

November 4, 2019
COMMISSION MEETING MINUTES
BOROUGH OF COLLINGSWOOD, NJ

A regular meeting of the Board of Commissioners was held at the Collingswood Community Center 30 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 absent.

Mayor Maley read the Sunshine Notice stating that the Borough has complied with provisions of the Sunshine Law by adopting before 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 CFO, Municipal Court, Treasurer, Tax Collector and Zoning Official reports were approved and seconded.

The Commissioners called for the Withdrawal of Ordinance 1671 Water Conservation which was approved and seconded.

**THE COMMISSIONERS CALLED FOR THE REINTRODUCTION OF ORDINANCE 1670
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 237
OF THE BOROUGH CODE,
“RENTAL PROPERTY”**

WHEREAS, Chapter 237 of the Municipal Code, entitled “Rental Property,” establishes rules and regulations governing the rental of commercial and residential properties within the Borough of Collingswood (“Borough”); and

WHEREAS, the purpose of the Borough’s rules and regulations are designed to provide for the safety, well-being and quiet enjoyment of the Borough’s residents and visitors; and

WHEREAS, the New Jersey Legislature, pursuant to N.J.S.A. 40:52-1, has authorized municipal corporations to regulate, among other things, “furnished and unfurnished rented housing or living units and all other places and buildings used for sleeping and lodging purposes, and the occupancy thereof”; and

WHEREAS, the Borough is aware of a growing trend, worldwide as well as within the Borough, of residential property owners who have begun renting, or wish to rent their homes, or certain areas within their homes, on a short term basis in an effort to defray their carrying costs and maintenance expenses, and to encourage visitors to support the local businesses and restaurants (“Short Term Rentals”); and

WHEREAS, the Borough Commissioners acknowledge the potential benefits to the residents and businesses as described herein and also recognize that transitory uses of residential property has the potential to affect the residential character of the Borough’s neighborhoods and, if not regulated, produce results that can be injurious to the health , safety and welfare to the community; and

WHEREAS, if not regulated, properties used as Short Term Rentals have the potential to negatively affect the Borough's residents entitlement to peaceful and quiet enjoyment in their homes and neighborhoods and to result in public nuisances, noise complaints, sanitation problems, illegal parking, overcrowding of residential properties, fire and safety hazards, and other violations of the Municipal Code; and

WHEREAS, the Borough Commissioners wish to balance the interests of the Borough residents as described herein while also providing regulations designed to protect against potential nuisances and preserve the integrity of the Borough's residential neighborhoods, protect the Borough's long term housing market and the public health, safety and general welfare of the individuals and the community at large;

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of the Borough of Collingswood, County of Camden, State of New Jersey, that Chapter 237 of the Municipal Code, "Rental Property," shall be amended in the manner provided in Exhibit A, attached hereto.

Unless expressly amended as stated herein, all other terms and provisions of Chapter 237 shall remain in full force and effect.

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

Mayor Maley explained the re-introduction of the short-term rental is being voted on without Commissioner Lewandowski present even with the possible abstention vote of Commissioner Leonard so it can advance to the December meeting and a public hearing can be held. Mayor Maley explained if we wait it will not be able to be reintroduced until January 2020 and the public hearing will not be until February.

Commissioner Leonard expressed that she opposes the short-term rental ordinance as it is now but feels it needs to move forward procedurally for public comment in December. Commissioner Leonard explained she feels short term rental is a commercial use in a residential area and needs to be reviewed.

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on December 2, 2019 which was seconded and approved by the following call of the roll:

***Aye: M. James Maley, Jr.
Abstain: Joan Leonard
Absent: Robert Lewandowsk***

THE COMMISSIONERS CALLED FOR THE INTRODUCTION OF ORDINANCE 1673

AN ORDINANCE AMENDING CHAPTER 301 OF THE CODE OF THE BOROUGH OF COLLINGSWOOD ENTITLED "WATER RENTS"

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF COLLINGSWOOD ORDAINS AS FOLLOWS:

1. SECTION 301 OF THE CODE OF THE BOROUGH OF COLLINGSWOOD IS HEREBY AMENDED AND SUBSTITUTED AS FOLLOWS:

301-8 SERVICE CHARGES PER CONNECTION

THE SERVICE CHARGE PER CONNECTION, BOTH INSIDE AND OUTSIDE THE

BOROUGH OF COLLINGSWOOD, SHALL BE AS FOLLOWS:

<u>SIZE OF METER</u>	<u>MONTHLY CHARGE</u>	<u>QUARTERLY CHARGE</u>
5/8" X 3/4"	\$10.75	\$ 32.25
3/4"	16.00	48.00
1"	27.00	81.00
1 1/4"	38.00	114.00
1 1/2"	53.75	161.25
2"	86.00	258.00
3"	172.00	516.00
4"	259.00	777.00
6"	540.00	1,620.00

2. SECTION 301-9 OF THE CODE OF THE BOROUGH OF COLLINGSWOOD IS HEREBY AMENDED AND SUBSTITUTED AS FOLLOWS:

301-9 CHARGE FOR WATER CONSUMPTION

THE WATER CHARGE FOR ALL WATER USED FROM CONNECTIONS, BOTH IN THE BOROUGH OF COLLINGSWOOD AND FROM CONNECTIONS OUTSIDE THE BOROUGH OF COLLINGSWOOD, SHALL BE THREE DOLLARS AND SIXTY FIVE CENTS (**\$3.65**) PER ONE HUNDRED (100) CUBIC FEET.

3. THIS ORDINANCE SHALL TAKE EFFECT AS OF JANUARY 1, 2020.

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on December 2, 2019 which was seconded and approved by the following call of the roll:

***Aye: M. James Maley, Jr.
Aye: Joan Leonard
Absent: Robert Lewandowski***

THE COMMISSIONERS CALLED FOR THE INTRODUCTION OF ORDINANCE 1674

AN ORDINANCE AMENDING CHAPTER 29
OF THE MUNICIPAL CODE FOR THE
BOROUGH OF COLLINGSWOOD, FIRE DEPARTMENT

BE IT ORDAINED AND ENACTE, by the Borough Commission of the BOROUGH OF COLLINGSWOOD, that Chapter 29 is hereby amended in entirety to replace with:

§29-1 Creation of Fire Department

There is hereby created and established a combination paid and volunteer fire department for the Borough of Collingswood which shall consist of such members, officers and personnel as the governing body shall deem necessary for the effective government of the department. The governing body is the appropriate authority to exercise legislative authority to:

- A. Provide for the maintenance, regulation and control of the Fire Department;
- B. Adopt and promulgate rules and regulations for the government of the Fire Department and for the discipline of the Fire Department members, officers and personnel;
- C. Determine the terms of office of the members, officers and personnel, fix their compensation, and prescribe their powers, functions and duties, all as the governing body shall deem necessary for the effective government of the Fire Department;
- D. Authorize the following Volunteer Fire Company to comprise the firefighting force in conjunction and under the authority of the appointed Borough Fire Chief and full time firefighting staff:
 1. Collingswood Fire Company No. 1;

- E. There shall be appointed, by resolution of the Borough Commission, paid firefighters who shall be full-time and part-time employees of the combination paid and volunteer Fire Department of the Borough of Collingswood. Said appointees shall be hired in conformance with applicable local, state and federal regulations and laws.

§29-2 Fire Chief

- A. The Borough Commission shall appoint an individual to act as the Chief of Department of the combination paid and volunteer Fire Department of the Borough of Collingswood who shall have direct authority over all paid and volunteer officer and members of the Department.
- B. The Chief of the Department shall receive such compensation or stipend for services as shall be provided for by salary ordinance of the Borough of Collingswood.
- C. The qualifications for holding the office of Chief of Department for the Borough Fire Department shall be as follows:
 - a. Minimum of five years of career service in the Collingswood Fire Department
 - b. NJ State Firefighter I Certification
 - c. NJ State IMS Level 3 Certification
 - d. Meet all current Local, State and Federal requirements to hold the position of fire chief
- D. The tenure of the Chief of the Department shall be governed by the statutes and regulations of the State of New Jersey, and the Chief of the Department shall be responsible for reporting directly to the Director of Public Safety with regard to all activities of the Borough's Fire Department. In the event of a vacancy in the office of Chief of the Department, the Captain of the Fire Department shall assume all duties and responsibilities of that office.

§29-2.1 Duties and Powers of the Fire Chief

- A. Administer and enforce the rules and regulations and special emergency directives for the disposition and discipline of the Fire Department and the members, officers and personnel;
- B. Have, exercise and discharge functions, powers and duties of the Fire Department
- C. Prescribe the duties and assignments of all members, officers and personnel;
- D. Delegate such authority as deemed necessary for the efficient operation of the Fire Department to be exercised under the Fire Chief's direction and supervision;
- E. Make a mandatory call back of paid fire department personnel in the event of an emergency, declaration of a state of emergency, potential emergency or natural disaster.

§29-3 Appointments to Department

- A. No person shall become a member of the Collingswood Fire Department unless he or she shall be at least 18 years of age and possess a High School Diploma or Equivalency Certificate and a citizen of the United States. Such person shall be physically fit to perform the duties of a firefighter, such fitness to be evidenced by a certificate to that effect from a physician duly licensed to practice in the State of New Jersey.
 - a. All volunteer applicants shall live either within the Borough of Collingswood or within its first alarm district and be approved by municipal resolution after the following process;
 - i. Submit application to Collingswood Fire Company No.1
 - ii. Interview and approval of membership committee
 - iii. Pass a criminal history check
 - iv. Final approval by Chief of Department and Director of Public Safety
 - b. All paid applicants shall submit an application and pass the hiring process and meet the minimum requirements that will be designated by the Chief of Department and/or the Policy Directives of the Department.
 - c. Junior Firefighter applicants will be allowed to join the Department between the ages of 14 and 18 years of age. They must adhere to the requirements of the State of New Jersey and Collingswood Fire Department Policy Directives.

§29-4 Composition of Fire Department

- A. The paid fire department may consist of the following ranks at the discretion of the Director of Public Safety. These appointments will be made by the Director of Public Safety at recommendation from the Chief of Department. They must meet all requirements to hold such positions by the State of New Jersey and Federal Regulations and the Fire Department Operating Guidelines and Policy Directives.
 - a. Chief of Department (1)
 - b. Captain (1)

- c. Lieutenant (2)
- B. The Collingswood Fire Company No. 1, under its bylaws can elect line officer positions to its ranks. The final approval of the line officers will be made by the Chief of Department and Director of Public Safety, based off of the member's qualifications, knowledge, skills and abilities. These officers must meet the minimum requirements of the State of New Jersey and the Operating Guidelines and Policy Directives of the Fire Department, to hold such positions. The ranks will fall in line with that of the fire department and could consist of the following ranks based on the assessment and needs by the Chief of Department and Director of Public Safety.
 - a. Captain (1)
 - b. Lieutenants (2)

§29-4.1 Powers and Duties of Fire Department

- A. Have exclusive jurisdiction over the control, fighting and extinguishment of any conflagration or fire which occurs within the Borough limits or its contracted service areas;
- B. Have exclusive jurisdiction over the control and mitigation of emergency medical and hazardous materials incidents;
- C. Provide fire-fighting service for the extinguishment of fires and the necessary and incidental protection of life and property throughout the Borough or its contracted service areas;
- D. Investigate the cause, circumstances and origin of fires and report to the Borough Police Department and County Prosecutor every case of suspected intentional incendiary fires;
- E. Be authorized to enter upon, without fee or hindrance, all premises, grounds, structures, buildings, and passages whenever necessary in the performance of its duties;
- F. Operate a training program to maintain and improve fire-fighting, emergency medical and all hazard response efficiency of the members of the Department;
- G. Maintain a Bureau of Fire Prevention and Code Enforcement and enforce all codes as charged to this division by Borough Ordinance;
- H. Provide public education to the residents, students, merchants and visitors of the Borough.

§29-5 Rules and Regulations

- A. Rules and Regulation, entitled Collingswood Fire Department Policy Directives and Collingswood Fire Department Operating Guidelines are hereby adopted as and for the rules and regulations and standard operating guidelines for the Fire Department;
- B. Said rules and regulations may be amended from time to time by resolution approved by the Borough Commission.

§29-6 Firefighting Equipment Owned by Borough

The Borough of Collingswood is the owner of all the firefighting apparatus and equipment of the paid Fire Department, established in the Borough of Collingswood by this article (originally Ordinance No. 283, adopted March 1, 1926).

§29-6.1 Maintenance and Repair of Equipment

Provisions shall be made for the proper maintenance, repair and replacement of the apparatus and equipment owned by the Borough.

§29-7 Establishment of the Emergency Medical Division

There is hereby created and established an emergency medical division under the authority of the Collingswood Fire Department and Borough of Collingswood. The emergency medical division will be the primary basic life support emergency response within the boundaries of the Borough of Collingswood. The governing body is the appropriate authority to exercise legislative authority to:

- A. Provide basic life support emergency care, response and transport within the boundaries of the Borough of Collingswood.
- B. Participate in the Camden County Mutual Aid Plan
- C. Operate under all applicable State statutes, local ordinances, operating guidelines, policy directives and appointed medical direction.

§29-7.1 Emergency Medical Division Implementation

The Division of Emergency Medical Services shall be implemented pursuant to N.J.A.C. 8:40 and N.J.S.A. 26:2K-7 et seq.

§29-8 Fees for Service

A. The Borough Administrator of the Borough of Collingswood shall be responsible to enter into a professional service contract for third party billing for fees for service for the Fire Department and Emergency Medical Services.

B. The Administrator and Chief Finance Officer shall review annually the cost accounting records for service provisions to adjust fees which are authorized to be imposed by the Fire Department and Emergency Medical Services.

C. Fire Department Fees for Service

1. Level 1 Response \$500:

This will be a response for a motor vehicle collision that will necessitate services provide by the Collingswood Fire Department. The fee will include response of a single fire apparatus resource and its staffing. The fee shall also include any and all equipment necessary to mitigate any hazards as a result of the vehicle collisions, which does not require extrication of a person or people.

2. Level 2 Response \$750:

This will be a response for a motor vehicle collision that includes everything from level 1 with the addition of the necessity for extrication of a person or people from the vehicle. This will be a basic extrication that will require stabilization, hazard and utility control, and removal of or mechanically opening of doors on the vehicle. This fee will apply to any vehicles that require an extrication of a person or people.

3. Level 3 Response \$1,000:

This will be a response for a motor vehicle collision that includes all services from a level 1 and level 2 response, with the addition of more technical operations. This will include, but not be limited to, extrication of a person or people from the vehicle, under the vehicle or pinned between vehicles. This may also include a response to vehicles submerged in water or under ice. This response will require more than one fire service apparatus resource and a more technical rescue.

This response will also include any vehicle fire response, which requires the extinguishment of the fire with a 1 ¾" hose line or greater. The fee will cover the apparatus and manpower response, along with any additional equipment necessary to extinguish the fire and mitigate any hazards.

Level 4 Response \$1000 for first hour, \$250 each additional hour: This response will include all Level 1-3 incidents that exceed one (1) hour of fire department on scene operation time.

4. Firefighting and Emergency Response Fees

a. If Borough firefighters are dispatched or summoned to respond to an illegal fire: \$250.

b. Bomb threat or responding to a fire resulting from an outstanding prior notice of code violation: the actual cost of an emergency response.

5. Rates and Charges:

a. Personnel: Rates for personnel will be charged at the hourly rate of each firefighter that participated in the response.

b. Equipment and Apparatus: Rates will be based off the most current Federal Emergency Management Agency's most current Schedule of Equipment Rates.

5. Fees will be submitted to the insurance carrier of each vehicle that requires the services of the fire department as outlined above aside from any emergency medical assistance.

D. Emergency Medical Fees for Service as of January 1, 2020:

1. BLS Base Charge	\$850.00
2. BLS Loaded Mileage	\$17.00
3. BLS Treat without Transport	\$250.00
4. Consumable Charges	
a. Disposable Cervical Collar	\$45.00
b. Oxygen Administration	\$65.00
c. Narcan Administration	\$95.00
d. EPI Pen Administration	\$150.00
e. CPAP Administration	\$95.00
f. Aspirin	\$3.00 each
g. Albuterol	\$50.00 each

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 December 2, 2019 which was seconded and approved by the following call of the roll:

Aye: M. James Maley, Jr.

Aye: Joan Leonard

Absent: Robert Lewandowski

THE COMMISSIONERS CALLED FOR THE INTRODUCTION OF ORDINANCE 1675

AN ORDINANCE AMENDING CHAPTER 155 STATE OF EMERGENCY; OF THE CODE OF THE BOROUGH OF COLLINGSWOOD

BE IT ORDAINED by the Board of Commissioners of the Borough of Collingswood that Chapter 155 hereby amended as follow:

I. **PURPOSE.**

The purpose of this Ordinance is to eliminate Chapter 155 Section 13, **Fee Schedule**, from the Borough Code Chapter 155. The Borough has determined that eliminating Chapter 155 Section 13 **Fee Schedule** with respect to the Borough Code is in the best interest of the Borough's residents.

II **AMENDMENTS.**

Chapter 155 Section 13- Fee Schedule, shall be deleted in its entirety.

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 December 2, 2019 which was seconded and approved by the following call of the roll:

Aye: M. James Maley, Jr.

Aye: Joan Leonard

Absent: Robert Lewandowski

**AN ORDINANCE AMENDING THE REHABILITATION PLAN
FOR THE BOROUGH OF COLLINGSWOOD**

WHEREAS, redevelopment and rehabilitation projects must be undertaken pursuant to a "redevelopment plan" adopted by a municipal ordinance pursuant to N.J.S.A. 40A:12A-7, and said plan must include an outline for the planning, development, redevelopment or rehabilitation of the project area; and

WHEREAS, the Board of Commissioners of the Borough of Collingswood ("Borough"), pursuant to Resolution No. 06-186 determined that the entire Borough is an area in need of rehabilitation since it meets the statutory criteria set forth in N.J.S.A. 40A:12A-14 in that more than half of the housing stock is at least 50 years old and a majority of the water and sewer infrastructure is at least 50 years old and is in need of repair or substantial maintenance and that a program of rehabilitation may be expected to prevent further deterioration and promote the overall development of the community; and

WHEREAS, the Borough Commissioners by Ordinance No. 1417 adopted a Plan for Rehabilitation prepared by Remington and Vernick Engineers, Inc. (the "Rehabilitation Plan"); and

WHEREAS, the proposed amendment to the Rehabilitation Plan is set for in an amendment document prepared by Remington and Vernick Engineers, Inc. dated _____ that is attached as Exhibit A (the "Amendment to Rehabilitation Plan"); and

WHEREAS, the Amendment to Rehabilitation Plan was referred to the Collingswood Planning Board for review and comment which review and comment was provided by the Planning Board in a report to the Borough Commissioners which report was considered by the Borough Commissioners prior to the adoption of this ordinance; and

WHEREAS, the Amendment to Rehabilitation Plan meets the requirements of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. and is consistent with the Borough's Master Plan;

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of the Borough of Collingswood that the Amendment to Rehabilitation Plan attached as Exhibit A prepared by Remington and Vernick Engineers, Inc. is hereby approved and adopted as an amendment to the Rehabilitation Plan of the Borough of Collingswood; and

BE IT FURTHER ORDAINED by the Commissioners of the Borough of Collingswood that the Rehabilitation Plan adopted by the Borough pursuant to Ordinance No. 1417 shall remain in full force and effect except as modified by the Amendment to Rehabilitation Plan attached as Exhibit A.
(No Exhibit A Attached Ordinance stale at 12/2/2019 meeting)

Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on December 2, 2019 which was seconded and approved by the following call of the roll:

Aye: M. James Maley, Jr.
Aye: Joan Leonard
Absent: Robert Lewandowski

Public Comment on Resolution Agenda Items:

No Comments

The Following Resolutions were Approved without a Dissenting Vote

181. Appointing Nicholas Bruns as a Full Time Police Officer for the Borough of Collingswood

Oath-Nicholas Bruns

Appointing SLEO I Officers to the Collingswood Police Department

182. Georgann Batten

183. Joseph Rivera

184. Appointing Miles Tribulas as a Junior Fire Fighter for the Borough of Collingswood

185. Appointing Kimberly Kormann as Administrative Assistant for the Pennsauken-Collingswood Fire Prevention Bureau

186. Appointing Kristin Bilson as Youth Services and Reference Assistant for the Collingswood Library

187. Appointing Anita Schoeffling as Deputy Registrar

188. Re-Appointing Robert Rodriguez to the Collingswood Housing Authority

189. Referring Ordinance 1676 for Redevelopment Plan to the Planning Board

190. Requesting Approval of Special Items of Revenue and Appropriation- Safe Routes to School

191. Ratifying the Submission of a Grant Agreement for the Safe Routes to School and Traffic Calming Improvements

192. Authorizing an Agreement between the Borough of Collingswood and Remington and Vernick Engineering for Construction Management / Construction Inspection Services for the Safe Routes to School and Traffic Calming Project in the Borough of Collingswood

193. Authorizing a Share Service Agreement with Camden County for the Project Save Referral Services

194. Refund of Tax Overpayment for Block 12 Lot 8

195. Authorizing Foreclosure of a Certain Property for Delinquent Taxes- Block 118 Lot 8

196. Approving an IT Practice Policy

197. Approving Raffle Application 2019-12 Collingswood High School Band Boosters

198. Authorizing to Sign Agreement with Police Superior Officers

199. Establishing Salaries for Certain Employees in the Borough of Collingswood-
Police Department

200. Authorizing a Budget Transfer Resolution

201. Approving Payment of Bills as Presented by the Treasurer

Commissioner Leonard talked about the importance of putting leaves on the curb strip and not in the street for leaf pick up, the importance of water conservation, and anti-idling. Thank you DPW for their help this past weekend with the fall tree planting project. Commissioner Leonard thanked community volunteer Mike Lazaro with his help with the planting and getting the word out to neighbors to have a tree planted. Commissioner Leonard spoke about the importance of the borough and the community and our neighbors working together in a partnership with planting of trees. Commissioner Leonard said if anyone is interested in a tree to please reach out to her.

Mayor Maley commented that Administrator Hasting started with the Borough 34 years ago doing leaf pick up. Mayor Maley also congratulated Treasurer Sandy Powell on her 33 year with the Borough.

Richard Klingerman 743 Maple Ter. reported that at 853 Haddon Ave there is a tripping hazard in the sidewalk.

Kate Delany, 126 E Palmer Ave. stated the July minutes are the last month posted on the website. Mayor Maley asked the clerk if there are anymore minutes available. The clerk said they have not been completed.

Eleanor Dill, 27 E. Browning Rd. expressed her interest in the Borough considering Community Choice Energy Aggregation. Mayor Maley said he has been in contact with consultants Gabel Associates. Mayor Maley explained the borough is part of the NJSEM and 30% of the energy for that program is sustainable energy. Mayor Maley explained the market is a little off right now but we will keep looking at it and do not expect to do anything until the beginning of next year, put it in the budget and hire consultants to do a study on what our usage is.

With no further comments, Mayor Maley moved the meeting be adjourned at 7:26 PM, which was seconded.