

BOROUGH OF LAUREL SPRINGS
REGULAR MEETING OF MAYOR AND COUNCIL
MONDAY, JUNE 10th, 2019
MAYOR THOMAS A. BARBERA PRESIDING

SALUTE TO THE FLAG AND MOMENT OF SILENCE was led by Mayor Barbera

OPEN PUBLIC MEETINGS LAW – Mayor Barbera stated that adequate notice of this meeting was given by emailing the Retrospect and the Courier-Post on January 8th, 2019 and posting on the Borough Website and bulletin board in the Borough Hall.

ROLL CALL recorded as present: Letts, DiGregorio, DelPidio and Redstreak with Mochel and Cruz absent.

PRESENTATION- Safety on the Agenda- Joe Henry- Hardenbergh Insurance Group distributed to each member of Council a copy of the “Put Safety on your Agenda” presentation, the purpose for which is the share with the Governing Body the Borough’s Safety and Wellness program, and to share the Borough 2019 Safety Topic: Managing Comorbid Conditional through Wellness Education. He offered opportunity for Borough Council to ask questions about the Safety Program and reacquainted them with the core leaders’ and financial incentives of the Safety Program. He detailed the impact of comorbid conditions on a municipality.

ENGINEER REPORT-

CAPITAL ITEMS

1. **NJDOT Local Aid Grant Applications – FY2018**

The Borough was awarded a Municipal Aid Grant in the amount of \$195,000.00 for the Reconstruction of Arch Avenue. Bids were received and opened on May 21, 2019. The lowest apparent bidder was Landberg Construction, LLC, with a bid amount of \$158,690.00, which is within the construction budget for the project. We prepared a bid summary / recommendation dated May 22, 2019, recommending award of the contract to Landberg Construction. If the contract is awarded, we will coordinate a preconstruction meeting immediately. Construction can be expected to be completed by August, dependent upon the Contractor's schedule. Once we have a firm schedule from Landberg, we will advise Mayor and Council accordingly.

2. **NJDOT Local Aid Grant Applications – FY2019**

The Borough received a letter, dated March 25, 2019, indicating that the Borough has received a FY2019 Local Aid Grant in the amount of \$222,000 for the 2019 Road Improvement Program. The roads included for the project are West Atlantic Avenue (Tomlinson Avenue to Lindsay Avenue), Sycamore Avenue (Park Avenue to Beech Avenue); and Glen Avenue (Sycamore Avenue to end). In the coming weeks our office will submit a proposal for engineering design and construction management services for the project for Mayor and Council's consideration.

3. **NJDOT Local Aid Grant Applications – FY2020**

Our office received correspondence from NJDOT indicating that the FY2020 Municipal Aid Grant Applications are due by July 19, 2020. Typically the grant applications are due in October of any

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given year. This is being done so that the grant awards can be announced by the state in November, instead of the traditional March-April timeframe. Through our discussions with Borough officials, it was decided that an application will be submitted for three roadways - Hemlock Avenue (between White Horse Pike and Stone Road), Madison Avenue (between White Horse Pike and Stone Road); and Trenton Avenue (between East Atlantic Avenue and Chestnut Avenue). Our office has already begun performing the requisite field studies for the Application and will submit the Application before the July deadline. The Application will require a resolution from the Governing Body authorizing the submission of the Application, as has been the case in years past.

OTHER PROJECTS

4. **Laurel Whitman Urban Renewal (Former Municipal Building Redevelopment Site)**

A preconstruction meeting was held between the developer, our office and the Borough Administrator on November 21, 2018. The developer has applied for and received all permits and has posted the required escrow. Final Plans for appropriate signatures have been submitted. The developer started work at the site in December. ERI is providing construction inspections of the work as necessary.

5. **Stone Road Rehabilitation Plan**

Borough Council adopted the Stone Road Rehabilitation Plan at their March 26, 2018 meeting.

6. **New Jersey American Water Remediation Project - Grand Avenue**

New Jersey American Water is in the process of finalizing plans to perform environmental remediation work along Grand Avenue. The work will occur directly in front of the Jack Hagen Recreation Center. The work will require the full width of Grand Avenue to be excavated to a depth of approximately 18 inches and will also include a sanitary sewer main tie-in for their facility located across the street from the recreation center. The roadway will be closed in this area for approximately 1-2 weeks while this work is being completed. Once the remediation work and the sewer tie-in is completed, the affected area will be backfilled with compacted stone, which will then be monitored for settlement for approximately 6 weeks before the base paving and top paving are restored. The roadway will be open in both directions during this period. NJAW has indicated that the portion of the work that requires the roadway to be closed is tentatively scheduled to be completed before July 4. NJAW has consented that if the work cannot be started in time to have the roadway open for the 4th of July, then they will not commence until after the holiday.

There was conversation about the road opening ordinance and the sample from Lindenwold not providing as much as was hoped from. There was discussion of the dilemma of having the utilities tearing up the roads as soon as the moratoriums expire.

There was conversation about Landberg Construction, who is being awarded the Arch Avenue Road Project. Mr. Hansen said he had not worked with them personally, but they have been around a long time, and well-spoken of.

There was conversation of a small section of Stone Road that had been left un-repaired between the school and the railroad track, and while it is a County Road, there was discussion of what could be done. The County Engineer will be contacted.

APPROVAL OF MINUTES -

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- Work Session Meeting of Monday, May 13, 2019- The motion to approve by Councilman Redstreak was seconded by Councilwoman DiGregorio, with Letts, DiGregorio, DelPidio, and Redstreak in favor, none opposed and none abstaining.

ORDINANCE- First Reading and Introduction of **#835-2019- ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 241 OF THE CODE OF THE BOROUGH OF LAUREL SPRINGS ENTITLED TAXATION**, was retracted from the agenda upon the advice of the Borough Solicitor.

RESOLUTIONS

- **#056-2019- APPOINTING CLASS II SPECIAL OFFICER – FRANCO LOMBARDI**

WHEREAS, The Gloucester County Police Academy offers Class II Police Officer Training beginning from August 12, 2019; and

WHEREAS, Franco Lombardi has been approved for this position by Chief Carmen Rabottino and Borough Administrator, Ken Cheeseman for this position; and

WHEREAS, the academy enrollment fee will be offset by instructional credits accumulated by the Laurel Springs Police Department;

NOW THEREFORE BE IT RESOLVED that Mayor and Council of the Borough of Laurel Springs, County of Camden, state of New Jersey do hereby appoint Franco Lombardi as a Class II Special Officer, part-time.

- The motion to approve by Councilman Redstreak was seconded by Councilwoman DiGregorio, with Letts, DelPidio, DiGregorio and Redstreak in favor, none opposed and none abstaining.

- **#057-2019- TO VOID CHECK**

WHEREAS, the following check issued for a Recreation Commission event to be held in April, 2019 which was cancelled due to inclement weather; and

WHEREAS, no suitable date has been found to reschedule, and it is in the best interest of the Borough to **cancel the outstanding check**;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Laurel Springs, that the following outstanding check be cancelled:

ACCOUNT

& CHECK #

DATED

PAYEE

AMOUNT

Recreation Trust

- #1483 04/17/2019 Neil Subramanya \$ 100.00

- The motion to approve by Councilman Redstreak was seconded by Councilwoman DiGregorio, with Letts, DelPidio, DiGregorio and Redstreak in favor, none opposed and none abstaining.

- **#058-2019-FOR RENEWAL OF LIQUOR LICENSE**

WHEREAS, SFV, LLC of 26 Stone Road, is the holder of a Plenary Retail Consumption License in the Borough of Laurel Springs; and

WHEREAS, the said applicant has paid the \$200.00 fee filing application with the State of New Jersey, and \$2,500.00 fee to the Borough of Laurel Springs; and

WHEREAS, said applicant has complied with the health, public safety, and taxation regulations and applicable local ordinances;

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NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Laurel Springs, that Plenary Retail Consumption License No. 0420-33-002-003 is granted to SFV, LLC for the period of July 1, 2019 to June 30, 2020.

- The motion to approve by Councilman Redstreak was seconded by Councilwoman DiGregorio, with Letts, DelPidio, DiGregorio and Redstreak in favor, none opposed and none abstaining

- **#059-2019-FOR RENEWAL OF LIQUOR LICENSE**

WHEREAS, PMK Beverage Inc. of 211 White Horse Pike, is the holder is the holder of a Plenary Retail Consumption License in the Borough of Laurel Springs; and

WHEREAS, the said applicant has paid the \$200.00 fee filing application with the State of New Jersey, and \$2,500.00 fee to the Borough of Laurel Springs; and

WHEREAS, said applicant has complied with the health, public safety, and taxation regulations and applicable local ordinances;

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Laurel Springs, that Plenary Retail Consumption License No. 0420-44-003-014 is granted to PMK Beverage Inc. for the period of July 1, 2019 to June 30, 2020.

- Mayor Barbera mentioned that the owner of Wine Barrel is thinking of expanding his premises.
- The motion to approve by Councilman Redstreak was seconded by Councilwoman DiGregorio, with Letts, DelPidio, DiGregorio and Redstreak in favor, none opposed and none abstaining.

- **#060-2019- NEW JERSEY DEPARTMENT OF TRANSPORTATION BUREAU OF LOCAL AID RECOMMENDATION OF AWARD STATE AID PROJECT**

WHEREAS the Chief Financial Officer has certified that funds are available in the amount of \$158,690.00 for this project.”

NOW, THEREFORE, BE IT RESOLVED

- that the Borough of Laurel Springs hereby recommends to the New Jersey Department of Transportation that the contract for **RECONSTRUCTION OF ARCH AVENUE** in the Borough of Laurel Springs, County of Camden be awarded to:
 - Landberg Construction, LLC,
82 Tuckahoe Road,
Dorothy, NJ 08317
- whose **base bid amounted to \$158,690.00** subject to the approval of the Department.
- That the presiding officer of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.
- That the clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and to attest to the same.

- The motion to approve by Councilman Redstreak was seconded by Councilwoman DiGregorio, with Letts, DelPidio, DiGregorio and Redstreak in favor, none opposed and none abstaining.

- **#061-2019-AUTHORIZING AMICUS PARTICPATION AND FUNDING ASSISTANCE IN THE APPEAL OF VERIZON NEW JERSEY INC. V. HOPEWELL BOROUGH**

WHEREAS, on January 28, 2018, the New Jersey Tax Court ruled in favor of Hopewell Borough (“Hopewell”) in the case of Verizon New Jersey Inc. v. Hopewell Borough (“Hopewell Litigation”), and affirmed the ten-year-old decision of the Mercer County Tax Board regarding Verizon’s obligation to pay business personal property tax to Hopewell for the year of 2009, and

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WHEREAS, an appeal and cross-appeal have been filed by Verizon and Hopewell; and

WHEREAS, Verizon is challenging the constitutionality of N.J.S.A. 54:4-1, which requires the payment of personal property taxes by Verizon and certain other telephone service providers; and

WHEREAS, the outcome of the appeal will affect the Borough of Laurel Springs' continued collection of personal property tax pursuant to N.J.S.A. 54:4-1; and

WHEREAS, Joel Shain, Esq., of the law firm of Shain Schaffer PC ("Shain Schaffer") serves as Public Utility Counsel for the League of Municipalities ("League"); and

WHEREAS, the League is participating in Appeal as Amicus Curiae ("Amicus") and has engaged Shain Schaffer to act on its behalf; and

WHEREAS, the League has requested that the Borough of Laurel Springs and other affected municipalities participate and share in the cost of the appeal by joining the League as Amicus and contributing \$2,000 toward its counsel's fees; and

WHEREAS, joining the League in this appeal is in the public interest; and

WHEREAS, the Treasurer has determined that sufficient funds are available in the budget in the amount of \$2,000.00; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Laurel Springs, County of Camden, State of New Jersey, that the Borough of Laurel Springs participate with the League of Municipalities as Amicus Curiae in the appeal of the Hopewell Litigation and pay the law firm of Shain Schaffer PC, \$2,000.

- Mayor Barbera reviewed the history of this ongoing battle between Hopewell Township and Verizon and the results of the last Court Case. He said the appeal is based on the idea that the law is flawed and are investigating the original intent of the law when it was passed. They are appealing on that basis. Councilwoman DiGregorio asked what the potential benefit would be to the Borough. Solicitor Botcheos reviewed the suit that the Borough of Laurel Springs brought against Verizon, saying if the Borough is successful with appeal it may be able to recoup more than one year of the taxes they have not paid the Borough.
- The motion to approve by Councilman Redstreak was seconded by Councilwoman DiGregorio, with Letts, DelPidio, DiGregorio and Redstreak in favor, none opposed and none abstaining.

• **#062-2019- CONFIRMING SUPPORT FOR AN OPEN SPACE HISTORIC PRESERVATION APPLICATION AT THE WHITMAN STAFFORD FARMHOUSE**

WHEREAS, Camden County Open Space Preservation Trust Fund Advisory Committees is soliciting application for their 2019 Historic Preservation applications; and

WHEREAS, the Whitman Stafford Farmhouse is a handsomely restored and preserved 18th century structure of exceptional historic value due to its connection with famous author Walt Whitman owned by the Borough of Laurel Springs and maintained and managed by its Whitman Stafford Farmhouse Committee; and

WHEREAS, the Whitman Stafford Farmhouse Committee has advised Mayor and Council that the Farmhouse is in need of exterior paint; and

WHEREAS, this resolution authorizing this municipality to apply for the **2019 Camden County Open Space Preservation Trust Fund Historic Preservation Grant** will memorialize the commitment of the Mayor and Council of the Borough of Laurel Springs to support the efforts undertaken by its Whitman Stafford Farmhouse Committee and its request for authorization to apply for this said grant; and

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NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Laurel Springs, that the Borough of Laurel Springs hereby endorses the submission of 2019 Camden County Open Space Preservation Trust Fund Historic Preservation Grant; and

- The motion to approve by Councilman Redstreak was seconded by Councilwoman DiGregorio, with Letts, DelPidio, DiGregorio and Redstreak in favor, none opposed and none abstaining.

- **#063-2019-TO AUTHORIZE APPOINTMENT OF LOCAL REGISTRAR FOR THE BOROUGH OF LAUREL SPRINGS**

WHEREAS, N.J.S.A. 26:8-11 – LOCAL REGISTRAR, requires the Municipal Clerk be appointed as the local registrar in any district having a population of less than 5,000 and also provides that the governing body of the municipality appoint such a local registrar to report and maintain vital statistic records for the New Jersey Department of Health and Human Services; and

NOW, THEREFORE, BE IT RESOLVED, that Dawn T. Amadio, RMC, CMR Municipal Clerk of the Borough of Laurel Springs is appointed as Local Registrar effective and concurrent with her term as Municipal Clerk.

- The motion to approve by Councilman Redstreak was seconded by Councilwoman DiGregorio, with Letts, DelPidio, DiGregorio and Redstreak in favor, none opposed and none abstaining.

- **#064-2019-TO AUTHORIZE APPOINTMENT OF A DEPUTY REGISTRAR FOR THE BOROUGH OF LAUREL SPRINGS**

WHEREAS, N.J.S.A. 26:8-11 – LOCAL REGISTRAR, requires the Municipal Clerk be appointed as the local registrar in any district having a population of less than 5,000; and

WHEREAS, the Municipal Clerk can appoint a Deputy Registrar and it is in the best interest of the Borough to do so;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Laurel Springs that Cathy Sims, CMR be and is hereby appointed to the position of Deputy Registrar of Vital Statistics for an annual term commencing January 1, 2019 and concluding on December 31, 2019.

- The motion to approve by Councilman Redstreak was seconded by Councilwoman DiGregorio, with Letts, DelPidio, DiGregorio and Redstreak in favor, none opposed and none abstaining.
- RESOLVED TO PAY \$464,108.68 FROM CURRENT ACCOUNT AND \$44,102.711 FROM TRUST AND CAPITAL ACCOUNTS.
- The motion to approve by Councilman Redstreak was seconded by Councilwoman DiGregorio, with Letts, DelPidio, DiGregorio and Redstreak in favor, none opposed and none abstaining

COMMITTEE REPORTS – all reports are on file and available for review.

- DIRECTOR OF PUBLIC WORKS, BOARDS, SERVICES/PRESIDENT OF COUNCIL – Councilman Redstreak- reported that for Sewer everything is set up with NJAW with six new connections fees. Councilman Redstreak added that there would be 12 additional connection fees with Whitman Manor. He said all was well with Public Works thanking them for the help with the peg boards for WaltFEST, he is hoping to be able to build something to store them at the Farmhouse. He carefully thanked all the many volunteers for WaltFEST Memorial Day events. He commented that WaltFEST was a great success. He especially highlighted the contribution of Riley who coordinated the Sterling Art Show pieces, assisted the Studio at Glen Gables exhibit, allowed her

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commissioned piece from Sterling High School to be shown at WaltFEST, saying it was outstanding, and congratulated her for becoming Miss Laurel Springs 2019. He commented that the Pageant was very enjoyable.

- DIRECTOR OF PUBLIC BUILDINGS & GROUNDS – Councilman Cruz absent.
- DIRECTOR OF MUNICIPAL COURT – Councilwoman DiGregorio had no report.
- DIRECTOR OF ADMINISTRATION AND FINANCE – Councilman Letts read the CFO Report through May 31, 2019 submitted by CFO Dean Ciminera, a copy of which is on file and available for review.
- DIRECTOR OF RECREATION – Councilman DelPidio had no report.
- DIRECTOR OF PUBLIC SAFETY – POLICE AND FIRE – Councilwoman Mochel was absent, Chief Rabottino read the Police Report for May 2019 and Mayor Barbera read the Fire Report for May, 2019, copies of which are on file and available for review. He commented about a serious house fire in Lindenwold, thanking the Fire Company for their service.
- MAYOR'S REPORT – Mayor Barbera read the Mayor's Report covering from the time of the last council meeting, a copy of which is on file and available for review. Highlighting the success of the Memorial Day Service and the work of Ken Lippincott and Roy Kane, WaltFEST thanking Councilman Redstreak for his leadership and generosity and for Miss Laurel Springs Pageant and Chairman Dianne Hafer the Pageant Committee and Miss Laurel Springs 2019 Riley Molway.

OLD BUSINESS – None

NEW BUSINESS/CORRESPONDENCE –

- Work on adapting for full road repair – the matter was previously discussed with the Engineer's Report and it will be worked on to achieve what the Borough is hoping for.

COMMENTS FROM THE PUBLIC- None

ANNOUNCEMENTS

- Father's Day is Sunday, June 16, 2019
- Combined Land Use Board-Thursday, June 20th @7pm @Recreation Center
- School Board Meeting, Wednesday, June 26, 2019 @7 pm @Laurel Springs School
- Recreation Commission Meeting, Wednesday, July 3rd @ 7pm @Recreation Center–quorum likely not available
- No Work Sessions in May, June, July and August
- Independence Day is Thursday, July 4th – Borough Offices are closed
- Fourth of July Parade – Judging on Walnut Avenue @8:30am – Parade 9:15am
- Regular Meeting, Monday, July 8th @7pm @Recreation Center

ADJOURNMENT –There being no further business a motion was made by Councilman Redstreak, which was seconded by Councilwoman DiGregorio to adjourn at 7:42 p.m.

Respectfully submitted

Dawn T. Amadio, RMC,
Municipal Clerk