

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

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

Pledge of Allegiance

Moment of Silence for Mark Blumberg, Anne Steen, Cynthia Heim, and Regina Yezzi

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 Fred Deterding

Councilman Michael MacFerren

Councilman Ronald Rickert

Councilman Glenn Werner

Absent:

Councilman Mitchell Brown

Councilwoman Christine Karcsh

Professionals:

John P. Jehl, Solicitor

Gregory B. Fusco, Engineer

ORDINANCES FOR FIRST READING

ORDINANCES FOR SECOND READING

**2023-07 ORDINANCE AMENDING CHAPTER 120 CANNABIS OF THE CODE
OF THE BOROUGH OF GIBBSBORO**

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND BOROUGH COUNCIL
THAT:

Section 1.

Section § 120-2. C. Maximum number of licenses and fees is revoked and replaced with the following:

§ 120-2. C. Maximum number of licenses and fees.

(1) The Borough may issue up to the following licenses:

TABLE I – BOROUGH OF GIBBSBORO CANNABIS LICENSE SCHEDULE

License	Class	Maximum Number of Licenses to be Issued	Nonrefundable Application Fee	Annual License Renewal
Cannabis Cultivator	1	1	\$500	\$500

Cannabis Manufacturer	2	3	\$500	\$500
Cannabis Wholesaler	3	1	\$500	\$500
Cannabis Distributer	4	1	\$500	\$500
Cannabis Retailer*	5	2	\$500	\$500
Cannabis Delivery	6	1	\$500	\$500

NOTE: * An integrated cannabis cultivator and cannabis manufacturer is a licensed cannabis enterprise holding both licenses at the same site within the M1 Industrial Zone. Such an enterprise may also hold a cannabis retailer license (Class 5), provided that there are no on-site direct sales to the public and retail sales are made via a licensed cannabis delivery service (Class 6) which is co-located.

(2) Any license conditionally issued by the Borough is contingent upon the locally licensed entity's or individual's subsequent receipt of a state permit or license of the same class or type of regulated cannabis activity. Integrated cannabis cultivator and cannabis manufacturer may also hold a cannabis retailer license (Class 5), provided that are no on-site direct sales to the public and retail sales are made via a licensed cannabis delivery service (Class 6).

Section § 120-2. D. (3) through (12) are repealed.

Section 2. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Gibbsboro, inconsistent with the provisions of this ordinance, is hereby repealed to the extent of such inconsistency, only

Section 3. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 4. Enactment. This ordinance shall become effective immediately after publication in the manner provided by law.

Section 5. Continuation and Codification. This ordinance shall be a part of the General Code of the Borough of Gibbsboro as through codified and fully set forth herein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Borough Code. The Borough Clerk and Borough Attorney are authorized and directed to change any chapter, article and/or section number of the General Code of the Borough of Gibbsboro in the event that the codification of this ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and accidental repeal of existing provisions not intended to be repealed.

Public Comment: None

Motion to adopt ordinance: Councilman MacFerren, second Councilman Werner

Vote: Ayes unanimous (Brown, Karcsh – absent)

FIRST ORDER OF BUSINESS

BUDGET ADOPTION:

2023-4-62 RESOLUTION AUTHORIZING THE BUDGET, FISCAL YEAR 2023, TO BE READ BY TITLE ONLY

WHEREAS, N.J.S.A. 40A:4-8, as amended by Chapter 259, P.L. 1995 provides that the Budget may be read by title only at the time of the Public Hearing if a Resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing a complete copy of the Budget had been made available for public inspection.

WHEREAS, these conditions have been met.

NOW, THEREFORE, BE IT RESOLVED, by the Gibbsboro Borough Council, in the County of Camden and State of New Jersey, as follows:

1. That the Gibbsboro Borough Council, for the aforementioned reasons, hereby determines that the Budget shall be read by title only.

Motion: Councilman Rickert, second Councilman MacFerren

Vote: Ayes unanimous (Brown, Karcsh – absent)

2023-4-63 RESOLUTION ADOPTING MUNICIPAL BUDGET OF THE BOROUGH OF GIBBSBORO, COUNTY OF CAMDEN FOR FISCAL YEAR 2023

BE IT RESOLVED by the Borough Council of the Borough of Gibbsboro, County of Camden that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations.

Motion: Councilman Rickert, second Councilman Werner

Poll: Ayes – Deterding, Werner, MacFerren, Rickert

RESOLUTIONS

2023-4-60 RESOLUTION AUTHORIZING THE SUBMISSION OF A CAPITAL GRANT APPLICATION FOR FUNDS FOR THE PRESERVATION OF THE JOHN LUCAS HOUSE

WHEREAS the John Lucas House is listed on the State of New Jersey and United States

Registers of Historic Places; and

WHEREAS the John Lucas House is located within the Gibbsboro Historic District and is a contributing structure to the district; and

WHEREAS the Borough of Gibbsboro has acquired the property, prepared a preservation plan and engineering drawings to execute the plan; and

WHEREAS the Borough Council supports efforts to preserve the property.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Gibbsboro, County of Camden, State of New Jersey that Edward G. Campbell, III, Mayor of the Borough of Gibbsboro, is authorized to submit an application to the New Jersey Historic Trust for capital funds and to sign the assurances and acknowledges the certification above.

2023-4-61 RESOLUTION AUTHORIZING THE SUBMISSION TO CAMDEN COUNTY OF AN APPLICATION FOR RECREATION ENHANCEMENT FUNDING FOR BIKEWAY AMENITIES WITHIN THE GIBBSBORO BIKEWAY SYSTEM

WHEREAS, the application for Recreation Facility Enhancement Funding is funded through the Camden County Open Space, Farmland, Recreation and Historic Preservation Trust Fund, which provides money for recreation projects for towns within Camden County via the Camden County Open Space Acquisition, Farmland Preservation, Recreation Facility Enhancement and Historic Preservation Trust Fund; and

WHEREAS, the Borough of Gibbsboro seeks funds from the Camden County Open Space, Farmland, Recreation and Historic Preservation Trust Fund for the purchase and installation of amenities for the Gibbsboro Bikeway System; and

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Gibbsboro, County of Camden, State of New Jersey, that the attached application for the purchase and installation of amenities for the Gibbsboro Bikeway System is hereby authorized for the Recreation Facility Enhancement Funding under the Camden County Division of Open Space and Farmland Preservation for the Gibbsboro Bikeway System.

BE IT FURTHER RESOLVED THAT:

1. The governing body fully supports this application; and
2. any funding received as a result of this application will only be used for eligible costs for a project comprised of the improvements as stated in the application; and
3. that if the application is approved and accepted by the Camden County Open Space, Farmland, Recreation and Historic Preservation Trust Fund, the sponsor agrees to the agreement language as stated in the application and will provide the required long-term maintenance of the proposed improvements; and
4. the Mayor and Clerk are hereby authorized to execute and attest this resolution, application and agreement.

2023-4-64 RESOLUTION ADOPTING A MEMORANDUM OF UNDERSTANDING WITH NEW JERSEY STATE POLICE OFFICE OF EMERGENCY MANAGEMENT

WHEREAS the New Jersey Office of Emergency Management (NJOEM) on behalf of the State of New Jersey is the Grantee receiving funding under the FEMA Public Assistance and/or Hazard Mitigation programs for presidentially declared major disasters; and

WHEREAS the Borough of Gibbsboro wishes to apply for and receive FEMA funding as a Subgrantee.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Gibbsboro, State of New Jersey, County of Camden that the Mayor and Borough Clerk are hereby authorized to execute a Memorandum of Understanding with the State of New Jersey and that said MOU shall remain in full force and effect as long as the Borough of Gibbsboro (Subgrantee) has outstanding FEMA grants.

2023-4-65 RESOLUTION AUTHORIZING EXECUTION OF THE 2023 SAFETY CONTRACT WITH THE CAMDEN COUNTY JIF TO PARTICIPATE IN THE SAFETY MANAGEMENT PROGRAM

WHEREAS the Borough of Gibbsboro is a member of the Camden County Joint Insurance Fund; and

WHEREAS the Borough wishes to participate in the Safety Management Program.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Gibbsboro, County of Camden, State of New Jersey that Edward G. Campbell, III, Mayor of the Borough of Gibbsboro, is authorized to execute a contract with the Camden County JIF to participate in the 2023 Safety Management Program.

2023-4-66 RESOLUTION PROVIDING LOCAL SUPPORT AND CONFIRMING THE APPROPRIATENESS AND SUITABILITY OF CANNABIS BUSINESS – JANE’S JOINT LLC

WHEREAS, operators of a proposed cannabis business are required to demonstrate local support for the suitability and appropriateness of its business location from a municipality pursuant to N.J.A.C. 17:30-5.1(g) and/or pursuant to the provisions of N.J.S.A. 24:6I-7.2(4); and

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, and 2021-10 to license, regulate, and tax cannabis businesses in designated zoning districts; and

WHEREAS, the applicant, Jane’s Joint LLC (the “License-Applicant”), has sought such a letter of support to apply and/or renew a state license to operate a licensed Class 5 cannabis retail business at 142 South Lakeview Drive, Gibbsboro, NJ 08026, located in the C-2 District; and

WHEREAS, the Borough has reviewed and considered the request of the License-Applicant to conduct the cannabis business at the location described above; and

WHEREAS, the Borough has determined that it has authorized the type of cannabis business license being sought by the License-Applicant to operate within its jurisdiction; and

WHEREAS, to the extent the Borough has imposed a limit on the number of licensed cannabis businesses within its jurisdiction, the issuance of a license to the License-Applicant by the Cannabis Regulatory Commission would not exceed that limit as of the date of this Resolution; and

WHEREAS, the Borough has determined that the proposed location is suitable and appropriate for the proposed activity related to the operations of the proposed cannabis business

to be conducted by the License-Applicant provided the applicant secures a conditional use variance from the Gibbsboro Planning Board; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Gibbsboro, County of Camden and State of New Jersey hereby authorizes the issuance of this resolution of local support for Jane’s Joint LLC and purpose described herein.

BE IT FURTHER RESOLVED, that certified copies of this Resolution are to be forwarded to the Gibbsboro Planning Board, the New Jersey Cannabis Regulatory Commission, and Jane’s Joint.

2023-4-67 RESOLUTION AUTHORIZING UPDATES TO SEWER UTILITY BILLING DATA

WHEREAS the Borough of Gibbsboro periodically reviews subdivision and demolition records, ownership transfers, changes in use of various structures connected to the sewer collection system in order maintain accurate billing records.

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 following utility billing data be updated for 2023:

Block	Lot	Street Address	Use(s)	Domestic Consumer Units
8.01	3.01	Silver Lake	Lake	0
8.01	3.03	10 Foster Avenue	22,032 sq ft Office Space	15.3
8.01	3.04	4 Foster Avenue	Office Space	13.9
8.01	3.05	2 Foster Avenue	Warehouse	0
8.01	3.06	United States Avenue	Warehouse	0
8.01	3.07	East Clementon Road	Vacant Land	0
8.01	3.08	10 East Clementon Road	Lucas House	0
8.01	3.09	United States Avenue	Stacks/Vacant Land	0
8.01	4	55 United States Avenue	Vacant Land	0
8.01	5	Lakeview Drive	Vacant Land	0
19.01	1.01	7 Foster Avenue	22, 768 sq ft Office Space	15.8
19.01	1.07	1 Foster Avenue	Warehouse/Office	11.43
19.01	1.07X	5 Foster Avenue	Police Station	1
Pending Demolition				

2023-4-68 RESOLUTION AUTHORIZING THE BOROUGH CLERK TO APPROVE USE OF FACILITIES REQUESTS

WHEREAS, the Borough of Gibbsboro has adopted a policy regulating the use of Gibbsboro Municipal Facilities; and

WHEREAS, said policy clearly outlines the procedures for individuals and groups to request use of municipal facilities.

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Gibbsboro that the Municipal Clerk is hereby authorized to approve requests to reserve the Senior Recreation Center and Cricket Field when the following conditions are met:

Senior Recreation Center

- 1. The requester is a resident of the Borough of Gibbsboro, has paid the required bond and/or fee, and, if applicable, has submitted a Certificate of Insurance.

Cricket Field

- 2. The requester has paid the required fee and has submitted a Certificate of Insurance.

IT IS FURTHER RESOLVED that all requests for a waiver of fees shall be approved by the Governing Body.

Public comment on pending resolutions:

Trina Ragsdale, Voorhees, NJ

Motion to approve resolutions: Councilman MacFerren, second Councilman Rickert

Vote: Ayes unanimous with Councilman Werner abstaining from 2023-4-60
(Brown, Karsh – absent)

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 (X) |
| Compliance Officer (X) | Fire Official (X) |

COUNCIL COMMITTEE REPORTS

PUBLIC WORKS Councilman Rickert
Work at Lucas Park has been completed including removal of bamboo, United States and POW flags have been replaced, Cricket field has been prepped for spring season.

PUBLIC EVENTS Councilwoman Karsh
Easter Egg Hunt was well attended.

INSURANCE Councilman Werner
Office of Emergency Management submitted a grant application for a generator.

TRASH & RECYCLING / HEALTH Councilman Deterding

RECREATION / L&I / PLANNING BOARD Councilman MacFerren

\$662,389 in new construction and \$10,765 in fees.

Carwash application approved at 11 North Lakeview Drive and resolution adopted. Cannabis dispensary application approved, and resolution will be adopted at next Planning Board meeting.

POLICE

Councilman Brown

Court revenue is up significantly this year.

MAYOR'S REPORT

Mayor Campbell

Bikeway Phase V is almost complete, and a grant application for Phase VI is being prepared. Working to restore sewer service to United States Avenue tract. NJ American Water will be flushing hydrants between April 17-21.

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

Vote: Ayes unanimous (Brown, Karcsh – absent)

CORRESPONDENCE

To: Clerk Troxel, dated 3/28/23
From: Michelle Laubach
Re: Wynnewood HOA Block Party
Saturday, May 20, 2023 (2:00-7:00 p.m.)
Action: Motion to approve pending approval of Police Chief: Councilman Rickert, second Councilman MacFerren

Vote: Ayes unanimous (Brown, Karcsh – absent)

OLD BUSINESS

1. COURTESY BUSING TO EASTERN REGIONAL HIGH SCHOOL
2. SILVER LAKE REDEVELOPMENT AREA – CCIA

NEW BUSINESS

1. CAMDEN COUNTY BOARD OF HEALTH PRESENTATION

Daniella Fumu, presenter

2. TRASH COLLECTION

Trash and recycle collection will be moving to Fridays as of May 1st.

3. USE OF MUNICIPAL FACILITIES

FACILITY: Cricket Field
DATE/TIME: Spring/Summer schedule (see attached)
APPLICANT: GVAA (exact dates TBD, subject to availability)
VGSA
FEE/BOND: waivers requested

FACILITY: Charger Building
DATE/TIME: Second Sunday of each Month (7:00-10:00 p.m.)
APPLICANT: VGSA (Board/Coaches Meetings)
FEE/BOND: waiver requested

FACILITY: Cricket Field
DATE/TIME: April 16, 2023 (2:00-6:00 p.m.)
APPLICANT: Cherry Hill Girls Youth Softball
FEE/BOND:

FACILITY: Senior Recreation Center
DATE/TIME: Thursday, May 11, 2023 (7:00-10:00 p.m.)
APPLICANT: Friends of Gibbsboro (crafting fundraiser)
FEE/BOND: Waiver requested

FACILITY: Senior Recreation Center
DATE/TIME: Saturday, June 24, 2023 (2:00-7:30 p.m.)
APPLICANT: Glenn Werner
FEE/BOND: Cleaning Fee (to be paid)

Motion to approve requests: Councilman MacFerren, second Councilman Rickert

Vote: Ayes unanimous with Councilman Werner abstaining (Brown, Karcsh – absent)

4. AMENDMENT TO COMMUNITY BENEFITS AGREEMENT

2023-4-69 RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE COMMUNITY BENEFITS AGREEMENT WITH SHERWIN-WILLIAMS

WHEREAS, the Borough of Gibbsboro has a Community Benefits Agreement with Sherwin-Williams that provides for mutual benefits and obligations by and between the parties; and

WHEREAS, the Borough of Gibbsboro and Sherwin-Williams have reached additional agreements that are reflected in a First Amendment to the Community Benefits Agreement.

NOW, THERE FORE BE IT RESOLVED, by the Governing Body of the Borough of Gibbsboro, County of Camden, State of New Jersey, that the Mayor is authorized to execute the First Amendment to the Community Benefits Agreement on behalf of the Borough of Gibbsboro.

5. VOORHEES BLS SERVICE FOR GIBBSBORO

6. QUOTES FOR 60” MOWER

Ed’s Rental & Tools Inc. (Erial, NJ)	\$7899.99
Cherry Valley Tractor Sales (Marlton, NJ)	\$10,568.24
Laurel Lawnmower Inc. (Blackwood, NJ)	\$11,405.24

Motion to award purchase to Ed’s Rental & Tools Inc. in the amount of \$7899.99 to be charged to Public Works OE: Councilman Rickert, second Councilman MacFerren

Vote: Ayes unanimous (Brown, Karcsh – absent)

7. QUOTES FOR LANDSCAPING SERVICE

Quotes were solicited for landscaping services at Pole Hill Park, Cricket Field, and Generations Memorial Park – lump sum pricing for 17 treatments and hourly rate for additional directed work

	<u>Lump Sum</u>	<u>Hourly Rate</u>
Livy LLC	\$21,250	\$55 per person
McFerren Landscaping	\$22,250	\$40 per person
Quality Landscaping Inc.	\$50,235	\$65 foreman/\$45 per laborer

Motion to award contract to Livy LLC in the amount of \$21,250 to be charged to Buildings & Grounds: Councilman MacFerren, second Councilman Rickert

Vote: Ayes unanimous (Brown, Karcsh – absent)

VOUCHERS

Motion to dispense reading and approve vouchers in the amount of \$125,329.92: Councilman MacFerren, second Councilman Rickert

Vote: Ayes unanimous with Councilman Werner abstaining (Brown, Karcsh – absent)

MINUTES

Motion to dispense reading and approve minutes of 2/14/23 and 3/14/23: Councilman MacFerren, second Councilman Werner

Vote: Ayes unanimous with Councilman Werner abstaining from 2/14/23 and Councilman Deterding abstaining from 3/14/23 (Brown, Karcsh – absent)

CLOSING COMMENTS

MEETING OPEN TO THE PUBLIC

Ann Braddock, 72 Haddon Avenue
Beth Kern, 8 Clearbrook Drive
Janet Rowan, 4 Ridgewood Road

CLOSED SESSION

2023-4-70 RESOLUTION PERMITTING THE EXCLUSION OF THE PUBLIC FROM A PORTION OF THE BOROUGH COUNCIL MEETING TO DISCUSS POTENTIAL LITIGATION

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231, permits the exclusion of the public from a portion of a regularly scheduled meeting in certain circumstances, and

WHEREAS, the Mayor and the Borough Council of the Borough of Gibbsboro is of the opinion that such circumstances presently exist; and

WHEREAS, the Mayor and the Borough Council of the Borough of Gibbsboro wishes to discuss litigation in which the Borough Council is a party requiring attorney-client privilege.

NOW THEREFORE BE IT RESOLVED that the public be excluded from a portion of the April 11, 2023 Borough Council meeting wherein no official action will be taken.

Motion: Councilman MacFerren, second Councilman Werner

Vote: Ayes unanimous (Brown, Karcsh – absent)

Motion to end closed session and return to open session: Councilman Rickert, second Councilman MacFerren

Vote: Ayes unanimous (Brown, Karcsh – absent)

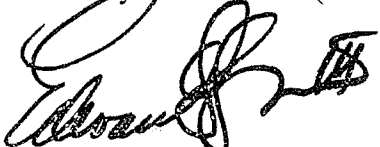
INFORMATIONAL

1. Next regular meeting of the Borough Council is Tuesday, May 9, 2023 at 7:00 p.m.
2. Tax Collector's Annual Report of Uncollectible Taxes, submitted 3/24/23.

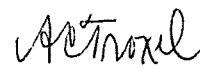
ADJOURNMENT

Motion to adjourn the meeting at 9:25 p.m. Councilman Rickert, second Councilman Deterding

Vote: Ayes unanimous (Brown, Karcsh – absent)



Edward G. Campbell, III
Mayor



Amy C. Troxel, RMC
Borough Clerk