

AUGUST 7, 2017
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 Robert Lewandowski *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, Municipal Court, Treasurer, CFO and Zoning Official reports were approved and seconded.

Mayor Maley advised the September Meeting will be held on Wednesday September 6, 2017 7PM at the Collingswood Grand Ballroom at the Scottish Rite Auditorium

The Commissioners called for the Second Reading and Public Hearing of

ORDINANCE 1621

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF
CERTAIN REAL PROPERTY IN THE BOROUGH OF
COLLINGSWOOD, COUNTY OF CAMDEN, NEW JERSEY;
APPROPRIATING THE SUM OF \$1,000,000 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
\$1,000,000; 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, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), and the Local Redevelopment and Housing Law, constituting Chapter 79 of the Laws of 1992 of the State of New Jersey, as amended and supplemented, as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements 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 purposes stated in Section 7 hereof is \$1,000,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$1,000,000.

Section 3. The sum of \$1,000,000, to be raised by the issuance of bonds or bond anticipation notes, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Borough in an amount not to

exceed \$1,000,000 to finance the costs of the purposes 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 purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Borough in an amount not to exceed \$1,000,000 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 \$250,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the maximum amount of obligations to be issued for each said purpose; the maximum rate of interest the obligations are to bear; 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>Amount of Obligations</u> | <u>Maximum Rate of Interest on Obligations</u> | <u>Period of Usefulness</u> |
|--|-----------------------------|------------------------------|--|-----------------------------|
| A. Acquisition of and Improvements to Certain Real Property in the Borough of Collingswood including, but not limited to, Block 112, Lot 17, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto | \$1,000,000 | \$1,000,000 | 8.5% | 40 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 purposes 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 \$1,000,000 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 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 Ogden, Utah Service Center of 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 opened the Ordinance to the public.

Mark Thompson , 411 Lincoln Ave asked what this property is being used for? Mayor Maley explained the concept is for a new building for the Fire Department and Police Department.

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: Robert Lewandowski

The Commissioners called for the First Reading of Ordinance 1622

AN ORDINANCE AMENDING SALARY
ORDINANCE No. 1596 FOR CERTAIN OFFICERS AND
EMPLOYEES OF THE BOROUGH OF COLLINGSWOOD

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

Section 1. The rate of compensation of the following officers and employees of the Borough of Collingswood whose compensation shall be on a biweekly basis, shall be payable as follows:

| <u>Position</u> | <u>Annual Salary</u> |
|-------------------------------|---------------------------|
| Recreation Department | |
| Recreation Director | \$12,000.00 - \$20,000.00 |
| Certified Pool Operator | \$ 2,000.00 - \$ 3,000.00 |
| Recreation Secretary | \$ 1,000.00 - \$ 4,000.00 |
| Recreation Website Management | \$ 1,000.00 - \$ 2,000.00 |

Section 2. This ordinance shall take effect as of July 1, 2017

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on September 6th, 2017, which was seconded and approved by the following call of the roll:

Aye: M. James Maley, Jr.

Aye: Joan Leonard

Aye: Robert Lewandowski

The Commissioners called for the First Reading of Ordinance 1623

APPROPRIATING \$45,000 FROM THE GENERAL
CAPITAL IMPROVEMENT FUND FOR REPAIRS AND
IMPROVEMENTS TO BOROUGH HALL

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

Section 1. The repairs and improvements are hereby authorized as general improvements to be made or acquired by the Borough of Collingswood, County of Camden, New Jersey; and

Section 2. \$45,000 is hereby appropriated from the General Capital Improvement Fund for Repairs and Improvements to Borough Hall; and

Section 3. The capital budget of the Borough of Collingswood is hereby amended to conform with the provisions of this ordinance.

Section 4. 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 September 6th, 2017, which was seconded and approved by the following call of the roll:

Aye: M. James Maley, Jr.

Aye: Joan Leonard

Aye: Robert Lewandowski

The Commissioners called for the First Reading of Ordinance 1624

AN ORDINANCE AMENDING CHAPTER 141-65 OF THE BOROUGH
MUNICIPAL CODE ENTITLED "FENCES AND WALLS"

WHEREAS, Section 141-65 of the Code of the Borough of Collingswood establishes requirements for fences and walls installed and constructed by property owners within the Borough; and

WHEREAS, the Borough Commissioners have determined that it is in the interest of the residents of the Borough to amend the fence and wall ordinance to include requirements for electronic or invisible fences;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Collingswood that Chapter 141-65 shall be amended as follows:

1. The following also shall be added to Chapter 141-65:

Gates are required to be installed for all fences that extend across a driveway. The width of the gate shall be sufficient to allow for the passage of a motor vehicle.

Electronic pet containment systems (defined as an electronic or invisible fence that controls the movement of an animal by emitting an electrical shock through an electric collar worn by the animal when the animal nears the boundary of the property around which the fence is located), and more commonly known as an electronic or invisible fence shall require a permit prior to installation. The following requirements must be satisfied before a permit may be issued and shall apply at all times the electronic or invisible fence is in use:

- a. The fence shall be subject to a setback of no less than three (3) feet from all property lines and from any walkway extending from any property line to the entrance of any part of any structure located on the property.
- b. Signage measuring no more than 2 square feet shall be posted in front of the property no more than three feet from the property line closest to the sidewalk to inform the public that the property contains an electronic fence for the purpose of containing the property owner's animal(s).
- c. Payment of the required fee.
- d. The property owner shall be responsible to ensure that the fence effectively contains any animal within the property boundary.
- e. Failure to comply with the above requirements shall be cause for revocation of the permit.

This Ordinance shall take effect immediately upon final adoption and publication 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 September 6th, 2017, which was seconded and approved by the following call of the roll:

Aye: M. James Maley, Jr.

Aye: Joan Leonard

Aye: Robert Lewandowski

The Following Resolutions were Approved without a Dissenting Vote

Appointing Special Police Officers Class II

126. Kevin Dugan

127. Lance Carrington

128. Approving the Grace Period for Taxes, Water and Sewer

129. Authorizing to Retain Timothy D. Scaffidi, Esquire as Special Counsel for Conflict Matters

130. Authorizing the Purchase of Block 112, Lot 17 Commonly Known as 434 Haddon Ave., from FandF, LLC

131. Approving the Cooperation Agreement with Camden County-Years 37, 38 and 39

132. Authorizing the Release of the Performance Guarantee and Waiving of the Maintenance Bond –Holy Trinity Church

133. Authorizing the Donation of Fire Equipment to the Camden City Fire Department –Hoses

134. Authorizing the Removal and Transfer of Property

135. Approving the Payment of Bills as Presented by the Treasurer

Commissioner Lewandowski thanked the Police and Fire Department and all the volunteers for putting on a great event during Community Night Out, adding it is a great time for families with lots of hands on activities and information about crime prevention and safety. Commissioner Lewandowski talked about some upcoming events including the Pop Up Gala, Movies in the Park and the half price Roberts Pool tag sale.

Commissioner Leonard talked about some of the information that can be found in the latest edition of the Town Crier including the two day Arts and Craft Festival and Green Team Challenges and Events. Commissioner Leonard also acknowledged the Community Garden and Zane North School which have been Certified as Wildlife Habitat Open Space Areas, all three are firsts in our area. Commissioner Leonard said these are little efforts that are making a big impact and more reasons why Collingswood is a wonderful place to live.

Mayor Maley talked about the completion of the Collings Avene. Bump Out Project and said that more crosswalk improvements are planned due to the Safe Routes to School Grant. Mayor Maley said Hearthside Restaurant will be opening soon and McFarland's Market is coming along.

Mayor Maley opened the meeting to the public.

Richard Klingerman, 426 Maple Terr., suggested for cost saving and environmental purposes that solar panels be installed our public buildings and it be a requirement for new construction.

Kate Schumaker, 420 Taylor Avenue, requested the Borough support the Paris Accord and would like the Borough to look into a greenhouse gas assessment and some ways the town can to achieve better energy efficiency. Mayor Maley explained they Borough does not typically weigh in on matters via statements or resolutions that are outside of its jurisdiction. Mayor Maley added but there are environmental initiatives the Borough is doing; such as the creation of the Green Team and working with Sustainable New Jersey. Commissioner Leonard introduced Sandi Kelly, Green Team coordinator A discussion ensued.

Mark Thompson, 411 Lincoln Ave., requested the overnight parking placard design be reviewed because his wife received a ticket because it was hanging from the mirror. Mayor Maley said we will look into alternatives.

Susan Thompson, 411 Lincoln Ave., requested that a four way stop be installed at Washington Ave. and Maple Ave. Mayor Maley said the Police Chief will take a look.

Jen Rossi, 114 E. Palmer Ave., said she is looking for the best person to contact for Knight Park projects and concerns, which currently is mulch replenishment at the playground. Mayor Maley said the park is the responsibility of the Knight Park Trustees but the Borough does a lot of the work and funds the projects. Mayor Maley continued that there is not one single group or organization that takes on park projects. Commissioner Leonard added that many groups and individuals over the years have taken on different projects, such as an annual fall and spring cleanup, flower and tree plantings, litter collection and painting projects. Mayor Maley and Commissioner Lewandowski suggested any issues or concerns can be emailed directly to them and Commissioner Leonard.

With no further comments, Commissioner Leonard moved the meeting be adjourned at 7:30PM, which was seconded.

M. James Maley, Jr.

Joan Leonard

Robert Lewandowski
Borough Commissioners

K. Holly Mannel
Borough Clerk