

AGENDA

BOROUGH OF COLLINGSWOOD
COMMISSION MEETING
REMOTE CONFERENCE
COLLINGSWOOD NJ 08108
NOVEMBER 2, 2020 AT 7 PM

Pledge of Allegiance

Sunshine Notice

Reports:

Minutes: July 6, 2020 and July 28, 2020

ORDINANCES:

Second Reading and Public Hearing of Ordinance 1692 Amending Chapter 141 of the Code of the Borough of Collingwood- Granting the Powers to the Planning Board Formerly held by the Zoning Board of Adjustment

First Reading of Ordinance 1693 Amending Chapter 29 of the Borough Code Entitled Fire Department

First Reading of Salary Ordinance 1694-Deputy Fire Chief

Public Comment on Proposed Resolutions

RESOLUTIONS:

Appointing Jacob Goodman as Director to the Collingswood Recreation Department

Authorizing a Shared Service Agreement by and Between the Borough of Collingswood and the County of Camden- Municipal Alliance

Requesting Approval of Items of Revenue and Appropriation – Cross County Connection TDM Reimbursement Grant

Adopting Updates to the Existing 457 Deferred Compensation Plan

Awarding a Contract for the Furniture Bid for the Public Safety Building

Supporting the Submission of a Grant Application for New Jersey Department of Transportation (NJDOT) Transportation Alternatives Program

Rescinding Resolution 19-215 Awarding a Contract to Think Pavers for the Safe Routes to School and Traffic Calming Project

Awarding a Contract to Lexa Concrete for the Safe Routes to School and Traffic Calming Project

Authorizing Payment of Bills as Presented by the Treasurer

**Next Regular Meeting Monday December 7, 2020
Remote Conference Format Until Further Notice**

ORDINANCE NO. 1692__

AN ORDINANCE AMENDING CHAPTER 141 OF THE CODE OF THE BOROUGH OF COLLINGSWOOD AND GRANTING TO THE PLANNING BOARD OF THE BOROUGH OF COLLINGSWOOD THE POWERS FORMERLY HELD BY THE BOROUGH OF COLLINGSWOOD ZONING BOARD OF ADJUSTMENT

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-25c, specifically allows municipalities having a population of 15,000 or less by Ordinance to grant to the Planning Board, to the same extent and subject to the same restrictions, all the powers of a Zoning Board of Adjustment operating within such a municipality; and

WHEREAS, the Borough of Collingswood (“Borough”) has a population of less than 15,000 ; and

WHEREAS, it is the desire of the Board of Commissioners (“Commissioners”) of the Borough to reduce tax burdens on the taxpayers within the Borough by eliminating the dual expenses of having both a Planning Board and a Zoning Board of Adjustment; and

WHEREAS, it is further the desire of the Commissioners to consolidate zoning matters in one body to advance more efficient , cost effective, uniform and consistent land use administration in accordance with the Municipal Land Use Law and to the benefit of the Borough; and

WHEREAS, when a Planning Board exercises the powers of a former Zoning Board of Adjustment, any Class I and Class III member of said Planning Board may not participate in the consideration of any applications for development which involve relief pursuant to subsection (d) of N.J.S.A. 40:55D-70; and

WHEREAS, any matters pending before a Zoning Board of Adjustment prior to consolidation of Boards may be heard by that Zoning Board of Adjustment in accordance with N.J.S.A. 40:55D-72.1; and

WHEREAS, the Code of the Borough will have to be amended to incorporate the changes as contemplated by this Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Commissioners of the Borough as follows:

SECTION 1: As of the adoption of this Ordinance, the Zoning Board of the Borough (“Zoning Board”) is hereby abolished except that any applications then pending before the Zoning Board may continue to be heard in accordance with N.J.S.A. 40:55D-72.1.

SECTION 2: All powers of the former Zoning Board are hereby vested in the Borough Planning Board (“Planning Board”). To that extent, this Ordinance may not be all inclusive so that if there is any ordinance, whether the same be a Municipal Land Use ordinance or otherwise, which grants powers to the Zoning Board, said powers shall now lie with the Planning Board.

SECTION 3: Any Class I and Class III member of the Planning Board shall not participate in the consideration of any applications of development which involve relief pursuant to subsection (d) of N.J.S.A. 40:55D-70.

SECTION 4: Chapter 141, Development Regulations, Article III, Sections 141-7 A-F shall be deleted and any powers, criteria and jurisdiction contained in Article III, Sections 141-7 G-K shall now lie with the Planning Board.

SECTION 5: Any references, in Chapter 141 to Zoning Board of Adjustment shall be revised to Planning Board.

SECTION 6: When necessary for the purposes of implementing this Ordinance, the term "Planning Board" shall be substituted for the term "Zoning Board of Adjustment" or equivalent in each and every instance where "Zoning Board of Adjustment" or equivalent appears in any ordinance, resolution, rule, regulation or amendments thereto.

SECTION 7: Where the substitution of "Planning Board" for "Zoning Board of Adjustment" or equivalent results in an apparent duplication, redundancy, or conflict in any ordinance, resolution, rule or regulation, the same shall be liberally construed and interpreted in accordance with the intent and purpose of N.J.S.A. 55D-25c, whereby the Planning Board replaces and to the same extent and subject to the same restrictions exercises all the powers of the Zoning Board.

SECTION 8: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 9: Should any sentence, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 10: This Ordinance shall take effect immediately upon final adoption and publication according to law.

BOROUGH OF COLLINGSWOOD

ORDINANCE 1693

AN ORDINANCE OF THE BOROUGH OF COLLINGSWOOD AMENDING CHAPTER 29 OF THE CODE ENTITLED " FIRE DEPARTMENT" AND CREATING THE POSITION OF DEPUTY FIRE CHIEF

WHEREAS, the Fire Chief, who is responsible for the day-to-day operations and efficiency of the Fire Department, recommends the creation of the position of Deputy Fire Chief as necessary and advisable for the operation of the Fire Department; and

WHEREAS, N.J.S.A. 40A:14-7 allows the governing body to appoint members, officers and personnel as deemed necessary, determine their terms of office, fix their compensation and prescribe their powers, functions and duties also recommends the creation of the position of Deputy Fire Chief.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Commissioners of the Borough of Collingswood, that Chapter 29 of the Code of the Borough of Collingswood be and is hereby amended as follows:

SECTION 1

Amended Section. Section 29-4 A. entitled

§29-4 COMPOSITION OF FIRE DEPARTMENT-

The paid fire department may consist of the following ranks at the discretion of the Director of Public Safety. These appointments will be made by the Director of Public Safety at recommendation from the Chief of Department. They must meet all requirements to hold such positions by the State of New Jersey and Federal Regulations and the Fire Department Operating Guidelines and Policy Directives.

- a. Chief of Department (1)
- b. Deputy Chief (1)
- c. Captain (1)
- d. Lieutenant (2)

SECTION 2

Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

- A. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

2020

SALARY ORDINANCE 1694

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF COLLINGSWOOD AND METHOD OF PAYMENT OF SUCH COMPENSATION

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF COLLINGSWOOD IN THE COUNTY OF CAMDEN, AND STATE OF NEW JERSEY DOES ORDAIN:

SECTION 1. THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF COLLINGSWOOD, WHOSE COMPENSATION SHALL BE ON AN ANNUAL, SEMI-ANNUAL, AND BIWEEKLY BASIS, SHALL BE PAYABLE AS FOLLOWS:

POSITION	ANNUAL SALARY
Fire Department	
Deputy Fire Chief	\$90,000.00 to \$110,000.00

SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE ARE HEREBY REPEALED. FULL TIME EMPLOYEES OF THE BOROUGH SHALL IN ADDITION TO THE COMPENSATION PROVIDED FOR HEREIN, SHALL RECEIVE LONGEVITY PAY, WHICH SHALL BE PAYABLE ONCE YEARLY OR AS SET FORTH IN LABOR CONTRACT, RATIFIED BY THE BOARD OF COMMISSIONERS.

SECTION 3. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE ARE HEREBY REPEALED.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT UPON ITS PASSAGE AND PUBLICATION ACCORDING TO LAW.

M. JAMES MALEY
MAYOR

JOAN LEONARD
BOARD OF COMMISSIONERS

ROBERT LEWANDOWSKI
BOARD OF COMMISSIONERS

K. HOLLY MANNEL,
BOROUGH CLERK

BOARD OF COMMISSIONERS
BOROUGH OF COLLINGSWOOD
NEW JERSEY

RESOLUTION 20-_____

SUBJECT: APPOINTING PART TIME RECREATION DIRECTOR

WHEREAS, IT IS THE DESIRE OF THE COLLINGSWOOD BOARD OF COMMISSIONERS, TO APPOINT JACOB GOODMAN AS RECREATION DIRECTOR FOR THE BOROUGH OF COLLINGSWOOD DEPARTMENT OF RECREATION.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE BOROUGH OF COLLINGSWOOD, THAT JACOB GOODMAN BE APPOINTED RECREATION DIRECTOR FOR THE BOROUGH OF COLLINGSWOOD DEPARTMENT OF RECREATION.

ADOPTED: NOVEMBER 2, 2020

RESOLUTION 2020-_____

BOARD OF COMMISSIONERS
COLLINGSWOOD NJ

SUBJECT: AUTHORIZING THE BOROUGH OF COLLINGSWOOD TO SUBMIT AN APPLICATION FOR THE COLLINGSWOOD MUNICIPAL ALLIANCE GRANT FOR CALANDER YEAR 2021

WHEREAS, the Borough Commissioners of the Borough of Collingswood, County of Camden, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

WHEREAS, the Borough of Collingswood Commissioners further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough of Collingswood Commissioners have applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Camden; the Governor's Council on Alcoholism and Drug Abuse in the amount of \$4,533.25 to fight alcoholism and drug abuse,

NOW THEREFORE BE IT RESOLVED, by the Borough of Collingswood, County of Camden, State of New Jersey, hereby recognizes the following:

The Borough Commissioners hereby authorize an Shared Services Agreement by and Between the County of Camden and the Borough of Collingswood for the Collingswood Municipal Alliance Grant for calendar year 2021 in the amount of \$4533.25

The Borough Commissioners acknowledge the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

Adopted November 2, 2020

BOARD OF COMMISSIONERS
BOROUGH OF COLLINGSWOOD
NEW JERSEY

RESOLUTION 20-

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of The Borough of Collingswood in the County of Camden, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the current fund budget of the year 2020 in the sum of \$2,500.00, which is now available as a revenue from the Cross County Connection Transportation Management Association. Pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED, that the like sum of \$2,500.00 is hereby appropriated under the caption 2020 Cross County Connection crosswalk improvements; and

BE IT FURTHER RESOLVED, that the sum of \$4,000.00 representing the amount required for the municipality's share of the aforementioned improvement appears in the budget of the year 2020 under the caption Matching funds for grants and is hereby appropriated under the caption of 2020 Cross County Connection – Local Match and

BE IT FURTHER RESOLVED that the above is the result of funds from Cross County Connection Transportation Management Association in the amount of \$2,500.00.

RESOLUTION
2020-_____

**FOR ADOPTING CHANGES TO
AN EXISTING DEFERRED COMPENSATION PLAN PURSUANT TO THE
FINAL INTERNAL REVENUE CODE SECTION 415 REGULATIONS, PENSION PROTECTION
ACT OF 2006, THE HEROES EARNINGS ASSISTANCE AND RELIEF TAX ACT OF 2008 AND THE
WORKER, RETIREE AND EMPLOYER RECOVERY ACT OF 2008**

WHEREAS, the Borough of Collingswood (hereinafter referred to as the "Employer") by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the "Plan") effective November 2, 2020, for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Employer by resolution retained The Variable Annuity Life Insurance Company ("VALIC") as the contractor under the Deferred Compensation Plan and executed a Service Agreement with said contractor; and

WHEREAS, the final Internal Revenue Code ("Code") Section 415 regulations, Pension Protection Act of 2006 ("PPA"), the Heroes Earnings Assistance and Relief Tax Act of 2008 (the "HEART Act") and the Worker, Retiree and Employer Recovery Act of 2008 ("WRERA") amended Section 457 of the Code; and

WHEREAS, State and local governmental Section 457(b) plan sponsors must amend their plans to comply with the PPA legislative changes by the last day of the 2011 plan year;

WHEREAS, the Employer desires its Plan to conform with the changes in the Code; and

WHEREAS, the Employer desires to adopt an amended and restated Plan that conforms with the changes in the Code; and

WHEREAS, such amended and restated Plan shall supersede the previously adopted Plan;

NOW, THEREFORE, BE IT RESOLVED that the Employer does hereby adopt the amended and restated Plan prepared by VALIC and assigned Plan Document identifier 81-PD-VALIC-103111 by the Director of the Division of Local Governmental Services.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Governmental Services.

BOROUGH OF COLLINGSWOOD
BOARD OF COMMISSIONERS

RESOLUTION 20-_____

SUBJECT: AWARDING A CONTRACT Bellia Office Furniture, Inc.

WHEREAS, at the bid opening on October, 30 2020 the sole bid was received from Bellia Office Furniture, Inc. in the amount of \$65,491.47 for Miscellaneous Furniture for the New Public Safety Building

WHEREAS, the Borough CFO has certified that the bids received were in order, and

WHEREAS, funds are available in the 2020 Municipal Budget,

CAPITAL ACCOUNT C-04-55-683-000 \$65,491.47

NOW THEREFORE BE IT RESOLVED, by the Borough Commissioners that a contract shall be awarded to Bellia Office Furniture, Inc. in the amount of \$65,491.47 for Miscellaneous Furniture for the New Public Safety Building

Adopted: October 30, 2020

Borough Clerk

Borough of Collingswood
County of Camden

RESOLUTION NO. 2020-_____

“Resolution Supporting the Submission of a Grant Application for New Jersey Department of Transportation (NJDOT)
Transportation Alternatives Program ”

WHEREAS, the Borough of Collingswood is a place that takes great pride in being a pedestrian and bicycle-friendly community; and

WHEREAS, the Borough has previously adopted a Complete Streets policy and a Bicycle Pedestrian Master plan to ensure streets are planned, designed, and maintained to enable safe, comfortable, convenient travel for all users regardless of age, ability, or mode of transportation; and

WHEREAS, there are numerous community benefits of improving and creating infrastructure that supports alternative transportation that creates opportunities for pedestrians and bicyclists, children, persons with disabilities, older citizens, non-drivers and the mobility challenged, as well as those that cannot afford a car or choose to live car-free; providing connections to bicycling and walking trip generators such as employment, education, residential, recreation, retail centers, and public facilities, promoting healthy lifestyles; creating more livable communities, reducing traffic congestion and reliance on carbon fuels thereby reducing greenhouse gas emissions; and

WHEREAS, the Borough of Collingswood is applying for funding for design and construction of a bicycle boulevard along Maple Avenue within the Borough of Collingswood; and

WHEREAS, the project will help to continue and improve the promotion and encouragement of alternative transportation modes and provide increased safety for residents and visitors; and

WHEREAS, maintenance of the facility, once constructed, will be assumed by the Borough of Collingswood with the exception of any local ordinances that place maintenance responsibility with individual property owners; or in the instance of County or State intersections.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Commissioners of the Borough of Collingswood does hereby support the submission of a grant application for the Transportation Alternatives Set-Aside and Design Assistance Program within the State of New Jersey Department of Transportation and authorizes the Mayor, Borough Administrator, and the Municipal Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

Adopted November 2, 2020

**BOROUGH OF COLLINGSWOOD
BOARD OF COMMISSIONERS**

RESOLUTION 20-_____

**TERMINATING CONTRACT AND RESCINDING AWARD OF BID
THINK PAVERS HARDSCAPING LLC FOR SAFE ROUTES TO
SCHOOL AND TRAFFIC CALMING PROJECT**

WHEREAS, the Borough of Collingswood (“Borough”), has been approved for a grant by the New Jersey Department of Transportation (DOT”) to fund construction of a project referred to as the “ Collingswood Safe Routes to School and Traffic Calming” (the “Project”); and

WHEREAS, following a bid process pursuant to the New Jersey Open Public Contract Law, the Borough’s Board of Commissioners approved the bid submitted by Think Pavers Hardscaping, LLC (“Think Pavers”) and awarded a contract to provide construction services for the Project ; and

WHEREAS, following the execution of the contract with the Borough but prior to the commencement of work, Think Pavers submitted a change order to the Borough for an increase in funds for compensation of its employee apprentices and trainees as required as part of the affirmative action requirements for the Project; and

WHEREAS, the Borough has denied Think Pavers request as the DOT has advised that the request is not eligible for consideration for additional funding as it follow the conclusion of the bid process; and

WHEREAS, Think Pavers has refused to commence work on the Project despite the Borough’s demands; and

WHEREAS, for the reasons stated, the Borough Commissioners have determined that it is in the best interest of the Borough to terminate the contract and rescind the prior approval of Think Pavers' bid;

NOW, THEREFORE, be it resolved by the Commissioners of the Borough of Collingswood, County of Camden, State of New Jersey, that the contract with Think Pavers for the Project is hereby terminated and the approval of the bid is rescinded, effective immediately.

ADOPTED: _____

M. James Maley, Jr.
Mayor

Joan Leonard
Commissioner

K. Holly Mannel, Borough Clerk

Robert Lewandowski
Commissioner

**BOROUGH OF COLLINGSWOOD
BOARD OF COMMISSIONERS**

SUBJECT: AWARDING A CONTRACT TO LEXA CONCRETE, LLC FOR THE BOROUGH OF COLLINGSWOOD SAFE ROUTES TO SCHOOL TRAFFIC CALMING PROJECT

RESOLUTION 20-_____

WHEREAS, the Borough of Collingswood (“Borough”), has been approved for a grant by the New Jersey Department of Transportation (“DOT”) to fund construction of a project referred to as the “ Collingswood Safe Routes to School and Traffic Calming” project (the “Project”) ; and

WHEREAS, following a bid process pursuant to the New Jersey Open Public Contract Law, the Borough’s Board of Commissioners approved the bid submitted by Think Pavers Hardscaping, LLC (“Think Pavers”) and authorized a contract to provide construction services for the Project ; and

WHEREAS, the Borough has terminated the contract and rescinded the approval of the bid submitted by Think Pavers for reasons stated in a separate Resolution adopted on November 2, 2020 ; and

WHEREAS, the second lowest responsible bidder for the Project at the bid opening on for the Project was Lexa Concrete, LLC (“Lexa”) ; and

WHEREAS, the Borough Engineer has certified that the bid received from Lexa has met the bid specifications, and

WHEREAS, the Chief Financial Officer has certified that funds are available for the aforesaid purchases under budget account numbers:

GRANT ACCOUNT G-02-55-770-500 \$1,052296.44

WHEREAS, for the reasons stated, the Borough Commissioners have determined that it is in the best interest of the Borough to approve the bid submitted by Lexa:

NOW, THEREFORE, be it resolved by the Commissioners of the Borough of Collingswood, County of Camden, State of New Jersey, that the bid of Lexa Concrete, LLC is approved and the Borough Administrator or her designee is hereby authorized to do any and all things necessary to enter into a contract with Lexa Concrete, LLC. for the purposes set forth herein.

ADOPTED: _____

M. James Maley, Jr.
Mayor

Joan Leonard
Commissioner

K. Holly Mannel, Borough Clerk

Robert Lewandowski
Commissioner