

SEPTEMBER 6, 2017
COMMISSION MEETING MINUTES
BOROUGH OF COLLINGSWOOD, NJ

A regular meeting of the Board of Commissioners was held at the Grand Ballroom of the Scottish Rite Auditorium 315 White Horse Pike, 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. There was a change in date and meeting place for this meeting which was duly published and posted. Mayor Maley led the Pledge of Allegiance. The Tax Collector, Municipal Court, Treasurer, CFO and Zoning Official reports were approved and seconded.

The Commissioners called for the Second Reading and Public Hearing 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 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: Robert Lewandowski

The Commissioners called for the Second Reading and Public Hearing of 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 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: Robert Lewandowski**

The Commissioners called for the Reintroduction 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, published, and the second reading and public hearing to be held on October 2nd, 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 1625

APPROPRIATING \$175,000.00 FROM THE GENERAL
CAPITAL FUND BALANCE FOR
PRELIMINARY COSTS FOR PUBLIC BUILDINGS

BE IT ORDAINED by the Mayor and Borough Commissioners of the Borough of Collingswood, County of Camden, State of New Jersey, (not less than 2/3 of all members thereof affirmatively concurring) as follows:

SECTION 1. The Borough Commissioners of the Borough of Collingswood hereby authorizes funding for preliminary costs associated with Public Buildings in the amount of \$175,000.00.

The useful life of these projects are at least five (5) years. No Supplemental Debt Statement is required since there is no authorization of any debt within this Capital Ordinance. The gross debt of the Municipality as defined by law is not increased by this ordinance, and no obligation in the matter of bonds or notes are authorized by this ordinance.

SECTION 2. This Capital Ordinance shall take effect immediately after publication following the final adoption 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 October 2, 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 1626

AN ORDINANCE APPROVING A FOURTH AMENDMENT TO THE FINANCIAL AGREEMENT FOR LONG TERM TAX EXEMPTION BETWEEN PARKVIEW AT COLLINGSWOOD URBAN RENEWAL OWNER, LLC AND THE BOROUGH OF COLLINGSWOOD

WHEREAS, the Borough of Collingswood ("Borough") entered into a Financial Agreement for long term tax exemption dated as of June 1, 1996 ("Financial Agreement") with Park Collingswood Urban Renewal, LLC, a limited liability company organized under the provisions of the New Jersey Long Term Exemption Law, N.J.S.A. 40A-20-1, et seq. ("Park Collingswood"); and

WHEREAS, the Borough and Park Collingswood also entered into a redeveloper agreement dated June 1, 1996 entitled "Redeveloper Agreement for the Sutton Towers Project Area of the Borough of Collingswood, Camden County, New Jersey By and Between the Borough of Collingswood, Acting as Redevelopment Entity and Park Collingswood Urban Renewal, LLC, Redeveloper" ("Redeveloper Agreement"); and

WHEREAS, pursuant to the terms of the Redeveloper Agreement, Park Collingswood assumed responsibility for the renovation and rehabilitation of certain parcels of real property and improvements thereto designated as the Sutton Towers Project Area ("Project") in Resolution No. 95-136 which was adopted by the Borough Commissioners on July 17, 1995; and

WHEREAS, pursuant to Resolution 05-192, 06-51 and 06-69 and Ordinance 1389, the Borough Commissioners authorized the Mayor or his designee to negotiate and execute amendments to the Redeveloper Agreement and the Financial Agreement to assist in the sale and transfer of the Project from Park Collingswood to Audubon Communities Ventures, LLC ("Audubon Communities") or its designated affiliate, GRE Parkview Urban Renewal, LLC ("GRE Parkview"); and

WHEREAS, pursuant to the above cited resolutions and ordinance the Borough entered into an Agreement and Second and Third Amendments to the Redeveloper Agreement and the Financial Agreement, respectively, with Audubon Communities and GRE Parkview; and

WHEREAS, the Financial Agreement, as amended, and the Redeveloper Agreement, as amended, provide for the Borough to consent to the transfer of the Project by sale, assignment, conveyance or lease or transfer in any mode or form provided that certain terms and conditions have been met to the satisfaction of the Borough and specifically requires the Borough to consider the following criteria in determining whether or not to consent to such transfer:

(a) the reputation of the transferee and the financial ability of the transferee to fulfill the obligations of the Financial and Redeveloper Agreements or, if the transfer is a part of the property or rights hereunder, the obligations relating to such part:

(b) one or more of the following criteria, to the extent necessary to demonstrate that the transferee has the ability and qualifications to fulfill the obligations of the Financial and Redeveloper Agreements, or, if the transfer is a part of the property or rights hereunder, the obligations relating to such part:

(i) the competence of management of the proposed transferee to complete the relevant section of the Project; or

(ii) the experience of the proposed transferee in the completion of similar projects,

and further providing that the determination of compliance with the criteria set forth above shall be based on the following information:

(aa) financial statements indicating (i) net worth or (ii) unencumbered lines of credit; or evidence of loan commitments to the transferee sufficient to carry out the Project;

(bb) submission of a letter of recommendation from a person or entity for whom the prospective transferee has undertaken a comparable development, or from a surety company, stating that the proposed transferee possesses the competence to undertake the Project or part thereof; and

(cc) the due diligence investigations undertaken by the Borough; and

WHEREAS, GRE Parkview has entered into a Sale, Purchase and Escrow Agreement dated as of July 18, 2017 for the sale of the Project to Collingswood Heights JV, LLC ("Collingswood Heights") or its designated affiliate Parkview at Collingswood Urban Renewal Owner LLC ("Parkview Urban Renewal"); and

WHEREAS, the Borough has completed its due diligence regarding the factors permitted under the Financial and Redeveloper Agreements, as respectively amended, and conducted a review of the proposed transaction between GRE Parkview and Collingswood Heights and has been provided with the necessary information to consent to the transfer of the Project; and

WHEREAS, the Borough Commissioners have determined that it would be in the best interests of the residents of the Borough to consent to the transfer of the Project and that such action would require the Borough to enter into Fourth Amendments to the Financial Agreement and the Redeveloper Agreement for this purpose:

NOW, THEREFORE, BE IT ORDAINED that the Mayor of the Borough or his designee shall be authorized to negotiate and execute Fourth Amendments to the Financial Agreement and the Redeveloper Agreement for the transfer of the Project from GRE Parkview to Collingswood Heights or its designated affiliate Parkview Urban Renewal.

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

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on October 2, 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

136. Appointing Adam Stuhlemmer, as a Firefighter/EMT for the Collingswood Fire Department

137. Appointing Jacob Bicking, as a Part-Time Firefighter/EMT for the Collingswood Fire Department

138. & 139. Appointing Elissa Dodelin and Robert Bright Full time Police Officers for the Collingswood Police Department .

140. & 141. Appointing Grant Korten and Tyler Rodgers Class II Police Officers for the Collingswood Police Department

OATHS:

Dodelin

Bright

Rodgers

142. & 143 Appointing Melissa DeSantis and Nathaniel Biagiotti as Part Time Reference Interns for the Collingswood Public Library

144. Authorizing a Refund of Tax Overpayment

145 Authorize the Borough to Enter into a Shared Service Agreement with the County of Camden for the Governor's Council on Alcoholism and Drug Abuse

146. Authorizing Participation in the Law Enforcement Support Office Program

147. Authorizing Actions by the Borough of Collingswood to Authorize the Transfer of the Sutton Towers Project Area

148. Canceling Unexpended Balances in Improvement Authorizations

149. Establishing Salaries for Certain Borough Employees- Pool Manager

150. Establishing Salaries for Certain Borough Employees-Recreation Dept.

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

Commissioner Lewandowski thanked all who came out to participate in the special Red Carpet Event welcoming back our teachers back to school. It was so nice to see so many come out and cheer our teachers on. Commissioner Lewandowski also talked about the upcoming Pop Up Gala being held this coming weekend..

Commissioner Leonard wished everyone a nice and safe transition from summer activities to fall activities including back to school. Commissioner Leonard said she is grateful and proud of the kindness of our community. Commissioner Leonard said our hearts go out to the folks in the south dealing with the terrible storms. Commissioner Leonard said the Green Team Fall meeting is coming up, information can be found on the Borough Website. Commissioner Leonard talked about some new gardens in town introducing wildlife habitats for humming birds and butterflies.

Mayor Maley talked about the progress of the construction at 801 Haddon, the acquisition of 691 Haddon Ave through eminent domain, explaining this property has been vacant and tied up in foreclosure proceedings for a number of years and will be purchased from the Borough by the owners of Il Fiore to be used as a waiting area/ events room. Mayor Maley said 254 Harvard Ave will be on the market soon and the next property will be starting soon, which will most likely be on Lees Ave. Mayor Maley thanked Comm. Lewandowski for organizing the Welcome Back Teachers event at the school.

Mayor Maley opened the meeting to the public.

With no 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