

September 10, 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, Municipal Court and Zoning Official reports were approved and seconded.

***The Commissioners called for the Second Reading and Public Hearing of Ordinance 1644***

**ORDINANCE NO. 1644  
ORDINANCE AMENDING CHAPTER 141, ARTICLE VIII OF THE BOROUGH CODE,  
“DEVELOPMENT REGULATIONS; DESIGN AND PERFORMANCE STANDARDS,” TO  
PROVIDE PERMITTING, CONSTRUCTION, AND REMOVAL REQUIREMENTS FOR  
WHEELCHAIR RAMPS**

**WHEREAS**, the Borough of Collingswood (Borough), through the “Collingswood Development Regulations Ordinance,” has previously adopted Chapter 141 of the Borough Code, “Development Regulations,” for the purpose of establishing a pattern of land consistent with the Borough’s Master Plan and to promote the public health, safety, morals, and general welfare;

**WHEREAS**, Article VIII of Chapter 141, “Design and Performance Standards,” sets forth various zoning, compliance, and setback requirements for accessory structures, uses, and conditional uses of residential and commercial properties;

**WHEREAS**, Article VIII of Chapter 141, as enacted, does not address minimum standards or exceptions regarding the construction or removal of Wheelchair Ramps; and

**WHEREAS**, the Borough Commissioners have determined it is in the best interests of the Borough to amend Article VIII, Chapter 141 of the Borough Code, to include a provision allowing and regulating Wheelchair Ramps as conditional uses and structures on residential properties.

**NOW THEREFORE BE IT ORDAINED** by the Commissioners of the Borough of Collingswood, County of Camden, State of New Jersey, that Chapter 141, Article VIII of the Borough Code is hereby amended to add the following section to Chapter 141, “Wheelchair Ramps,” which shall read as follows:

Wheelchair Ramps.

Wheelchair Ramps shall be permitted as an accessory structure in all residential zoning districts, provided the following requirements of this Section are met.

- a. Prior to the construction of a Wheelchair Ramp, the owner of the property shall obtain a Wheelchair Ramp Permit from the Borough Zoning Officer. The application for the Wheelchair Ramp Permit shall include the following:
  - i. The location of the proposed Wheelchair Ramp;
  - ii. The name of the individual(s) residing at the property who require the use of the Wheelchair Ramp;
  - iii. A letter from a licensed physician stating the reasons why the Wheelchair Ramp is necessary to accommodate said resident(s) of the property; and

- iv. An acknowledgement by the applicant that the Wheelchair Ramp shall be removed within sixty (60) days of the date on which the individual(s) requiring the Wheelchair Ramp no longer reside at the property or the date on which the Wheelchair Ramp is no longer required.
- b. All Wheelchair Ramp Permits shall be renewed by January 31 of each year succeeding the year in which the Wheelchair Ramp application is approved.
- c. Wheelchair Ramps shall be constructed in a manner that results in minimal encroachment into the required setback of the property.
- d. Wheelchair Ramps shall not encroach into any recorded easement(s) or into any public right(s)-of-way.
- e. Wheelchair Ramps shall be designed and constructed in accordance with the applicable provisions and guidelines of the Americans with Disabilities Act.
- f. Any Wheelchair Ramp erected pursuant to this Section shall be removed within sixty (60) days of: (i) the date on which the individual(s) requiring the Wheelchair Ramp no longer reside at the property; or (2) the date on which said individual(s) no longer require the use of a Wheelchair Ramp.
- g. The Borough Zoning Officer shall enforce this Section in accordance with the provisions and procedures set forth in Section 141-11, "Violations and Penalties; Civil Actions."

All other Sections of the Borough Code, including Chapter 141, shall remain valid and in effect, and are not amended by this Ordinance.

This Ordinance shall take effect immediately upon final passage, approval, and publication, as provided by 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 Commissioner's called for the first reading 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>
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 equipment and completion of all work necessary therefor or related	920,000.00	0.00	920,000.00	20 years
<b>TOTAL</b>	<b>\$1,400,000.00</b>	<b>\$0.00</b>	<b>\$1,400,000.00</b>	<b>”</b>

**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.

***Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on October 1, 2018 which was seconded and approved by the following call of the roll:***

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

**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
	<b>TOTAL</b>	<b>\$2,300,000.00</b>	<b>\$0.00</b>	<b>\$2,300,000.00</b>	<b>"</b>

**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

*Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on October 1, 2018 which was seconded and approved by the following call of the roll:*

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

*The Commissioner's called for the first reading of Ordinance 1647*

**SALARY ORDINANCE**

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:

<b>POSITION</b>	<b>ANNUAL SALARY</b>
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<b><u>Department of Public Works</u></b>	
Acting Public Works Superintendent	\$5,000.00-\$15,000.00

**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.

*Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on October 1, 2018 which was seconded and approved by the following call of the roll:*

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

***The Commissioner's call for the first reading 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.

***Mayor Maley moved the ordinance be approved on first reading, published, and the second reading and public hearing to be held on October 1, 2018 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***

144. Appointing Kevin Carey as Acting Public Works Superintendent
145. Authorize Purchase Under State Contract-  
Dump Truck
146. Authorizing the Solicitation of Bids for the 2018 Municipal Roadway Project
147. Authorize Refund of Water Overpayment  
  
Authorize Refund of Tax Over Payments
148. Block 70 Lot 6
149. Block 12 Lot 8
150. Bank Depository – South Jersey Federal Credit Union
151. Updating the Borough's Employment Practices Liability Insurance Risk Management/Loss Control Plan
152. Affirming the Borough of Collingswood's Civil Rights Policy  
  
Authorize a Performance Guarantee Release-
153. 101 Woodlawn Terrace
154. 801 Haddon Ave.

155. Authorizes a Grant Application To The New Jersey Department Of Environmental Protection - Hazardous Discharge Site Remediation Fund For The 610 Harrison Avenue Site

156. Approving Payment of Bills as Presented by the Treasurer

157. Authorizing a Remediation Lien for 117 Penn Avenue-Tank Removal

158. Authorizing to Advertise for a RFP- Bike Path Pedestrian Safety Grant Consultant-

Commissioner Lewandowski, announced he would be leaving the meeting early to address a family situation. Before excusing himself Commissioner Lewandowski talked about the Pop Up Gala, 2018 being the largest one to date and adding it is a wonderful event, stating the night is used to build community and bring people into town. Commissioner Lewandowski thanked the Department of Public Works for doing the set up and breakdown of the night. Commissioner Lewandowski also thanked Police Chief Kevin Carey for the work he will be doing as Acting Public Works Superintendent.

Commissioner Leonard, wished all the students in town a wonderful and safe school year. Commissioner Leonard talked about the many events that occurred over the summer and thanked everyone who helped make it beautiful and successful.

Mayor Maley, talked about an incident at a Newbie School where a person who should not have been there was arrested. Mayor Maley said the Collingswood police acted proactively and he thanked them for their response. Mayor Maley mentioned that the most recent Gala was well attended, adding over 400 people came out for a night of fun. Mayor Maley also talked about the successful season at Roberts Pool. Mayor Maley thanked the Robert's Pool staff, he commented that more memberships were sold this year than in past years and we are looking at making more improvements so next season can be even better.

**Mayor Maley opened the meeting to the Public:**

Suzanne Cloud, 241 Haddon Avenue announced the start of the 2018 Collingswood Jazz Series. Ms. Cloud asked if there will be a registration for Air B&B hosts. Mayor Maley said there will not be a registry. Mayor Maley said they are taking note of what is being done in other communities as far as establishing limits and regulations and that they are in no rush to approve short term rentals.

Lynda Teer 8 W. Summerfield Avenue, expressed her opposition for Air B&B and short term rentals.

Kate Delaney 126 Palmer Ave. asked for the Commissioners to vote on the Backyard Chicken Pilot Program.

Janice Hugh 414 Lincoln Avenue, expressed her support for short term rentals.

Ann Carroll, Collingswood Arms Apartments, Washington Avenue, expressed her support for short term rentals. A discussion ensued about the dialogue the Commissioners have had with supporters of short term rental.

Nancy Calabretta, 806 Eldridge Avenue, expressed her support for Air B&B and a Backyard Chicken Pilot Program.

Kevin Stanton, 316 Woodlawn Terrace, expressed his support for a Backyard Chicken Pilot Program and Air B&B.

Emilia Carolfi, 427 Haddon Avenue expressed her opposition for Air B&B.

Mindy Lehr, 12 W. Narberth Terrace, expressed support for Air B&B.

Shawn Miller, 309 Bettewood Avenue expressed his support for Air B&B and a Backyard Chicken Pilot Program.

Kate Latona, 529 Lincoln Avenue expressed her support for Air B&B and a Backyard Chicken Pilot Program with regulations.

Heidy Fraley, 800 Belmont Avenue, expressed her support for a Pilot program for Backyard Chickens and Air B&B.

Janet Janka, 517 Bettewood Avenue, expressed her support for a Backyard Chicken Program and Air B&B.

Bonnie Kitching, 230 E. Madison Avenue, expressed her support for a Backyard Chicken Program and Air B&B.

Jen Rossi, 114 E. Palmer, expressed her support for Air B&B and a Backyard Chicken Program. Ms. Rossi made a request for more mulch in Knight Park Playground. Commissioner Leonard explained she has been working with staff and volunteers over the past few weeks on a beautification project at the playground and that mulch was recently delivered. A discussion ensued. Mayor Maley said DPW would take a look.

John Lafrance, 517 Bettewood Avenue, expressed his concern about the screeching noise coming from the PATCO train tracks. Mayor Maley explained the borough has reached out to PATCO and the DRPA about the problem and work was done in an attempt to remedy the problem but the noise is still unacceptable. Mayor Maley advised residents to also register complaints about the screeching section of tracks to the Delaware River Port Authority.

Gwen Baile, Haddon Township commented on the collaborative program with Haddon Township for pedestrian safety. Ms. Baile expressed support for Backyard Chicken Program in Collingswood.

Kevin Monko, 135 Lawnside Avenue, expressed his support for a Backyard Chicken Program and Air B&B.

Kathleen McKenna, 253 Woodlawn Avenue, expressed support for a Backyard Chicken Program and Air B&B.

Lynda Teer, 8 W. Summerfield Ave. expressed concern and her opposition to Air B&B.

Bob Carlson, 21 Gorman Avenue, expressed support for a Backyard Chicken Program and Air B&B

Michael Lazro 926 Stokes Avenue, expressed support for a Backyard Chicken Program and Air B&B.

Barbara Thomas, 912 Eldridge Ave. expressed support for Air B&B and a Backyard Chicken Program.

Christina McLean, 103 Collings Avenue, explained she received a cease and desist order for operating an Air B&B. Ms. McLean pointed out that there are currently several Collingswood properties listed on Air B&B. A discussion ensued about neighbor complaints and the operation of Air B&B and enforcement. Ms. McLean requested temporary approval to operate as an Air B&B.

Sean Moen, 390 E Bettewood Oaklyn, expressed his support for Air B&B

Bob Carlson, 21 Gorman Avenue, asked for specific details on the neighbor complaints. Mayor Maley explained the complaints included; parking, noise, and strangers in the neighborhood coming and going at different hours.

Emilia Carolfi, 427 Haddon Avenue expressed her opposition to Air B&B and short term rental.

Public Comment- Closed

Commissioner Leonard talked about being a Commissioner and quality of life changes that are made for the community. Commissioner Leonard explained we partner with other towns but we make decisions by researching and reading and not just by doing what works for our neighbors. Commissioner Leonard continued that these are not small decisions, right now the answer is no until we can get to a yes and a yes takes time, changing laws and regulations take research and careful consideration. As an elected officials we need to look at what is right for the whole town. Commissioner Leonard asked the members of the public to be respectful each other during public session.

Mayor Maley talked about the history of duplexes / rental units in Collingswood and the problem he has with the possible expansion of rental properties in Collingswood. Mayor Maley explained that a lot of work has been done over the past 20 plus years to fix the problems of the duplexes and rental units of the 1970s and 1980s. Mayor Maley said his question is; how does Air B&B benefit the residential neighborhood? He does not think it does. There was some calling out from the public. Mayor Maley advised that the public portion had been closed. Mayor Maley added many residents have made it known that they do not want Air B&B in the neighborhoods, our Police and Fire have asked for strict regulations and severe limits if we do allow short term rentals. Our zoning ordinances allow for a Bed and Breakfast, which have requirements that include parking and size of units considerations. Mayor Maley said there are still a lot of people who do not want chickens, some of the suggestions for a program that the Board of Commissioners presented to residents in favor of a pilot program were rejected, Mayor Maley said they are not ready to put it to a vote.

Commissioner Lewandowski returned to the meeting. He said he was listening to the live stream. Commissioner Lewandowski said he thinks that there is a way to get a yes regarding both issues. Stating the Political answer is easy, it is the technical part that takes time. Commissioner Lewandowski said he would use the chicken pilot as an example. He listed some of the reasons against allowing chickens, such as CDC and Board of Health Reports about Backyard chickens and issues of salmonella, and our lack of having a local Board of Health. Commissioner Lewandowski said we need to create a balance, how do we regulate, how do we inspect, how do we administer a backyard chicken program This is not a yes or no. We need to look at this creatively.



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