

December 28, 2015  
COMMISSION MEETING MINUTES  
BOROUGH OF COLLINGSWOOD, NJ

A regular meeting of the Board of Commissioners was held at the Collingswood Borough Hall, 678 Haddon Ave., Collingswood, NJ, on the third floor, at 10:00 A.M. Mayor M. James Maley, Jr. *absent*, Commissioner Joan Leonard called the meeting to order, and Commissioner Michael Hall *present*. Commissioner Leonard 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. Commissioner led the Pledge of Allegiance. The Minutes, Tax Collector, Municipal Court, CFO, and Zoning Official reports were approved and seconded.

**The Commissioners called for the Second Reading and Public Hearing of  
Ordinance 1585**

**AN ORDINANCE AMENDING CHAPTER 105, ARTICLE V OF THE BOROUGH CODE, "ANIMALS;  
FEEDING OF WILDLIFE."**

**WHEREAS**, Chapter 105, Article V of the Code of the Borough of Collingswood (Borough Code) regulates the feeding of wildlife, with the exclusion of legal baiting and taking of fish and/or game;

**WHEREAS**, the overfeeding of wildlife has been found to be disruptive to the natural feeding habits of wildlife and can be detrimental to birds and animals;

**WHEREAS**, the overfeeding of wildlife can result in over-concentrated areas of birds and wildlife, which increases the risk of disease and disease transmission to pets and humans;

**WHEREAS**, it is the responsibility of the Commissioners of the Borough of Collingswood to protect the public against public health nuisances and safety hazards that are detrimental to the health and general welfare of the public.

**NOW, THEREFORE, BE IT ORDAINED** by the Commissioners of the Borough of Collingswood, County of Camden, State of New Jersey, that Chapter 105, Article V of the Borough Code shall be amended in the manner provided in Exhibit A, attached hereto.

**All other terms and provisions of Chapter 105 shall remain the same and are hereby reaffirmed.**

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

**Commissioner Leonard opened the Ordinance to the public**

**With no comments 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:**

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

**The Commissioners called for the First Reading of Ordinance 1586**

AN ORDINANCE AMENDING ORDINANCES 1414, 1303 AND 1158 "AN ORDINANCE IMPLEMENTING A REDEVELOPMENT PLAN FOR AN AREA LOCATED IN THE BOROUGH OF COLLINGSWOOD, WHICH IS LOCATED WITHIN THAT AREA OF LAND LOCATED AT HADDON AVENUE AND CUTHBERT ROAD, ALSO KNOWN AS THE HADDON CUTHBERT PROJECT AREA PURSUANT TO N.J.S.A. 40A-12A-7," ADOPTED AUGUST 3, 1998 & AMENDED NOVEMBER 4, 2002 AND OCTOBER 2, 2006 AND AMENDING THE REDEVELOPMENT PLAN FOR THE HADDON AVENUE AND CUTHBERT ROAD PROJECT AREA.

BE IT ORDAINED AND ENACTED by the Borough Commission of the Borough of Collingswood that:

I. PURPOSE

The purpose of this ordinance is to amend the Redevelopment Plan (the "Plan") for the Haddon Avenue and Cuthbert Road Project Area (the "Area"). The Borough has determined that amending the plan is in the best interest of the Borough's residents in that it will promote economic development in the Borough.

II. AMENDMENT

1. The following provisions shall be changed to the Plan in Section C:

In addition to the permitted uses, permitted accessory uses and conditional uses as described in the Borough's Professional Office District Zone, the Area shall also include retail banks, excluding a drive thru, as a permitted use and to allow more than one principal use within any multi user property.

2. All other terms and provisions of Ordinance No. 1158, 1303 and 1414 and the Plan shall remain the same and are hereby reaffirmed.

III. EFFECTIVE DATE

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

**Borough Solicitor Joseph Nardi explained pursuant to NJSA:40:55D-26 and 40A:12A-7 the Planning Board submitted a report with their recommendations to the Borough Administer, Mr. Nardi added that an amendment to the report was submitted by Planning Board Solicitor Michael Madden from a letter sent by Planning Board member Joseph Santomauro in the form of an email to Planning Board Secretary Carol Sickler. Mr. Madden's amendment to the report includes Mr. Santomauro's recommendations.**

**Commissioner Leonard opened the Ordinance to the public:**

Donald Cofsky, an attorney from Cofsky & Zeidman LLC, 209 Haddon Ave. Haddonfield explained he represents 1<sup>st</sup> Colonial Community Bank. Mr. Cofsky introduced Mr. Gerry Banmiller, the president 1<sup>st</sup> Colonial Community Bank Mr. Cofsky talked about the history of the building in which Ordinance 1586 affects. Mr. Cofsky continued that he received the revised report from the Planning Board and also has additional reports from Remington and Vernick. Mr. Cofsky added he does not have a report submitted by a Mr. Stevenson. Mr. Cofsky said he and his client are opposed to this redevelopment plan. Mr. Cofsky expressed his opinion that it is not good planning. Mr. Cofsky said he has taken the position that this is spot zoning. Mr. Cofsky asked the Board if they have received the handouts he submitted. Mr. Nardi acknowledged that the handouts submitted by Mr. have been received and shared with the Commissioners. Mr. Cofsky asked Mr. Creigh Rahenkamp to make comments. Mr. Nardi advised Mr. Cofsky and Mr. Rehankamp that this is the public comment portion and it is not for official testimony or question and answer. Mr. Cofsky said he understood and asked Mr. Rahenkamp to introduce himself, give his background and state his opinion on this ordinance.

Mr. Rahenkamp, said he is a professional planner, adjunct faculty at Rowan University and is qualified in Superior Court of New Jersey in 75 cases. Mr. Rehenkamp talked about the history of the Redevelopment plan for this area. Mr. Rahenkamp suggested that this property is no longer in need of redevelopment. Mr. Rahenkamp refered to a zoning 2006/2007 analysis in reference to retail banking not specific to this property. Mr. Rahenkamp talked about possible problems with the location of the proposed ATM, lack of on street parking, insufficient lighting and the placement of the ATM. Mr. Rahenkamp suggested the Commissioners set some standards and design guides and not leave it up to the Planning Board. Mr. Rahenkamp also said there may be a change of use. Mr. Rahenkamp said he believes parking will be an issue.

Mr. Rahenkamp said he believes more homework needs to be done before the amendment is adopted.

Mr. Banmiller, President of 1<sup>st</sup> Colonial Bank, said he wished to clear the air; a comment was made during a planning board meeting suggesting he may be afraid of completion. Mr. Banmiller said he has been in competition with many of the largest banks in the country. Mr. Banmiller said he has competed successful for 15 years. Mr. Banmiller stated his concerns are what is best for this town.

Nick Talvacchia, attorney of Cooper Levinson commented on the issues raised by Mr. Cofsky and Mr. Rahenkamp. This ordinance does address parking for retail banking and the question for adequate lighting would be addressed by site plan review and a variance request. Mr. Cofsky said there are no reason why this ordinance cannot pass today. Retail Banking is already permitted in other areas of town. This ordinance allows retail banking in this redevelopment area a small subset of the POD. Mr. Talvacchia said there is not a sunset provision in the redevelopment statute. Mr. Talvacchia explained that the statute states that eminent domain expires at the end of a project. The other powers of redevelopment do not expire at the end of a project. Mr. Talvacchia explained the point of redevelopment is to address site specific land use zoning. Mr. Talvacchia said the Borough has the authority to adopt this ordinance as it is today.

Commissioner Leonard, thanked everyone for their input. Commissioner Leonard asked Mr. Talvacchia what would be presented to the planning board. Mr. Talvacchia said he would submit whatever is required by site plan the ordinance by the planning board and request waivers where applicable. Commissioner Leonard requested that community minded issues such as trash, signage, hours of operation and outside maintenance also be submitted Mr. Talvacchia said it would be.

Commissioner Leonard said the Commissioners job is to look carefully and consider this fully. The Planning board has made their recommendation and said this use is compatible; there were not any neighbors present to express any concerns. Commissioner Leonard said no one thinks this as a bad idea. There are state regulations for ATM's that must be followed. And guidelines from the planning board. Commissioner Leonard added that the number of parking spaces at this site is more than most businesses have.

With no further comments 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:

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

**The Following Resolutions were Approved without a Dissenting Vote.**

- 159. Awarding a Contract to the Camden County Animal Welfare Society of Camden County-2016 Shelter Services
- 160. Authorizing to Extend the Current Towing Service Contract-Cioffi's
- 161. Approving Transfers in the 2015 Budget Appropriations
- 162. Requesting Approval for the Payment of Bills as Presented by the Borough Treasurer

Commissioner Leonard opened the meeting to the public.

Maureen O'Donnell thanked the Commissioners for setting some guidelines for the feeding of wildlife.

With no further comments, Mayor Maley moved the meeting be adjourned at 10:39AM, which was seconded.

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M. James Maley, Jr.

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Joan Leonard

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Michael Hall  
Borough Commissioners

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K. Holly Mannel  
Borough Clerk