayor is hereby authorized to execute an agreement with the County of Camden entitled "SHARED SERVICES AGREEMENT BETWEEN THE COUNTY OF CAMDEN AND THE BOROUGH OF GIBBSBORO REGARDING THE PURCHASE OF GASOLINE AND DIESEL FUEL".

2023-7-102 RESOLUTION AUTHORIZING THE REIMBURSEMENT OF FEES

WHEREAS, Sandra Griffin paid inspection fees of \$125 for a Continuing Certificate of Occupancy and \$45 for Smoke/Carbon Monoxide/Fire Extinguisher; and

WHEREAS, the property in question is new residential construction and has been issued Certificate of Occupancy by the Construction Official; and

WHEREAS, the aforementioned inspections were determined to be unnecessary.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Borough Council of the Borough of Gibbsboro that \$170.00 be reimbursed to Sandra Griffin.

2023-7-104 RESOLUTION AUTHORIZING APPLICATION TO LEAD GRANT ASSISTANCE PROGRAM

WHEREAS, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, "An Act concerning certain lead-based paint hazard, and residential rental property, and establishing lead-based paint hazard programs, supplementing P.L. 2003, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;" and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(1), a municipality that maintains a permanent local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards in certain specified single-family, two-family, and multiple rental dwellings, at the time

periods set forth in the statute; and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by DCA, or enter a shared services agreement as permitted by law, for the purpose of conducting the inspections for lead-based paint hazards; and

WHEREAS, Pursuant to Section 9 of P.L. 2021, c. 182, the State of New Jersey has allocated the sum of \$3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16). Further, pursuant to the FY 2023 Appropriations Act (P.L. 2022, Chapter 49), DCA received a grant-in-aid amount of \$3,900,000 for P.L. 2021, c. 182, for a total of \$7,800,000 in appropriations to effectuate the purpose of the Act.

WHEREAS, DCA has allocated \$7,000,000 of this appropriation to the development of the Lead Grant Assistance Program (“LGAP”) for the issuance of grant funds to municipalities for the purpose of assisting in municipal compliance with P.L. 2021, c. 182.

WHEREAS, the Division of Local Government Services (DLGS), within DCA, administers the LGAP; and

WHEREAS, the LGAP exists to provide funding to help off-set the costs to municipalities to provide the required inspections at stipulated times of certain single-family, two-family, and multiple rental dwelling units for lead-based paint hazards, pursuant to P.L. 2021, c. 182; and

WHEREAS, an authorized municipal officer must execute the attached grant agreement in order to receive LGAP funding.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of the Borough of Gibbsboro does hereby authorize the Mayor, Edward G. Campbell, III, to sign the attached grant agreement, and thus bind the Borough of Gibbsboro to the grant agreement’s terms in order to receive the \$1000.00 grant from the DLGS.

Public comment on pending resolutions: None

Motion to approve resolutions: Councilman MacFerren, second Councilman Werner

Vote: Ayes unanimous (Brown, Karcsh – absent)

REPORT OF MUNICIPAL OFFICERS

- | | |
|--------------------------|----------------------|
| Borough Clerk (X) | Risk Manager (X) |
| Construction Official () | Police Department () |
| Tax Collector (X) | Sewer Clerk (X) |
| Treasurer (X) | Court Clerk () |
| Compliance Officer (X) | Fire Official () |

COUNCIL COMMITTEE REPORTS

PUBLIC WORKS

Councilman Rickert

DPW has been working hard to prepare for the Independence Day celebrations, patching potholes, and maintaining the grounds.

PUBLIC EVENTS

Councilwoman Karcsh

The Miss Gibbsboro Pageant and Independence Day celebration were both successful and

well-attended. The next public event is National Night Out on August 1st at Pole Hill Park (5:30-7:30 p.m.).

INSURANCE

Councilman Werner

There are no new insurance claims this month. Mr. Rothberg, the EMC, is working on procuring Narcan and AED's for the Senior Center and Borough Hall. Thanks is due to Gibbsboro Police and Fire as well as supporting responders from Voorhees and Lindenwold for their hard work over the weekend during a lengthy power outage and road closure due to a motor vehicle accident and downed utility pole.

TRASH & RECYCLING / HEALTH

Councilman Deterding

Trash collection was moved to Saturday last week due to Independence Day.

RECREATION / L&I / PLANNING BOARD

Councilman MacFerren

A conditional use variance was granted to Jane's Joint LLC for a cannabis retail dispensary at 142 South Lakeview Drive. The applicant will return to the Planning Board for a site plan. D.R. Horton's application for a certificate of appropriateness for the approved townhomes around Silver Lake was deemed incomplete. The applicant will revise their proposal and resubmit for the August meeting.

POLICE

Councilman Brown

No report.

MAYOR'S REPORT

Mayor Campbell

The Borough has found an alternative to Voorhees Township for fuel through a shared service agreement with Camden County. A shared service agreement with the Gibbsboro School is being explored to hire a School Resource Officer. A shared service agreement has been reached with the Borough of Audubon to administer Gibbsboro's court, which will be considered later on the agenda. Updates to Superfund remediation will also be discussed later on the agenda.

Motion to put written reports on file for one year: Councilman MacFerren, second Councilman Rickert

Vote: Ayes unanimous (Brown – absent)

CORRESPONDENCE

To: Jude J. Brown, BOE President
Eastern Regional High School
From: Mayor Campbell
Re: Changes to Courtesy Transportation for Gibbsboro High School Students
Action: Informational

To: Mayor Campbell, dated 6/28/23
From: Diane Gutierrez-Scaccetti, Commissioner
New Jersey Department of Transportation
Re: Grant Award for Cedarcroft Road Storm Drainage Improvements
(\$375,000)
Action: Informational

OLD BUSINESS

1. COURT UPDATE

2023-7-99 RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF AUDUBON AND THE BOROUGH OF GIBBSBORO REGARDING MUNICIPAL COURT SERVICES

WHEREAS, the Borough of Audubon (Audubon) and the Borough of Gibbsboro (Gibbsboro) wish to enter into a Shared Services Agreement pertaining to the employment of a Municipal Court Administrator and other Court personnel; and

WHEREAS, N.J.S.A. 2B:12-1(c) authorizes Municipalities to provide for shared work employees by duly adopted Resolution of each Municipality, without establishing a joint Municipal Court; and

WHEREAS, Audubon and Gibbsboro have agreed that Audubon shall provide to Gibbsboro a shared Municipal Court Administrator and other Court personnel in accordance with the terms and conditions of this Agreement.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Gibbsboro, County of Camden, State of New Jersey, that the Mayor is hereby authorized to execute an agreement with the Borough of Audubon entitled "SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF AUDUBON AND THE BOROUGH OF GIBBSBORO REGARDING MUNICIPAL COURT SERVICES".

Motion to approve resolution: Councilman MacFerren, second Councilman Rickert

Vote: Ayes unanimous (Brown – absent)

2. 250 HADDONFIELD-BERLIN ROAD

- a. Draft Memorandum of Understanding – Triparty Agreement between Voorhees Township BOE, Gibbsboro BOE, and the Borough of Gibbsboro
- b. Skating Rink Redevelopment Study Area: Preliminary Investigation of a Determination of an Area in Need of Redevelopment (June 28, 2023)

Planning Board Resolution PB2023-7-20

2023-7-100 RESOLUTION DESIGNATING BLOCK 42, LOT 12.04 AS AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT AS DEFINED UNDER N.J.S.A. 40A:12A-1, ET. SEQ., AS AMENDED

WHEREAS, the Governing Body of the Borough of Gibbsboro considered it to be in the best interest of the Borough to have the Borough of Gibbsboro Planning Board conduct such

investigation to determine whether Block 42, Lot 12.04 (hereinafter "Skating Rink Redevelopment Study Area") is an area in need of condemnation redevelopment; and,

WHEREAS, the Planning Board received authorization from the Governing Body of the Borough of Gibbsboro, to undertake a preliminary investigation on March 14, 2023, by Resolution No. 2023-3-58; and,

WHEREAS, Brian Slaugh, PP, AICP, the Planning Board's Planning Professional, investigated the above referenced property and advised the Planning Board of his findings and conclusions in his report entitled "Skating Rink Redevelopment Study Area, Preliminary Investigation of a Determination of an Area in Need of Redevelopment" consisting of 14 pages and dated June 28, 2023; and,

WHEREAS, the Planning Board duly conducted, after proper notice, a public hearing on June 28, 2023, at 7:00 p.m., at which time all interested individuals were provided the opportunity to address any questions or concerns to the Planning Board; and,

WHEREAS, Brian Slaugh, PP, AICP provided expert testimony regarding his report during the public hearing; and,

WHEREAS, the Board permitted the public to participate by asking questions and making comments; and,

WHEREAS, after study and deliberation of the statements made during the public hearing and the expert testimony of the Planning Board Planner Brian Slaugh, as well as the comprehensive investigation of the need for redevelopment and the evidence presented during the course of the public hearing, the Planning Board determined and recommended to the Borough of Gibbsboro Governing Body, that Block 42, Lot 12.04, on the Tax Map of the Borough of Gibbsboro, meets the criteria to be declared an area in need of condemnation redevelopment as defined under N.J.S.A. 40A: 12A-1, et. seq., as amended; and,

The Planning Board adopted the Planner's Report and findings.

The definition of Redevelopment under the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1, et. seq.) is as follows:

Clearance, replanning[sic], development and redevelopment; the conservation and rehabilitation of any structure or improvement, the construction and provision for construction of residential, commercial, industrial, public or other structures and the grant or dedication of spaces as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds, or other public purposes, including recreational and other facilities incidental or appurtenant thereto, in accordance with a redevelopment plan.

N.J.S.A. 40A:12A-5, specifies the criteria which must be found in order for an area to be determined to be in need of redevelopment.

The criteria relevant to the conditions of the subject lot area are set forth in subsections B, E and H, which provide as follows:

B. The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.

E. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.

H. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

Block 42, Lot 12.04, consisting of 2.8 acres, meets the criteria of subsections B, E, and H, as pointed out in the Planning Report (pp 9-12); and,

WHEREAS, the Planning Board took into consideration the public questions and comments; and

WHEREAS, the Planning Board determined that Block 42, Lot 12.04 meets the criteria to be declared an Area in Need of Condemnation Redevelopment based upon its finding that the above statutory criteria have been met and the public health, safety and welfare would be promoted by creating one or more Redevelopment Plans and implementing redevelopment projects within its boundaries.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Gibbsboro that the Gibbsboro Planning Board's findings are accepted and that Block 42, Lot 12.04 is hereby determined to be An Area in Need of Condemnation Redevelopment as defined under N.J.S.A. 40A: 12A-1, et. seq., as amended.

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Gibbsboro, County of Camden, State of New Jersey, that:

1. This Resolution shall take effect immediately in accordance with law.
2. A copy of this resolution shall be sent to the Commissioner of the State Department of Community Affairs (NJDCA).
3. The Borough Clerk, or her designee, is hereby directed to serve, within ten (10) days, a copy of this Resolution upon each person, if any, who filed a written objection prior to the hearing held by the Planning Board, with service to be in a manner provided by N.J.S.A. 40A:12A-1.

Public Comment: None

Motion to approve resolution: Councilman Rickert, second Councilman MacFerren

Vote: Ayes – Brown, Deterding, Karcsh, MacFerren, Rickert; Nays – Werner

NEW BUSINESS

1. APPOINTMENT – GIBBSBORO FIRE COMPANY

Mark P. Mattson

2. EDUCATION REQUEST

Employee: Amy Troxel
Position: Borough Clerk
Course Title: Employment Law 101: Essentials for HR
Location/Dates: Live Virtual, July 25-27, 2023 (12:00-4:00 p.m.)
Cost: \$449

Motion to approve request: Councilman MacFerren, second Councilman Werner

Vote: Ayes unanimous

3. FACILITIES REQUEST

Applicant: T & L Transportation
Facility: Senior Recreation Center
Date/Time: August 22, 2023 (9a.m.-12p.m.)
Fee/Bond: Waiver requested

Motion to approve request: Councilman MacFerren, second Councilman Rickert

Vote: Ayes unanimous

4. DRAFT CANNABIS LICENSE APPLICATION

Review draft for future action

5. SCHOOL RESOURCE OFFICER

Table until approved by Gibbsboro BOE

6. SUPERFUND UPDATE

Burn site cleanup is progressing. Asbestos abatement at 2 and 4 Foster is almost complete, and demolition will take place soon. The cleanup plan for the waterbodies will involve pumping the contaminated sediment to a staging area in Gibbsboro on United States Avenue behind the Cedar Grove Cemetery. The water will be cleaned and pumped back into the waterbodies, and the contaminated sediment will be removed. The Borough is in conversation with Sherwin-Williams to assist with several projects, including the installation of bypass pumps for the sanitary sewer system, dredging the two ponds at Heritage Village, and restoring Clement Lake and the dam.

VOUCHERS

Motion to dispense reading and approve vouchers in the amount of \$362,814.85:

Councilman McFerren, second Councilman Brown

Vote: Ayes unanimous

MINUTES

Motion to dispense reading and approve the minutes of 6/13/23: Councilman MacFerren, second Councilman Rickert

Vote: Ayes unanimous

CLOSING COMMENTS

MEETING OPEN TO THE PUBLIC

Barbara Shelton-Gerace, 4 Farwood Road. Traffic pattern concerns at Gibbsboro Elementary School.

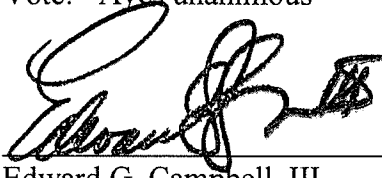
INFORMATIONAL

1. Next regular meeting of the Borough Council is Tuesday, August 8, 2023 at 7:00 p.m.
2. National Night Out is scheduled for August 1, 2023 from 5:30-7:30 at Pole Hill Park (772 Pole Hill Park Drive).

ADJOURNMENT

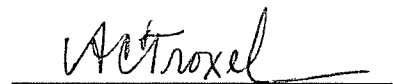
Motion to adjourn the meeting at 8:30 p.m. Councilman Rickert, second Councilman Brown

Vote: Ayes unanimous



Edward G. Campbell, III

Mayor



Amy C. Troxel, RMC
Borough Clerk