

October 1, 2018
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 Ave. 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. Mayor Maley led the Pledge of Allegiance.

The Tax Collector, Treasurer, CFO and Municipal Court reports were approved and seconded.

The Commissioners called for the Second Reading and Public Hearing of Ordinance 1645

**ORDINANCE AMENDING BOND ORDINANCE 2016-1590 OF THE
BOROUGH OF COLLINGSWOOD,
IN THE COUNTY OF CAMDEN,
NEW JERSEY**

WHEREAS, on March 24, 2016, the Borough of Collingswood, County of Camden, New Jersey ("Borough") duly and finally adopted Bond Ordinance 2016-1590 ("Bond Ordinance"), authorizing the completion of various water utility renovations in and for the Borough ("Prior Improvements"); and

WHEREAS, the Borough has completed the Prior Improvements authorized in Section 7(A) of the Bond Ordinance and has authorized funds remaining in the total amount of \$1,003,608.75; and

WHEREAS, the Borough is desirous of amending the Bond Ordinance to expand the authorized purposes under Section 7, thereby authorizing the replacement of filter media at the Hillcrest Water Plant.

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. Section 7 of the Bond Ordinance is hereby amended to provide as follows:

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>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u> <u>\$</u>
A.	Painting of Standpipes throughout the Borough, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$196,391.25	\$0.00	\$196,391.25	10 years
B.	Construction of Wellhouse # 12 in the Borough, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	283,608.75	0.00	283,608.75	40 years
C.	Replacement of Filter Media at Hillcrest Water Plant, together with the acquisition of all materials and	920,000.00	0.00	920,000.00	20 years

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
equipment and completion of all work necessary therefor or related				
TOTAL	\$1,400,000.00	\$0.00	\$1,400,000.00	"

Section 2. Section 8 of the Bond Ordinance is hereby amended to provide as follows:

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 22.64 years."

Section 3. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the regulations promulgated by the Local Finance Board showing full detail the amended applicable capital budget and applicable capital improvement program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, are on file with the Clerk and available for public inspection.

Section 4. All other parts of the Bond Ordinance not amended hereby shall remain in full force and effect.

Section 5. In accordance with the Local Bond Law, this ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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 Ordinance 1646

AMENDING BOND ORDINANCE 2016-1608 OF THE BOROUGH OF COLLINGSWOOD, IN THE COUNTY OF CAMDEN, NEW JERSEY

WHEREAS, on October 3, 2016, the Borough of Collingswood, County of Camden, New Jersey ("Borough") duly and finally adopted Bond Ordinance 2016-1608 ("Bond Ordinance"), authorizing supplemental funding for the completion of various water utility renovations in and for the Borough ("Prior Improvements"); and

WHEREAS, the Borough has completed the Prior Improvements authorized in Section 7(A) of the Bond Ordinance and has authorized funds remaining in the total amount of \$116,391.25; and

WHEREAS, the Borough is desirous of amending the Bond Ordinance to increase the amount authorized in Section 7(B) and decrease the amount authorized in Section 7(A).

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. Section 7 of the Bond Ordinance is hereby amended to provide as follows:

"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>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Supplemental Funding for the Painting of Standpipes throughout the Borough, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$1,383,608.75	\$0.00	\$1,383,608.75	10 years
B. Supplemental Funding for the Construction of Wellhouse # 12 in the Borough, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	916,391.25	0.00	916,391.25	40 years
TOTAL	\$2,300,000.00	\$0.00	\$2,300,000.00	"

Section 2. Section 8 of the Bond Ordinance is hereby amended to provide as follows:

"Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 21.95 years."

Section 3. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the regulations promulgated by the Local Finance Board showing full detail the amended applicable capital budget and applicable capital improvement program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, are on file with the Clerk and available for public inspection.

Section 4. All other parts of the Bond Ordinance not amended hereby shall remain in full force and effect.

Section 5. In accordance with the Local Bond Law, this ordinance shall take effect twenty (20) days after the first publication thereof after final passage

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

SALARY ORDINANCE 1647

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF COLLINGSWOOD AND METHOD OF PAYMENT OF SUCH COMPENSATION

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF COLLINGSWOOD IN THE COUNTY OF CAMDEN, AND STATE OF NEW JERSEY DOES ORDAIN:

SECTION 1. THE RATE OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF COLLINGSWOOD, WHOSE COMPENSATION SHALL BE ON AN ANNUAL, SEMI-ANNUAL, AND BIWEEKLY BASIS, SHALL BE PAYABLE AS FOLLOWS:

POSITION	ANNUAL SALARY
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Department of Public Works

Acting Public Works Superintendent	\$5,000.00-\$15,000.00
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SECTION 2. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE ARE HEREBY REPEALED. FULL TIME EMPLOYEES OF THE BOROUGH SHALL IN ADDITION TO THE COMPENSATION PROVIDED FOR HEREIN, SHALL RECEIVE LONGEVITY PAY, WHICH SHALL BE PAYABLE ONCE YEARLY OR AS SET FORTH IN LABOR CONTRACT, RATIFIED BY THE BOARD OF COMMISSIONERS.

SECTION 3. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE ARE HEREBY REPEALED.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT UPON ITS PASSAGE AND PUBLICATION ACCORDING TO LAW.

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 Ordinance 1648

AN ORDINANCE AMENDING CHAPTER 141, SECTION 13 OF THE BOROUGH OF COLLINGSWOOD CODE

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 Chapter 141, Section 13 of the Borough Code. The Borough has determined that amending the change in use provision of the development regulations is in the best interest of the Borough's residents.

II. AMENDMENTS

1. In Article V, Section 141-13 Fees; escrow, change the following fee schedules in sub-section G:
(2) Schedule of escrow sums.

- (g) Appeals to the Zoning Board and requests for interpretation: \$250
- (h) Use variance, escrow fee:
 - (1) Residential: \$250
 - (2) Commercial: \$750
 - (3) Industrial: \$750
- (i) Bulk variances, escrow fee:
 - (1) Residential: \$175
 - (2) Commercial: \$250
 - (3) Industrial: \$250
- (j) Conditional use, escrow fee: \$250
- (m) Nonconforming use certifications: \$250

- 2. All other terms and provisions of Chapter 141, Section 13 shall remain the same and are hereby reaffirmed.

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 Following Resolutions were Approved without a Dissenting Vote

159. Approving a Lien Certification –Various Properties

160. Approving a Pilot Agreement with the County of Camden for the Project SAVE Program

161. Awarding a Contract to Lexa Concrete for 2018 Roadway Projects

162. Approving a Salary Resolution for Acting Public Works Superintendent

Approving Raffle License

163. New Jersey Association of Corrections

164. Collingswood Band Boosters

165. Approving the Grace Period for Taxes, Water and Sewer to November 12, 2018

166. Approving Payment of Bills as presented by the Treasurer

Commissioner Lewandowski announced a few upcoming events such as the Collingswood Book Festival, Clover Market and the startup of Leaf Collection season. Commissioner Lewandowski expressed that he is in favor of a Backyard Chicken Pilot program. Commissioner Lewandowski delivered a presentation on backyard hens and the development stages creating of public policy. Commissioner Lewandowski talked about some things that in town he would like to focus on sustainability, environmental issues, arts and recreation and continuing to think creatively.

Commissioner Leonard talked briefly about the 10 year anniversary of the Green Festival and its success. Commissioner Leonard listed some of the many environmental programs the Borough and the Community have been doing over the years such as making available to the community composters and rain barrels, the bike share program, and the establishment of the green team and sustainability groups. Commissioner Leonard continued by adding the numerous environmental specific events celebrated by the town each year such as Earth Day, Arbor Day, and Knight Park Clean Up days. Commissioner Leonard talked about the Farmers Market, the volunteers, the farmers and the importance of making available farm fresh food to our community. Commissioner Leonard mentioned the rain garden at Perkins, the wildlife habitat program, an environmental film made by one of our residents and the importance of being able to shop local. Commissioner Leonard talked about the research she has done on backyard chickens adding that there are more residents that are against backyard chickens then for it and we have to look at what is good for the neighborhood. Commissioner Leonard talked about the possibility of a Community Garden Chicken program and the importance of working together as a community. Commissioner Leonard commented on Air B&B's and that there is still a lot of work that needs to be done before any regulations and be passed.

Mayor Maley, joked that he did not have any updates on the McFarland's Market because it is finally open. Mayor Maley invited families to come out to the Fire Prevention and Public Safety Night; being held next Monday. Mayor Maley informed requested residents to check the out on the events page on the website for an upcoming electric cars demonstration. Mayor Maley said the Scottish Rite Auditorium is very happy to host a big event , the Lantern Tour Benefit Concert for Migrant and Refuge families; with performers to include Emmilou Harris, Jackson Brown, Shawn Colvin and Lila Downs to name a few. This is a big event that sold out in minutes. Mayor Maley began to explain his position on Backyard Hens and the process that is taken when looking at and approving new ideas. Mayor Maley used the introduction of breweries to town as an example. He stated he was not in favor of the idea of a brewery but we started talking to different groups, it became a popular topic during Town Forums and almost unanimously it was expressed by residents that there was a very large interest. We then developed tightly written zoning regulations and put it in place. Mayor Maley continued to explain that he has done his homework with the possibility of approving backyard hens, he explained he has talked to neighboring towns, talked with the proponents of the and he has talked with many residents. Mayor Maley said there is a very large group of residents who do not like the idea. There is not a consensus. Mayor Maley continued by stating he personally would not like backyard chickens being kept next to his home and that

there has been discussion on the importance of having a neighbors approval. Mayor Maley explained we would need tight regulations and we are not there and he is not ready to vote on it. Mayor Maley then talked about Air B&B's explaining they are working on a rough draft ordinance, we are looking at the regulation issues other towns are experiencing. Mayor Maley said there will be limits, short term rentals for an extended period of time will not be allowed. There will be rules on regulation, in terms of fire safety, contacts in case of emergency. Mayor Maley said there will be tight regulations.. Mayor Maley expressed his concerns about the possibility of a fire in a home being used as an Air B&B and the renters not knowing the residence well enough to be able to evacuate in an emergency situation especially at night. Mayor Maley said we are not the only community looking at this; it is a hot topic around the world.

Mayor Maley opened the meeting to the Public:

Susan Ficara 109 Cooper St. Haddon Twp., asked for documentation of Salmonella outbreaks from Commissioner Lewandowski. Commissioner Lewandowski responded a June 2018 advisory from the CDC. A brief discussion of Ms. Ficara's experience and knowledge from her employment with the New Jersey Dept. of Health. Mr. Lewandowski explained his concerns about send a firefighter out to due inspections on a residence with backyard chickens; the firefighter does not have a background in public health. A discussion continued about contamination and what is and what is not a food born illness. Mayor Maley explained this is the time for public comment not for debate. Ms. Ficara asked Commissioner Leonard to cite her research and provide documentation. Commissioner Leonard explained there are new reports coming out regularly. And that Ms. Ficara can reach out to her to discuss.

Steven Piacquadio, 428 W Browning Rd., had the advisory from the CDC and read it's content. Ms. Ficara started to question Mr. Piacquadio. Mayor Maley explained the floor is open to public comment not to go back and forth and debate issues. Mr. Piacquadio expressed his health concerns with backyard chickens. Mr. Piacquadio stated as a real estate agent his has seen in neighboring towns where sales have fallen through because of a chicken coop being next door.

Lena Smith, from the non profit Food and Water Watch, invited the Commissioners to consider participation in an aggregated renewable energy program. Commissioner Leonard asked Ms. Smith to share information with her after the meeting. Mayor Maley explained the Borough is in an energy aggregation program for our municipal facilities. Mayor Maley said the Borough has looked at a town wide aggregation program as a possibility for residents but they feel there is a problem with the opting out of the program which is required if residents are not interested in participation.

Mary Ellen Ries, 401 Virginia Avenue, expressed her and her husband's concerns and opposition to backyard chickens.

Emme Carolfi, 427 Haddon Ave. expressed her concerns and her opposition to backyard chickens and Air B&B.

Jen Rossi, 114 Palmer Ave., submitted the results of an online public opinion poll from a website she runs. Ms. Rossi also commented that more mulch is needed in Knight Park. Commissioner Leonard commented that three truck loads have been delivered to date and she will look to have more. A discussion ensued about where mulch is needed most and some ideas about future maintenance needs. Ms. Rossi suggested a borough online communication channel with the option for focus groups, a way to obtain more feedback and follow up on issues and complaints. Mayor Maley stated residents are always welcome to email him and the Commissioners. Commissioner Leonard stated there is a way to report an issue on the website. The Director of Communications, Cass Duffey confirmed Commissioner Leonard's statement.

Bernard Beals, 417 Park Ave., expressed his opposition to a Backyard Chicken Pilot program. Mr. Beals asked who would be responsible for enforcement.

Heidi Fraley, 800 Belmont Ave, thanked the Dept. of Public Works for the quick response from a call to remove yard waste. Ms. Fraley expressed her support for a Backyard Chicken Pilot Program. Ms. Fraley said a pilot program is only a trial, in a year if it does not work you can end the program, she said everyone could have a back up plan in the event the program does not work. Ms. Fraley explained she would like a backyard pilot program for her kids.

Marlene White, 34 E Zane asked what happens to the chickens once they no longer are productive.

Lynda Neumann Teer, 8 W. Summerfield, said she thought it was interesting and she appreciates that the Commissioners are keeping an open mind concerning regulating Air B&B. Ms. Neumann Teer read from the Air B&B website some of the regulations and how complaints and concerns are filed and addressed. Ms. Neumann Teer expressed her concerns that Air B&B response to concerns and complaints to be inadequate. She also expressed concerns with safety and increased police activity to address safety issues and the possibility of an increased burden on government services.

Russ Jackson, 113 Fern Ave. expressed his opposition to a Backyard Chicken Pilot Program.

Michael Schmeltzer, 790 Haddon Ave, said he is that it is great that the backyard chicken opposition is speaking out. Mr. Schmeltzer expressed his support for a Backyard Chicken Pilot Program. He also

said he attended the Backyard Hen information forum and he had no opinion initially but after attending he said he liked the idea and supports a Backyard Chicken Pilot Program.

Wayne Rossi, 114 E. Palmer Ave., talked about his positive experience with hens. He expressed his support for the Food and Water Watch proposal and community aggregation for energy.

Katie Latona, 529 Lincoln Ave. expressed her support for regulated Backyard Chickens and Air B&Bs. Ms. Latonia added that many of the concerns people have were addressed at the Backyard Hen information forum.

Eleanor Dill, 27 E. Browning Rd. expressed support for the proposed ordinance from Food Water Watch.

Mary Jackson, 113 Fern Ave. expressed concerns and opposition to a Backyard Chicken Pilot Program.

Thomas Stelling, 250 Harvard Ave., expressed support for the Food and Water Watch energy aggregation proposal.

Robert Gittler, 317 Lees Ave., praised Commissioner Lewandoski's presentation adding that a government that governs best governs less. Mr. Gittler said many of the objections to backyard chickens are valid but that is why there would be regulations and limits. Mr. Gittler talked about the amount waste dogs produce vs. the amount produced by three hens. A discussion ensued about Mr. Gittler's son Eric who presented a proposal for Backyard Chickens seven years ago. Mayor Maley added that they met with Eric at the time and they discussed Eric's request and why the Mayor and Commissioners were not in support of the idea.

Richard Klingerman, 743 Maple Ave., stated he has three items to present. Mr. Klingerman reported construction debris taking up a parking space between 888 and 900 Haddon Ave., and a bus top bench was removed during the building construction at 801 Haddon Ave.. Mr. Klingerman requested the bench be replaced. Item three Mr. Klingerman stated he asked the Borough to consider an ordinance requiring solar panels on any new construction.

Barbara Thomas, 912 Eldridge Ave, expressed her regard for the town. Ms. Thomas questioned the Mayor and Commissioners about the oath of office specifically "*under the Authority of the People*" when making decisions when personal feelings are present. Mayor Maley said they would address Ms. Thomas's question after the public comment session is closed.

Emme Carolfi, 427 Haddon Ave. commented on her negative experience with a neighbor who had many domestic rabbits on the property.

Kathleen McKenna, 253 Woodlynne Ave. questioned the number of residents who have expressed opposition to backyard chickens. Ms. McKenna referred to an OPRA request for emails from residents to the Mayor and Commissioners in reference to Backyard Chickens. Ms. McKenna said because name and addresses were not redacted from the emails the requestors are not comfortable releasing the findings. Ms. McKenna asked who do the Mayor and Commissioners listen to when making decisions. Mayor Maley said they would answer any questions after the public comment session is closed.

Steven Piacquadi, 428 W. Browning Rd., asked what information is released when someone files an OPRA. He expressed concerns when an individual expresses they wish to keep an correspondence with an official private does it remain private. Mayor Maley says he does not process the requests and he will find out what was released.

Commissioner Lewandowski responded to Ms. Thomas's question. He talked about his decision making process, he said first there is an understanding of not knowing what you do not know and then it is equal parts of good faith, an attempt to fully understand what is being presented and the ability to manage of what will be decided. Commissioner Lewandowski added sometimes answers will be no and that is not always easy. And we learn to deal with criticism and try to remember the work we do is important and the oath is for everyone and we try to manage it.

Commissioner Leonard responded to Ms. Thomas's question. Commissioner Leonard talked about the work she has shared with the people in town, the many local groups, business associations and volunteer organizations over the years. Commissioner Leonard highlighted that work's emphasis is on being inclusive, positive, community orientated and focused on improving the quality of life. It is about safety and wellbeing, it is about being organized, non-chaotic, providing the opportunity for freedom to learn, enjoy and educate; it is helping to improve the quality of life for everyone while not stepping on each other toes; and all of this being done in a very small space. Commissioner Leonard said there is nothing that is done, that is not about the community and making the community a better place and listening to the community. Commissioner Leonard commented on the interplay between the government, the schools, the businesses and the volunteers has being excellent because they all thrive on making things better for the community. We are always for the people and by the people but some things are more difficult and not always good for everyone.

Mayor Maley, talked about the process of getting approval for the brewery, he stated he was very against the idea when it was presented to him but after putting it out to the public for feedback it was discovered town wanted it. Mayor Maley said there are a substantial number of residents who are against Backyard Chickens. Mayor Maley said he stated years ago he would not want chickens living next door to his home. Mayor Maley explained nothing is every unanimous across town. Mayor Maley said we explored the Backyard Chicken proposal the same way as the brewery and have had two very different results. There is a substantial portion of town that are not in favor of Backyard Chickens. Mayor Maley explained he talked to the group in favor of Backyard Chickens on how they could go about engaging those people who are not in favor and possibly changing their feeling. Mayor Maley said the Borough allowed the group to use the Community Center for a Forum. Mayor Maley explained the process when introducing new ideas is that we ask ourselves what is the consensus, is good for town and why are we doing it. We hold forums and town meetings to work at building a consensus and at a minimum be comfortable that people have an understanding why we are doing this new thing.

With no further comments, Mayor Maley moved the meeting be adjourned at 8:35 PM, which was seconded.