

March 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 1563

**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 explained the purpose of CAP Bank

Mayor Maley opened the Ordinance to the public.

With no 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 Second Reading and Public Hearing of

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 ordinance is for improvements to Roberts Pool. We will be replacing the snack stand and restrooms, making improvements to the baby pool major repairs to the main pool, infrastructure pipe repairs and playground improvements

Mayor Maley opened the Ordinance to the public.

John Melilli, 121 E. Stiles Ave., commented that his property taxes increase every year. Mr. Melilli said he is concerned with the future inflation of his property taxes. Mr. Melilli asked if the ordinance could state that property taxes could go down after the Bond Ordinance 1564 is paid off. Mayor Maley explained that legally a statement cannot be put in an ordinance that would bind the hands of a future governing body. Mayor Maley continued to explain the bond ordinance authorizes the borrowed amount to be up to \$1,700,000.00 but that does not mean that we are going to borrow that full amount. Mayor Maley said the major repair work will not be started until 2016. Mayor Maley gave the example of a Line of Credit. Mayor Maley continued to explain ways the bond could be paid off; through payments in addition to the required interest payments of the short term notes, from pool tag sale revenues and from the general tax obligation. Mr. Melilli asked if the money borrowed can be used for anything else. Mayor Maley replied no, it can only be used for the stated use. A discussion ensued how the costs of the repairs were determined and the bidding process. Mr. Melilli asked how much will the property taxes go up from these repairs. Mayor Maley said there is not a definite number or even if taxes will go up this year because of this bond. The discussion continued on the necessity of the pool repairs, cost of pool operations, pool fees, and whether the pool is essential to the town.

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 1565

**AN ORDINANCE AMENDING CHAPTER 141 OF
THE BOROUGH OF COLLINGSWOOD CODE**

BE IT ORDAINED by the Board of Commissioners of the Borough of Collingswood that Chapter 141 of the Borough Code titled Development Regulations is hereby amended as follows:

Change Section 141-15.1 Prohibited Uses to read as follows:

All uses not expressly permitted as either a principal use, an accessory use or as a conditional use by this chapter are not permitted. In addition, the following uses are also prohibited: ice

or roller skating rinks, establishments that show films or videos of any kind, massage or tattoo parlors, establishments utilizing either plenary retail consumption or distribution licenses pursuant to R.S. 33:1-12, establishments utilizing either limited or restricted brewery licenses pursuant to R.S. 33:1-10, bowling alleys or electronic or mechanical games of and kind, including but not limited to pool, billiards or bingo, flea markets, discos and nightclubs, accessory apartments, boarding homes and community residential homes.

Mayor Maley said New Jersey state law has loosened on the laws for craft beer establishments and liquor licenses. This ordinance is adding craft breweries to our list of prohibited uses.

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on April 6, 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 1566

AN ORDINANCE CREATING A NEW CHAPTER OF THE CODE OF THE BOROUGH OF COLLINGSWOOD ENTITLED "ABANDONED PROPERTY AND BUILDINGS UNFIT FOR HABITATION, OCCUPANCY OR USE"

WHEREAS the Commissioners of the Borough of Collingswood are authorized to enact and amend ordinances, and to amend the Code of the Borough of Collingswood, as deemed necessary for the preservation of the public health, safety and welfare of the Borough and its residents;

WHEREAS abandoned properties create a wide range of problems for the Borough, including public health risks, the potential for increased criminal activity through arson and vandalism, negative impacts on the aesthetic value of neighboring properties, and discouragement of neighborhood stability and revitalization;

WHEREAS abandoned properties are presumptively considered to be nuisances, in view of their negative effects on nearby properties and the residents or users of those properties;

WHEREAS many abandoned buildings still have potential value for residential and other uses and such buildings should be preserved rather than demolished, particularly buildings that have historic or architectural value, or contribute to maintaining the character of neighborhoods or streetscapes;

WHEREAS abandonment is a local problem that must be addressed locally;

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Board of Commissioners is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of the Borough of Collingswood, County of Camden, State of New Jersey, that a new Chapter No. 228 shall be added to the Borough Code, which shall be entitled "Abandoned Property and Buildings Unfit for Habitation, Occupancy, or Use", attached hereto as Exhibit A.

This Ordinance shall take effect immediately upon final passage, approval, and publication, as provided by law.

Mayor Maley said this ordinance follows new state laws that were enacted to give municipalities more enforcement over abandoned and nuisance properties.

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on April 6, 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 1567

ORDINANCE NO. 1567

APPROPRIATING \$320,000 FROM THE GENERAL
CAPITAL IMPROVEMENT FUND FOR VARIOUS CAPITAL IMPROVEMENTS
AND
APPROPRIATING \$100,000 FROM THE SEWER
CAPITAL IMPROVEMENT FUND FOR INLET REPAIRS
AND
APPROPRIATING \$300,000 FROM THE WATER
CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF WATER METERS AND CONSTRUCTION OF
WELL HOUSE
AND
APPROPRIATING \$80,000 FROM THE PARKING
CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF NEW KIOSK AND PEDESTRIAN SAFETY
IMPROVEMENTS

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

Section 1. \$320,000 is hereby appropriated from the General Capital
Improvement Fund:

A. Pedestrian Safety Improvements	\$ 60,000
B. Purchase Equipment	\$ 65,000
C. Improvements in Knights Park	\$ 170,000
D. Tree Removal/Pruning Services	\$ 25,000
	<u>\$ 320,000</u>

Section 2. \$100,000 is hereby appropriated from the Sewer Capital
Improvement Fund for inlet repairs in the Borough of Collingswood, County of
Camden, New Jersey; and

Section 3. \$300,000 is hereby appropriated from the Water Capital
Improvement Fund for the purchase of water meters and construction of well
house in the Borough of Collingswood, County of Camden, New Jersey; and

Section 4. \$80,000 is hereby appropriated from the Parking Capital
Improvement Fund for Pedestrian Safety Improvements and the purchase of
kiosks; and

Section 5. The capital budget of the Borough of Collingswood conforms
with the provisions of this ordinance.

Section 6. This ordinance shall take effect as provided by the law.

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on April 6, 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 1568

AN ORDINANCE AMENDING CHAPTER 217 OF THE
BOROUGH OF COLLINGSWOOD CODE

BE IT ORDAINED by the Board of Commissioners of the Borough of Collingswood
that the Borough Code is hereby amended as follow:

I. PURPOSE.

The purpose of this Ordinance is to amend Chapter 217, Recreation Fees of the Borough Code. The Borough has determined that amending the membership fees is in the best interest of the Borough's residents.

II. AMENDMENTS.

1. In Section 217-25 Roberts Pool Fees - Change fees as follows:

Collingswood Family Pre-Sale	\$200.00
Collingswood Family	\$250.00
Non Resident Family	\$500.00
Collingswood Adult	\$ 75.00
Non Resident Adult	\$150.00
Collingswood Senior Citizen	\$ 50.00
Collingswood Child ages 3-20	\$ 60.00
Non Resident Child	\$120.00
Guest Passes	5 for \$30.00

III. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon final passage, approval, and publication, as provided by law.

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on April 6, 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 1569

**AN ORDINANCE AMENDING ORDINANCE NO. 1245
IMPLEMENTING A REDEVELOPMENT PLAN
FOR THE CENTRAL HADDON AVENUE REDEVELOPMENT AREA**

WHEREAS, the Board of Commissioners for the Borough of Collingswood, pursuant to N.J.S.A. 40A:12A-7, adopted Ordinance No. 1245 on February 5, 2001 and Implemented the Central Haddon Avenue Redevelopment Plan ("Redevelopment Plan");

WHEREAS, the Borough Commissioners wish to establish a height restriction for the properties located within the Central Haddon Avenue Redevelopment Area for any future development and construction within the Redevelopment Area;

NOW, THEREFORE, BE IT ORDAINED that the Redevelopment Plan shall be amended so that all newly constructed buildings or renovations to existing buildings shall be restricted to one-story structures.

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

Mayor Maley said this is for existing properties with one story. This will put in place regulations that appearance in front of the board will be required if someone would like to build additional floors on a building.

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on April 6, 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.

48. Appointing Kevin Carey as Police Chief to the Borough of Collingswood Police Department
49. Authorizing the Self-Examination of the 2015 Municipal Budget
50. Introducing and Approving the 2015 Municipal Budget

Mayor Maley thanked all the Borough employees who worked on getting this budget in place. Mayor Maley announced the increase on an average assessed home of \$230,000.00 will be a \$67.00 increase. Included in this budget are several capital improvements; the installation of 3 or 4 pedestrian bump outs, a new restroom facility constructed in Knight Park, constructing a new water well house, sewer inlet repairs, and the purchase of 3 new vehicles. Mayor Maley continued that this budget also absorbs the salaries of two of our fire fighters whose salaries were being funded by the Safer Grant. Mayor Maley said we have had a substantial reduction of debt; we have reduced the debt principal by 20%. Much of this has been due to the completion of the Lumberyard project, sale of 10 of the 13 units and the additional revenue from that project. Mayor Maley said the public hearing on this budget will be held on April 6th.

51. Introducing and Approving the 2015 BID Budget

52. Authorize Purchase under State Contract for Park and Playground Equipment for the Park at Roberts Pool

53. Requesting Approval for the Payment of Bills as Presented by the Borough Treasurer

Commissioner Hall thanked the CFO Elizabeth Pigliacelli and Borough Administrator Keith Hastings for the hard work they did on getting our budget in order. Commissioner Hall also thanked the Department heads for the work they did on their budgets. Commissioner Hall said he is looking forward to spring and getting some of these capital projects started. Commissioner Hall talked about the new street sweeper and that it will hit all the streets in town starting this spring. Commissioner Hall congratulated Chief Cary. Commissioner Hall thanked the Borough employees for the job they have been doing during the hard winter months. Commissioner Hall said the water department has been working very hard taking care of the many water main breaks from the cold water.

Commissioner Leonard said she agrees with Commissioner Hall's comments. Commissioner Leonard thanked borough employees and all our neighbors for keeping the properties clear of snow. Commissioner Leonard praised the Community Theater's production of "Anything Goes". Commissioner Leonard said even though it was bad weather the show was well attended. Commissioner Leonard reminded residents of upcoming events such as Saint Baldrick's, The Green Festival, and the Irish Step Dancers on Second Saturday. Commissioner Leonard reminded residents to keep an eye out for the Town Crier for more news and to check the Borough website for information.

Mayor Maley opened the meeting to the public.

John Melilli, 121 E. Stiles Ave. asked if the sewer inlets could be cleaned out. The Commissioners replied that the inlets are cleared regularly but if he sees that there is a problem inlet to please contact the Department of Public Works.

Dave Maynard, 131 E. Palmer Ave., asked if the Alcohol Beverage Control Venue Moratorium is being put in with a Sunset Clause. Mayor Maley replied no. Mayor Maley explained Craft brewery sales can open anywhere; they are not a prohibited use. Mayor Maley said we don't want to have one by accident. Mayor Maley said many people think this may be a nice addition to town but there are many people who wouldn't. It is a discussion that we can have. There are some things that need to be looked at. The bar and restaurant associations made sure the law states that no food can be served at an craft brewery establishment has made sure food cannot served on premises. These establishments would solely serve beer. A discussion ensued. Mr. Maynard asked if the Borough could update residents on county road work in the area. Mayor Maley explained that we are working on getting current information adding if and when we get information we will try to pass it along.

With no further comments, Mayor Maley moved the meeting be adjourned at 7:37PM, which was seconded.

M. James Maley, Jr.

Joan Leonard

Michael Hall
Borough Commissioners

K. Holly Mannel
Borough Clerk