

February 2, 2015
COMMISSION MEETING MINUTES
BOROUGH OF COLLINGSWOOD, NJ

A regular meeting of the Board of Commissioners was held at the Collingswood Community Center, 30 W. Collings Avenue, Collingswood, NJ, on the second floor, at 7:00 P.M. Mayor M. James Maley, Jr., called the meeting to order, with Commissioner Joan Leonard *present* and Commissioner Michael Hall *present*. Mayor Maley read the Sunshine Notice stating that the Borough has complied with provisions of the Sunshine Law by adopting by January 10 of this year, a resolution prescribing the dates, times and locations of all regular meetings of the Commission. This meeting was one of the meetings listed on the resolution. Mayor Maley led the Pledge of Allegiance. The Tax Collector, and Zoning Official reports were approved and seconded.

The Commissioners called for the Second Reading and Public Hearing of Ordinance 1562

**ORDINANCE APPROPRIATING \$430,000
FROM THE GENERAL CAPITAL IMPROVEMENT
FUND FOR THE PURCHASE OF PROPERTY**

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF COLLINGSWOOD, IN THE COUNTY OF CAMDEN, NEW JERSEY AS FOLLOWS:

Section 1. \$430,000.00 is hereby appropriated from the Capital Improvement Fund in the General Capital Fund for the purchase of Block 31 Lot 11 located at 741 Haddon Avenue in the Borough of Collingswood, County of Camden, New Jersey.

Section 2. The capital budget of the Borough of Collingswood is hereby amended with the provisions of this ordinance.

Section 4. This ordinance shall take effect as provided by the law.

Mayor Maley explained this is the same ordinance we introduced last fall for the purchase of National Market, because this Ordinance wasn't fully adopted in 2014 we were required to reintroduce in January. This is the Public Hearing.

Mayor Maley opened the Ordinance to the public.

Dave Maynard 131 E. Palmer Ave. asked what caused the delay? Mayor Maley explained there an underground storage tank was found on site. Mayor Maley explained there is not a small amount of contamination. We may need to initiate condemnation because the current owners are pushing back on the cleanup cost. Mayor Maley said the work will be done in a couple of weeks and shouldn't hold be up.

With no further comments Mayor Maley moved the public hearing closed and the ordinance be adopted on second and final reading which was seconded and approved by the call of the roll:

**Aye: M. James Maley, Jr.
Aye: Joan Leonard
Aye: Michael Hall**

The Commissioners called for the First Reading of Ordinance 1563

Mayor Maley explained this is an ordinance we adopt every year.

**CALENDAR YEAR 2015
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Commissioners of the Borough of Collingswood in the County of Camden finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Commissioners hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 378,741.19 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Commissioners hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Commissioners of the Borough of Collingswood, in the County of Camden, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Collingswood shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$ 378,741.19, and that the CY 2015 municipal budget for the Borough of Collingswood be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on March 2, 2015, which was seconded and approved by the following call of the roll:

Aye: M. James Maley, Jr.
Absent: Joan Leonard
Aye: Michael Hall

The Commissioners called for the First Reading of Ordinance 1564

ORDINANCE 1564

BOND ORDINANCE AUTHORIZING RENOVATIONS AND REPAIRS TO ROBERTS POOL PARK IN AND FOR THE BOROUGH OF COLLINGSWOOD, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$1,700,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF COLLINGSWOOD, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,615,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Board of Commissioners of the Borough of Collingswood, County of Camden, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purpose described in Section 7 hereof is hereby authorized as a general improvement to be made or acquired by the Borough of Collingswood, County of Camden, New Jersey ("Borough").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Borough from all sources for the purpose stated in Section 7 hereof is \$1,700,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purpose stated in Section 7 hereof is \$1,615,000; and
- (c) a down payment in the amount of \$85,000 for the purpose stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$1,615,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$85,000, which amount represents the required down payment, are hereby appropriated for the purpose stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Borough in an amount not to exceed \$1,615,000 to finance the costs of the purpose described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purpose described in Section 7 hereof, the issuance of bond anticipation notes of the Borough in an amount not to exceed \$1,425,000 is hereby authorized. Pursuant to the Local Bond 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 the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby 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 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$325,000.

Section 7. The improvements hereby authorized and the purpose for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount of obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligation</u> \$	<u>Period of Usefulness</u>
A. Renovations and repairs to Roberts Pool Park located within the Borough, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	\$1,700,000	\$85,000	\$1,615,000	10 years

Section 8. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purpose described in Section 7 above.

Section 9. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$1,615,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. The full faith and credit of the Borough are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Borough shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 11. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency

therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 12. The Borough hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.

Section 13. The Borough hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 14. The improvements authorized hereby are not current expenses and are improvements that the Borough may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 15. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

Section 16. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Mayor Maley explained this is if for Roberts's pool repairs, including the baby pool, a new facility for the snack stand with updated restrooms, and new playground equipment and drainage improvements in the playground area. Mayor Maley added our treatment costs for the pool rise every year and we are losing a lot of water. These repairs will help eliminate these problems.

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on March 2, 2015, which was seconded and approved by the following call of the roll:

Aye: M. James Maley, Jr.
Absent: Joan Leonard
Aye: Michael Hall

The Following Resolutions were Approved without a Dissenting Vote.

Appointing Special Police Officers Class 1

34. Thomas Anderson
35. Connor Collins
36. Scott Irwin
37. Anthony King
38. Mark Whitman II
39. Joseph Zecolla

40. Approving Emergency Temporary Budget Appropriations in the 2015 Municipal Budget.

41. Approving Transfer of Funds Between Appropriation Reserve Balances
42. Appointing Reed Orem, Mary Ellen Ries and Diane Marini to the Planning Board
43. Reappointing Timothy Search, Jeffrey Sollenberger, and Patrick Hoban to the Zoning Board
44. Authorizing the Borough of Collingswood to Submit an Application for the Governor's Council on Prevention of Alcoholism and Drug Abuse for Grant Cycle July 2014-June 2019
45. Requesting Approval for the Payment of Bills as Presented by the Borough Treasurer
46. Authorizing an Amendment to the Agreement with Ingerman Development Company, LLC
47. Authorizing a Shared Service Agreement with the Borough of Haddonfield for Sewer on Call

Commissioner Hall reminded residents on snow removable tips, especially digging out fire hydrants.

Commissioner Leonard requested if it is possible to please park cars off the street during snow storms to make it easier and safer for our plows to remove snow from the streets. Commissioner Leonard wished ever one a safe winter.

Mayor Maley said we are currently working on the budget. Mayor Maley stated the fountain on Haddon Avenue will not be done until the spring adding we need warmer weather to finish up the project. Mayor Maley said he is looking forward to seeing this project coming to a close.

Mayor Maley opened the meeting to the public.

Brenda Berg, 290 Haddon Avenue, asked about how much of a tax increase will there be due to the Bond Ordinance. Mayor Maley explained the bond will be paid over 20 years. Mayor Maley also explained there are also different variables to consider. The bond gives the authorization to borrow the full amount but we may not need to use it all. We also need to look at some of the project will be done this year and some in 2016. Mayor Maley added we will also be raising pool tag fees and the revenue from that needs to be taken into consideration. A discussion ensued about estimating the tax payer impact.

Ms. Berg asked about help with curbside trees. Commissioner Hall advised Ms. Berg to contact Public Works.

Dave Maynard, 131 E Palmer Ave. asked who can help him with an abandoned car issue. Mayor Maley advised Mr. Maynard to talk with Police Chief Carey.

With no further comments, Mayor Maley moved the meeting be adjourned at 7:09PM, which was seconded.

M. James Maley, Jr.

Joan Leonard

Michael Hall
Borough Commissioners

K. Holly Mannel
Borough Clerk