

**BOROUGH OF GIBBSBORO
COUNCIL MEETING MINUTES
July 14, 2021
7:00 P.M.**

Meeting called to order at 7:00 P.M.

Pledge of Allegiance

Moment of Silence for John Sherwood and Loraine Cornwell

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
Councilwoman Christine Karcsch
Councilman Michael MacFerren
Councilman Ronald Rickert
Councilman Glenn Werner

Absent:

Professionals:

John P. Jehl, Solicitor

Gregory B. Fusco, Engineer

ORDINANCES FOR FIRST READING

Introduced as part of New Business

ORDINANCES FOR SECOND READING None

RESOLUTIONS

2021-7-105 RESOLUTION PRESENTING GENERAL COMMENTS AND ADOPTING RECOMMENDATIONS FOR THE 2020 ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments and Recommendations and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the annual Audit entitled:

General Comments and Recommendations

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as evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than \$1,000 or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, the governing body of the Borough of Gibbsboro, County of Camden, State of New Jersey hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

2021-7-106 RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR PARKING OFFENSES ADJUDICATION ACT (POAA) REQUIRED BY N.J.S.A. 39: 4-139.9

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A.39: 4-139.9 provides for receipt of \$2.00 by the municipal court for each parking penalty assessed and disbursed where a failure to appear notice was issued to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A 4-39 provides the dedicated revenues anticipated from the Parking Offenses Adjudication Act Trust are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Borough Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Parking Offenses Adjudication Act Trust.
2. The Borough Clerk of the Borough of Gibbsboro, County of Camden is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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2021-7-107 RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR UNIFORM CONSTRUCTION CODE ENFORCEMENT (THIRD PARTY) REQUIRED BY N.J.S.A. 52: 27D-119 et seq. AND N.J.A.C. 5: 23-4.12

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 52: 27D-119 et seq. and N.J.A.C. 5: 23-4.12 provides for receipt of amounts for costs incurred for State Purpose; and

WHEREAS, N.J.S.A. 40A 4-39 provides the dedicated revenues anticipated from the Uniform Construction Code Enforcement Trust are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Borough Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Uniform Construction Code Enforcement Trust.
2. The Borough Clerk of the Borough of Gibbsboro, County of Camden is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

2021-7-108 RESOLUTION REQUESTING THE WAIVER OF FEES FOR A ZONING PERMIT SUBMITTED BY GIBBSBORO ELEMENTARY SCHOOL

WHEREAS, the Zoning Department for Borough of Gibbsboro has received a request from Gibbsboro Elementary School for the waiver of the zoning permit fee for the property located at 37 Kirkwood Road, Gibbsboro, NJ 08026; and

WHEREAS, the aforementioned zoning permit fee is for the installation of new fencing; and

WHEREAS, the fee set forth in the Borough Code, requires \$25.00; and

WHEREAS, the Zoning Officer has carefully considered the request and has decided that it would be appropriate to waive the zoning permit fee in the amount of \$25.00; and

WHEREAS, the Zoning Officer requests that the Gibbsboro Mayor and Council waive the fees as outlined above.

NOW, THEREFORE BE IT RESOLVED, by this Zoning Officer, Borough of Gibbsboro that the permit fee for Gibbsboro Elementary School, 37 Kirkwood Road, in the amount of \$25.00 shall be waived; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to distribute a copy of this resolution to the Zoning Officer and to the Gibbsboro Elementary School.

2021-7-109 RESOLUTION AUTHORIZING THE REFUND OF PERMIT FEES TO PULSE PLUMBING & HEATING SERVICES

WHEREAS, Pulse Plumbing & Heating Services paid the required Borough fee of \$55 and

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State fee of \$4 for a permit; and

WHEREAS, the customer for whom the permit was requested cancelled their contract; and

WHEREAS, the contractor has requested the total permit fee of \$59 for Permit #21-030 be refunded.

BE IT RESOLVED, by Mayor and Council of the Borough of Gibbsboro, County of Camden, State of New Jersey that a refund of \$59 is to be issued to Pulse Plumbing & Heating Services.

2021-7-114 RESOLUTION EXTENDING THE GRACE PERIOD FOR PAYMENT OF THIRD QUARTER 2021 TAXES

WHEREAS, the provisions of N.J.S.A. 54:4-55 and N.J.S.A. 54:4-64 require that the 2021 tax rates shall be certified by the Camden County Board of Taxation to the Borough of Gibbsboro on or before June 3, 2021 year so that tax bills could be rendered on or before June 14, 2021, for payment by August 1, 2021 with a ten-day grace period; and

WHEREAS, said 2021 tax rates have not been certified by such date, therefore; the tax collector is not able to render the tax bills; and

WHEREAS, N.J.S.A.54:4-66.3 provides that the grace period for the third quarter tax payment be extended to the twenty-fifth calendar day after the date the tax bills are mailed; and

WHEREAS, the Borough Council finds it to be equitable and proper that the grace period for payment of the 2021 third quarter tax be extended until the twenty-fifth calendar day after the date the tax bills are mailed; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Gibbsboro, in the County of Camden and State of New Jersey, that the Borough Council finds it equitable and proper that the grace period for payment of the third quarter tax of 2021 be extended until twenty-five days from the mailing of the 2021 tax bills, within which time said bills may be paid without interest and any payments received after that date, interest will revert back to August 1, 2021.

Public comment on pending resolutions

No comment

Motion to approve Councilman Rickert, second Councilman Werner

Vote: M.B. Aye F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye

REPORT OF MUNICIPAL OFFICERS

Borough Clerk (X)

Construction Official (X)

Tax Collector (X)

Treasurer (X)

Compliance/Zoning Officer (X)

Risk Manager (X)

Police Department (X)

Sewer Clerk (X)

Court Clerk (X)

Fire Official (X)

COUNCIL COMMITTEE REPORTS

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Motion to put written reports on file for one year Councilman Deterding, second Councilman Brown

Vote: M.B. Aye F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye

CORRESPONDENCE

To: Clerk Troxel, dated 6/3/21
From: Rachel James
Re: Purchase of Borough-owned land adjacent to 15 Fenimore Road
Action: No action at this time

To: Mayor Campbell, dated 6/25/21
From: Diane Gutierrez-Scaccetti, New Jersey Commissioner
Re: Award of \$75,000 from Transportation Trust Fund for Pedestrian Traffic Signal Improvements at Kresson-Gibbsboro Road and Lakeview Drive
Action: Informational

OLD BUSINESS

1. ACQUISITION OF EASEMENT

2021-7-110 RESOLUTION AUTHORIZING THE BOROUGH SOLICITOR TO FILE A CONDEMNATION ACTION IN THE SUPERIOR COURT, LAW DIVISION IN ACCORDANCE WITH N.J.S.A. 20: 3-8 TO ACQUIRE EASEMENTS ALONG LAKEVIEW DRIVE IN THE BOROUGH OF GIBBSBORO

WHEREAS the Borough of Gibbsboro has been engaged in building a multi-purpose trail along Lakeview Drive to provide pedestrians and bicycles safe passage; and

WHEREAS the Borough Engineer and Mayor have engaged with the owner of Block 18.07, Lots 10 and 11 to acquire three easements to enable construction of a multi-purpose trail to provide safe passage for pedestrians and bicycles; and

WHEREAS the Borough has authorized an appraisal of the value of said easements and offered the full value to the owner in accordance with N.J.S.A. 20: 3-6; and

WHEREAS the owner has not accepted the offer.

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 Borough Solicitor is authorized to file a condemnation action in the Superior Court, Law Division in accordance with N.J.S.A. 20: 3-8 to acquire three separate easements on Block 18.07, Lots 10 and 11 along Lakeview Drive in the Borough of Gibbsboro.

Motion to approve Councilman MacFerren, second Councilman Rickert

Vote: M.B. Aye F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye

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NEW BUSINESS

1. FACILITY USAGE REQUESTS

FACILITY: Senior Recreation Center
DATE/TIME: Wednesday 7/21, 8/18, 9/15, 10/20, 11/17, 12/15 from 6:30-9:00 PM
APPLICANT: Kathy Alexander/Gibbsboro Book Club
ADDRESS: 7 Driftwood Way
FEE/BOND: Request waiver of fees (all members of the Book Club are Gibbsboro residents)

Motion to approve the use of the facility and waive the fees Councilman Werner, second Councilman MacFerren

Vote: M.B. Aye F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye

FACILITY: Senior Recreation Center
DATE/TIME: Saturday, August 8^h from 4:00-8:00 PM
APPLICANT: Jaime Galvez
ADDRESS: 2306 South Cuthbert Blvd., Lindenwold
FEE/BOND: \$500/\$2500

Motion to approve the use of the facility Councilman Brown, second Councilman MacFerren

Vote: M.B. Aye F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye

FACILITY: Cricket Field, Little League Field
DATE/TIME: Saturday, August 1st from 1:00-4:00 PM
APPLICANT: United States Post Office Branch 769
FEE/BOND:

Motion to approve the use of the facility and waive the fees Councilman Rickert, second Councilman Brown

Vote: M.B. Aye F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye

2. SIGN QUOTES

Quotes were solicited from the following vendors:

	<u>Plastic</u>	<u>Aluminum</u>
Deptcor Central Office	No quote	\$4973.50
Voss Signs LLC	\$1825.10	\$2443.50 (some items not available in aluminum)
Econo Signs LLC	No quote received	
Garden State Highway	\$2880.00	\$7350.50

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Griffin Highway Safety	Returned Undeliverable
Always a Good Sign	No quote \$9854.00

Motion to table to the next meeting Councilman Rickert, second Councilman Werner

Vote: M.B. Aye F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye

3. REAPPOINTMENT OF ALBERT STANLEY

2021-7-111 RESOLUTION AUTHORIZING THE REAPPOINTMENT OF THE CHIEF FINANCE OFFICER

WHEREAS, Albert Stanley was appointed to the position of Chief Finance Officer in the Borough of Gibbsboro for a four-year term commencing on August 8, 2017.

BE IT RESOLVED, by the Mayor and Council of the Borough of Gibbsboro, County of Camden, State of New Jersey that Albert Stanley be reappointed to the position of Chief Finance Officer for a term commencing on August 8, 2021.

Motion to approve Councilman Brown, second Councilman Werner

Vote: M.B. Aye F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye

4. POLICE PURCHASE OF AMMUNITION - INFORMATIONAL

Ammunition was purchased from Eagle Point Gun/TJ Morris & Sons in the amount of \$1308.34 (State Contract)

5. POLICE VEHICLE REPAIR - INFORMATIONAL

Winner Ford	\$3744.15
Linden Auto Body	No quote (only Ford dealer can do work)
Echelon Ford	\$4154.08

Repair was performed by Winner Ford.

6. CRICKET FIELD REPAIR – BABE RUTH INFIELD

4 Seasons Landscaping	\$2695
Magnolia Gardens	\$3120
T & M Landscaping	\$3270

Motion to award to 4 Seasons Landscaping in the amount of \$2695 to be charged to Public Works OE Councilman Rickert, second Councilman Deterding

Vote: M.B. Aye F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye

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7. COPY MACHINE PROPOSALS

DOCUTREND: (revised lease prices sent 7/14/21)

Borough Hall (Kyocera TASKalfa 3253i – 4 drawer/32 pages per minute)

Purchase \$5001 Lease (60 mos.) ~~\$95.02~~ \$94.02

Police Department (Kyocera TASKalfa 3253i – 2 drawer/32 pages per minute)

Purchase \$3333 Lease (60 mos.) ~~\$63.33~~ \$62.66

Combined Purchase \$8334 Combined Lease ~~\$158.35~~ \$156.68

B&W (\$.0087 per copy) **est. \$65.25 per month**

Color (\$.0506 per copy)

FRASER:

Borough Hall & Police Department (Sharp MX 2651 – 3 drawer/26 pages per minute)

Combined Purchase \$10,539 Combined Lease (60 mos.) \$256

B&W (\$.0095 per copy) **est. \$71.25 per month**

Color (\$.065 per copy)

Motion to award to Docutrend Imaging Solutions for the purchase of two copy machines in the total amount of \$8334 to be charged to Ordinance 2020-07, Improvements to Buildings & Grounds Councilman Brown, second Councilman Rickert

Vote: M.B. Aye F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye

8. FALL 2021 PUBLIC EVENTS

The American Legion, Post 371 will be holding ceremony to commemorate the 20th anniversary of 9/11 on September 11, 2021 at 10:30 A.M.

The annual Holiday Dinner for Gibbsboro employees and volunteers will be held at Paris Catering on Sunday, December 5, 2021 from 6-9 P.M.

9. AMERICAN RESCUE PLAN

2021-7-112 RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AGREEMENTS WITH STATE AND FEDERAL GOVERNMENT IN ORDER TO OBTAIN FUNDING FROM THE AMERICAN RESCUE PLAN ACT OF 2021

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 and Borough Clerk are hereby authorized to execute all agreements with Federal and State governments and agencies necessary to certify compliance with various laws and to secure funding allocated to the Borough of Gibbsboro by the American Rescue Plan Act of 2021.

Motion to approve Councilman Werner, second Councilman Rickert

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Vote: M.B. Aye F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye

10. PROJECT FREEDOM PERFORMANCE BOND FOR SITE IMPROVEMENTS & STABILIZATION

To: Clerk Troxel, dated 6/15/21
From: Timothy Doherty, Executive Director of Project Freedom
Re: Request to bond reduction

2021-7-113 RESOLUTION AUTHORIZING BOND REDUCTION FOR PERFORMANCE SURETY

WHEREAS, a Performance Surety is required for Site Plan improvements; and
WHEREAS, the applicant, Project Freedom, has posted a bond in the amount of \$27,890.64 as a performance surety; and

WHEREAS, a portion or all of the work has been satisfactorily completed; and
WHEREAS, it is necessary to reduce the performance surety from \$185,937.60 to \$0.00.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Gibbsboro hereby authorizes the Borough Clerk to reduce/release the Performance Surety, and any other conditions noted in correspondence from KEI Associates, P.A., dated 7/1/2021, prior to the release of the Performance Surety.

Motion to approve Councilman Deterding, second Councilman Brown

Vote: M.B. Aye F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye

11. CANNABIS

2021-07 ORDINANCE AMENDING CHAPTER 400 ENTITLED "ZONING" IN THE BOROUGH OF GIBBSBORO

Motion to introduce Councilman Deterding, second Councilman Werner

Poll: M.B. Nay F.D. Aye C.K. Aye M.M. Aye R.R. Nay G.W. Aye

2021-08 ORDINANCE ESTABLISHING LICENSE REQUIREMENTS FOR CANNABIS ESTABLISHMENTS, DISTRIBUTORS, AND DELIVERY SERVICES LOCATED WITHIN THE BOROUGH OF GIBBSBORO

Motion to introduce Councilman Deterding, second Councilman Werner

Poll: M.B. Nay F.D. Aye C.K. Aye M.M. Aye R.R. Nay G.W. Aye

2021-09 ORDINANCE ESTABLISHING TRANSFER AND USER TAXES ON CANNABIS BUSINESSES WITHIN THE BOROUGH OF GIBBSBORO

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Motion to introduce Councilman Deterding, second Councilman Werner

Poll: M.B. Nay F.D. Aye C.K. Aye M.M. Aye R.R. Nay G.W. Aye

2021-10 ORDINANCE REGULATING CONSUMPTION OF CANNABIS WITHIN THE BOROUGH OF GIBBSBORO

Motion to introduce Councilman Deterding, second Councilman Werner

Poll: M.B. Abstain F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye

VOUCHERS

Motion to dispense reading and approve vouchers in the amount of \$390,149.59
Councilman Brown, second Councilman Werner

Vote: M.B. Aye F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye

MINUTES

Motion to dispense reading and approve minutes of 6/9/21 Councilman Brown, second Councilman Deterding

Vote: M.B. Aye F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye

CLOSING COMMENTS

MEETING OPEN TO THE PUBLIC

Kathy Anderson, 7 Driftwood Way
Ann Braddock, 72 Haddon Avenue

INFORMATIONAL

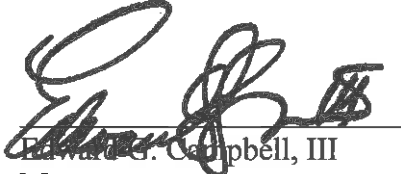
1. Next regular meeting of the Mayor and Council of the Borough of Gibbsboro is Wednesday, August 10, 2021 at 7:00 P.M.
2. Gibbsboro's annual Rabies Clinic is scheduled for 7/17/21 (9-11AM) at the Gibbsboro Fire Hall.
3. Gibbsboro Community Garden hosts coffee & tea in the garden with live harp music at 10AM on 7/17/21.
4. Police swearing in ceremony will be held at the Senior Recreation Center on 7/27/21 at 6:30 PM.
5. Miss Gibbsboro Pageant is cancelled for this year.

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ADJOURNMENT

Motion to adjourn at 9:20 P.M. Councilman Brown, second Councilman Werner

Vote: M.B. Aye F.D. Aye C.K. Aye M.M. Aye R.R. Aye G.W. Aye



Edward G. Campbell, III
Mayor

Amy C. Troxel, RMC
Borough Clerk

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