

**BOROUGH OF GIBBSBORO
COUNCIL MEETING MINUTES
August 8, 2023
7:00 P.M.**

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

Pledge of Allegiance

Moment of Silence for Carmella Colon, Denise Geier and Lt. Gov. Sheila Oliver

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
Councilman Fred Deterding
Councilman Michael MacFerren
Councilman Ronald Rickert
Councilman Glenn Werner

Absent:

Councilwoman Christine Karcsh

Professionals:

John P. Jehl, Solicitor
Gregory B. Fusco, Engineer

ORDINANCES FOR FIRST READING

ORDINANCES FOR SECOND 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

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

Section 1. Section I of Bond Ordinance #2023-03 of the Borough of Gibbsboro, in the County of Camden, New Jersey (the "Borough"), finally adopted March 14, 2023 ("Bond Ordinance #2023-03"), is hereby amended to add the following in its entirety to the beginning of the second paragraph thereof:

"The improvement described in Section II(A) of this bond ordinance is hereby authorized to be undertaken by the Borough of Gibbsboro as a general improvement. For the improvement or purpose described in Section II(A), there is hereby appropriated the sum of \$60,000, including the sum of \$3,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets."

Section 2. Section II(A) of Bond Ordinance #2023-03 is hereby amended in its entirety to read as follows:

"The improvements hereby authorized and the purpose for the financing of which said obligations are to be issued is for the purchase of safety equipment."

Section 3. Section III(A) of Bond Ordinance #2023-03 is hereby amended in its entirety to read as follows:

"The said purposes described in Section II 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."

Section 4. Bond Ordinance #2023-03 is hereby amended to include a new Section VII to read as follows:

"All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser."

Section 5. Bond Ordinance #2023-03 is hereby amended to include a new Section VIII to read as follows:

"Any grant moneys received for the purpose described in Section II hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used."

Section 6. Bond Ordinance #2023-03 is hereby amended to include a new Section IX to read as follows:

"The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking."

Section 7. Bond Ordinance #2023-03 is hereby amended to include a new Section X to read as follows:

"The Borough hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Borough hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Borough to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section I of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purpose described in Section II of this bond ordinance. This Section X is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law."

Section 8. Section VII of Bond Ordinance #2023-03 is hereby amended to be Section XI.

Section 9. The Borough 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 bond ordinance to the extent of any inconsistency herewith. To the extent that the purpose authorized herein is 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 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Public Comment: None

Motion to adopt ordinance on second reading: Councilman MacFerren, second, Councilman Werner

Poll: Ayes – Brown, Deterding, MacFerren, Rickert, Werner

RESOLUTIONS

2023-8-106 RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT DUE TO AN OVERBILL CREATED FROM A 100% DISABLED VETERAN EXEMPTION FOR THE PREMISES BLOCK 105, LOT 8, ALSO KNOWN AS 19 EDGEHILL ROAD, GIBBSBORO, NEW JERSEY

WHEREAS, by Mayor and Council of the Borough of Gibbsboro, County of Camden, State of New Jersey, that the following refund is to be issued. This refund is due to an overbill created from a 100% disabled veteran exemption.

Block	Lot	Name	Refund
105	8	Evans, Michael & Janice	\$3385.52

2023-8-107 RESOLUTION AUTHORIZING ADJUSTMENT OF 2023 PROPERTY TAX TO BRUCE A. ARCHER, A 100% DISABLED VETERAN, AT THE PREMISES BLOCK 103, LOT 7, ALSO KNOWN AS 12 WEXFORD ROAD, GIBBSBORO, NEW JERSEY

WHEREAS, N.J.S.A. 54:4-3.30a provides that certain disabled veterans are entitled to a total tax exemption; and

WHEREAS, Bruce A. Archer is a 50% owner of Block 103, Lot 7, also known as 12 Wexford Road; and

WHEREAS, on March 13, 2023, Bruce A. Archer, the 50% owner of the property located at Block 103, Lot 7, also known as 12 Wexford Road, was granted a 100% disabled veteran property tax exemption by the Municipal Tax Assessor from January 1, 2024 through December 31, 2024; and forward; and

WHEREAS, the Municipal Tax Assessor is not able to adjust the tax assessment or property class after January 10th of the year assessed; and

WHEREAS, the Camden County Board of Taxation is not able to adjust the assessed value of the property class of the property after January 10th of the year assessed; and

WHEREAS, the Municipal Tax Collector requests the 50% cancellation of 2023 tax billing of \$3351.63 for the period of March 13, 2-23 through December 31, 2023.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Gibbsboro, County of Camden, State of New Jersey, that the Tax Collector is hereby authorized to cancel tax billing on Block 103, Lot 7 in the amount of \$3351.63 per R.S. 54:4-3.30a.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the Tax Assessor, Chief Financial Officer, Tax Collector, and Camden County Board of Taxation to advise

them of the action taken by the Borough Council on this matter.

2023-8-110 RESOLUTION AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE PURSUANT TO N.J.S.A. 54:5-52-1 FOR TAX SALE CERTIFICATE #22-00038

WHEREAS, the Tax Collector of the Borough of Gibbsboro has previously issued a tax sale certificate to TRYSTONE CAPITAL ASSETS LLC which certificate is dated December 28, 2022 covering premises commonly known and referred to as Lot 13 in Block 115 as set out on the municipal tax map then in use which certificate bears number 22-00038.

WHEREAS, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto.

NOW, THEREFORE, be it resolved by the Mayor and the Governing Body of the Borough of Gibbsboro that the Tax Collector of the Borough of Gibbsboro be and is hereby authorized, upon receipt of the appropriately executed and notarized Loss Affidavit to issue an appropriate duplicate tax sale certificate to the said purchaser covering the certificate lost as previously described all in accordance with the requirements of chapter 99 of the Public Laws of 1997.

BE IT FURTHER RESOLVED, that a copy of this Resolution and the Loss Affidavit be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word "Duplicate" as required by law.

Public comment on pending resolutions: None

REPORT OF MUNICIPAL OFFICERS

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

COUNCIL COMMITTEE REPORTS

- | | |
|-----------------------------------|----------------------|
| PUBLIC WORKS | Councilman Rickert |
| PUBLIC EVENTS | Councilwoman Karsh |
| INSURANCE | Councilman Werner |
| TRASH & RECYCLING / HEALTH | Councilman Deterding |
| RECREATION / L&I / PLANNING BOARD | Councilman MacFerren |

The Planning Board granted D.R. Horton a Certificate of Appropriateness for the exterior elevations of the approved townhouse development around Silver Lake. They also granted a Conditional Use Variance to Topless Pre Rolls to operate a cannabis manufacturing business on Democrat Way. Voorhees Township Board of Education appeared before the Board to present a conceptual plan for their proposed use of 250 Haddonfield-Berlin Road a Pre-K facility.

AUGUST 8, 2023

POLICE

Councilman Brown

The Police Committee will be conducting interviews with several candidates later this week.

MAYOR'S REPORT

Mayor Campbell

The demolition of 2 and 4 Foster is almost complete, as is the demolition of the former Masso's ice cream parlor. The residential structure at 91 North Lakeview Drive will be scheduled for demolition soon as part of the Redevelopment of Lakeview North.

Cleanup continues on United States Avenue, and cleanup will begin soon on the area near the smoke stacks and the fenced in area on the corner of Clementon and Foster (former location of 6 West Clementon Road).

A kickoff meeting is scheduled with the Camden County Improvement Authority to discuss the Redevelopment of the area around Silver Lake and procuring a developer for the proposed restaurant district.

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

Vote: Ayes unanimous

CORRESPONDENCE

To: Steven Steglik, Voorhees Township Administrator, dated 8/1/23
From: Mayor Campbell
Re: Shared Service Agreement for Fuel
Action: Informational

To: Jacquelyn Suarez, Director of DLGS, dated 7/31/23
From: Mayor Campbell
Re: County-wide shared service for BLS/EMS
Action: Informational

To: Mayor Campbell, dated 8/1/23
From: Department of Community Affairs
Re: Resolution 2023-7-100 determining Block 42, Lot 12.04 to be an Area in Need of Redevelopment (Condemnation)
Action: Informational

OLD BUSINESS

1. CANNABIS BUSINESS LICENSE APPLICATION

2023-8-108 RESOLUTION APPROVING AN APPLICATION FORM FOR LOCAL CANNABIS LICENSE

WHEREAS, pursuant to the provisions of N.J.S.A. 17:30-5.1, the Borough of Gibbsboro has adopted Ordinances 2021-07, 2021-08, 2021-09, 2021-10, and 2023-07 to license, regulate, and tax cannabis businesses in designated zoning districts; and

WHEREAS, the Borough of Gibbsboro licensing ordinance requires that cannabis businesses obtain, in addition to a New Jersey cannabis license, a local license for each class of business that is operated; and

WHEREAS, the Borough of Gibbsboro has prepared a comprehensive application to collect the pertinent information required to license and manage such businesses.

NOW THEREFORE BE IT RESOLVED that the application package entitled "BOROUGH OF GIBBSBORO CANNABIS LICENSE APPLICATION" is adopted and approved for use.

BE IT FURTHER RESOLVED that no local license shall be issued without the submission of the referenced application and approval of the application by resolution of the Borough Council.

Motion to approve resolution: Councilman Werner, second Councilman Rickert

Vote: Ayes unanimous

2. KEYLESS ACCESS SYSTEM

Quotes were solicited from Independent Alarm, Security Lock, and Invision Security to install keyless entry at the Borough Hall (2 doors with security camera/intercom on front door), the Senior Recreation Center (2 doors), and the Charger Building (2 doors).

See summary

Motion to award contract to Invision Security for the total amount of \$16,157.10 to be charged to Ordinance 2020-07: Councilman Rickert, second Councilman Werner

Vote: Ayes unanimous

3. FIRE ALARM SYSTEM

Quotes were solicited from Independent Alarm, Militia Hill Security, and Franklin Alarm to install fire alarms at the Senior Recreation Center and Charger Building.

Independent Alarm		No quote
Militia Hill Security		No quote
Franklin Alarm	Up-front	\$5820 (equipment, installation, initial certification, one year monitoring)
	Annually	\$2858 (monitoring & recertification)

Motion to award contract to Franklin Alarm for the total amount of \$5820.00 to be charged to Ordinance 2020-07: Councilman Werner, second Councilman Brown

Vote: Ayes unanimous

NEW BUSINESS

1. APPOINTMENT

Mayor appoints Edward Toussaint as a temporary subcode official (plumbing, fire, electric) at the existing rate

Mayor appoints Summer Sklivas as a Special Class I Officer

Motion to ratify appointments: Councilman Brown, second Councilman Werner

2023-8-109 RESOLUTION APPOINTING SUMMER SKLIVAS TO THE GIBBSBORO POLICE DEPARTMENT AS A SPECIAL OFFICER – CLASS ONE

WHEREAS, N.J.S.A. 40A:14-146.10 permits municipalities to appoint special law enforcement officers; and

WHEREAS, the Mayor and Borough Council find it necessary to supplement the police department with special officers;

WHEREAS, class one special officers shall be authorized to perform all the duties enumerated by N.J.S.A. 40A:14-146.11(1) at the direction of the Chief of Police.

NOW, THEREFORE BE IT RESOLVED that SUMMER SKLIVAS is hereby reappointed to the Gibbsboro Police Department as a Special Officer – Class One at the hourly rate of \$15.00 per hour through 12/31/23.

BE IT FURTHER RESOLVED that Class One Special Officers shall have the power to issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinances, and violations of Title 39 of the Revised Statutes.

Motion to approve resolution: Councilman Brown, second Councilman Rickert

2. EDUCATION REQUEST

Employee: Darlene Campbell
Position: Tax Assessor
Course Title: NJ Association of County Tax Boards Annual Educational Conference
Location/Dates: August 28-31, 2023
Cost: \$534 (hotel reimbursement)

Employee: Ashley Horay
Position: Tax Clerk
Course Title: Principles of Municipal Tax Collection (Course 3)
Location/Dates: Webex, August 24-October 19, 2023 (Thursday, 5:00-9:00 p.m.)
Cost: \$1129

Employee: Summer Sklivas

Position: Special Officer

Course Title: Managing NJ Police Records (Course 1)

Location/Dates: Webinar, October 10, 2023 (8:00 a.m.-3:00 p.m.)

Cost: \$279

Course Title: Intro to Sealing & Expunging NJ Records (Course 2)

Location/Dates: Webinar, October 17, 2023 (8:00-10:30 a.m.)

Cost: \$159

Course Title: Redacting NJ Records (Course 3)

Location/Dates: Web, October 25, 2023 (10:00 a.m.-12:00 p.m.)

Cost: \$159

Employee: Amy Troxel

Position: Borough Clerk

Course Title: Gloucester County Clerk’s Fall Mini Conference

Location/Dates: Deptford Township, September 8, 2023 (8:00 a.m.-4:00 p.m.)

Cost: \$50

Motion to approve education requests: Councilman Werner, second Councilman Rickert

Vote: Ayes unanimous

3. QUOTES – DEMOLITION OF 91 NORTH LAKEVIEW DRIVE

Quotes were solicited from Neri’s Construction & Rental, Inc., DiMeglio Construction Co. Inc., Severson Environmental Services Inc., and Mark Franchi Demolition

Neri’s Construction	\$21,670
DiMeglio Construction	\$32,670
Severson Environmental	Declined to quote
Mark Franchi Demolition	No quote provided

Motion to award contract to Neri’s Construction for the total amount of \$21,670 t be charged to Ordinance 2023-02

Vote: Ayes – Brown, Deterding, MacFerren, Rickert
Abstain – Werner

VOUCHERS

Motion to dispense reading and approve vouchers in the amount of \$856,862.77:
Councilman MacFerren, second Councilman Brown

MINUTES

Motion to dispense reading and approve the minutes of 7/11/23: Councilman MacFerren,

second Councilman Brown

Vote: Ayes unanimous

CLOSING COMMENTS

MEETING OPEN TO THE PUBLIC

Barbara Headley, 6 Henry Road

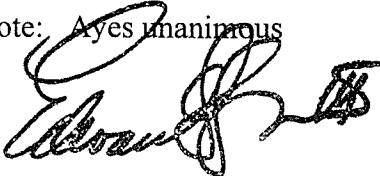
INFORMATIONAL

- 1. Next regular meeting of the Borough Council is Tuesday, September 12, 2023 at 7:00 p.m.

ADJOURNMENT

Motion to adjourn the meeting at 8:15 p.m.: Councilman Rickert, second Councilman Brown

Vote: Ayes unanimous



Edward G. Campbell, III
Mayor



Amy C. Troxel, RMC
Borough Clerk

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