

**BOROUGH OF LAUREL SPRINGS
MAYOR AND COUNCIL REGULAR MEETING
MONDAY, MARCH 9, 2015
AT 7:00 P.M. IN THE BOROUGH HALL
MAYOR THOMAS A. BARBERA PRESIDING
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SALUTE TO THE FLAG, PLEDGE OF ALLEGIANCE 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 Record breeze and the Courier-Post on January 5, 2015 and posting on the website and bulletin board in the Borough Hall, also on Borough’s website.

ROLL CALL recorded as present: Letts, McCunney, Mochel, DiGregorio, Cruz and Redstreak; with none absent.

ADMINISTER OFFICIAL OATH OF OFFICE - The Official Oath of Office was administered to Officer Daniel Davis by Councilman Richard J. McCunney, II. Councilman McCunney thanked the support of those who came out to support the new officer and commented that it was good to see the Department up to full strength.

APPROVAL OF MINUTES of the Work Session Meeting of February 23, 2015 – The motion to approve by Councilman Letts, was seconded by Councilwoman DiGregorio, with Letts, McCunney, Mochel, DiGregorio and Cruz, in favor, Redstreak abstaining and none opposed.

RESOLUTIONS

- #043-2015 - FOR RENEWAL OF MERCANTILE LICENSE

WHEREAS, Mayor and Council of the Borough of Laurel Springs have passed an ordinance establishing Chapter 169 of the code of the Borough of Laurel Springs, known as “Mercantile License”.

WHEREAS, a license is required to operate or conduct any business establishment in the Borough of Laurel Springs.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Laurel Springs that the proper investigation has been made and the following applicants have complied with the general laws and statutes of the state and the ordinance of the Borough of Laurel Springs.

BE IT FURTHER RESOLVED, that approval has been granted by Mayor and Council for RENEWALS OF “MERCANTILE LICENSE” for:

iRepair Wireless	Monkey Joe’s Big Nut Co.
805A W. Atlantic Ave.	205 White Horse Pike

- The motion to approve the foregoing resolution by Councilman Redstreak was seconded by Councilwoman Mochel, with Letts, McCunney, Mochel, DiGregorio, Cruz and Redstreak in favor, none opposed and no abstentions

- #044-2015-TO REFUND TAX OVERPAYMENT

WHEREAS, certain adjustments are necessary to the records of the Tax Collector;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Laurel Springs, County of Camden, State of New Jersey that the following adjustments be approved.

OWNER	BLOCK/LOT	AMOUNT	REASON	REFUND TO
REVAK	59/4	\$2,572.84	ERRONEOUS PAYMENT	WELLS FARGO

- The motion to approve by Councilman Redstreak was seconded by Councilwoman Mochel, with Letts, McCunney, Mochel, DiGregorio, Cruz and Redstreak in favor, none opposed and no abstentions
- #045-2015-FOR DEFERRED COMPENSATION PLAN

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WHEREAS, Borough of Laurel Springs (hereinafter referred to as the "Employer") desires to attract and retain qualified employees to the Employer and, as a means thereof, is contemporaneously adopting an Internal Revenue Code Section 457 Deferred Compensation Plan (hereinafter referred to as the "Plan") for the purpose of making available to eligible employees the accrual of tax benefits under such Plan; and

WHEREAS, the Employer desires such Plan to comply with the Small Business Job Protection Act of 1996, the Economic Growth and Tax Relief Reconciliation Act of 2001, the Job Creation and Worker Assistance Act of 2002, the final Internal Revenue Code ("Code") Section 415 regulations, Pension Protection Act of 2006, the Heroes Earnings Assistance and Relief Tax Act of 2008 and the Worker, Retiree, and Employer Recovery Act of 2008 amendments to Section 457 of the Internal Revenue Code, such amendments being necessary to maintain the Plan as an eligible Deferred Compensation Plan within the meaning of Section 457 of the Internal Revenue Code of 1986 ("Code"), as subsequently amended; and

WHEREAS, the Employer also desires such Plan to comply with the regulations promulgated under Code Section 457 (including proposed revisions thereto); and Internal Revenue Service Revenue Procedures 2004-12 and 2004-56; and

WHEREAS a request for proposals for a Deferred Compensation Plan and Service Agreement was prepared and made available to the following contractors:

Mass Mutual	VALIC	Great West
Nationwide	MetLife	

and the vendor responding to the request for proposals was VALIC; and

WHEREAS, The Variable Annuity Life Insurance Company ("VALIC") has been found to possess the necessary administrative, enrollment, and servicing capabilities for the Plan.

NOW, THEREFORE, BE IT RESOLVED that the Employer does hereby adopt the Plan prepared by VALIC and assigned Plan Document identifier 81-PD-VALIC-103111 by the Director of the Division of Local Governmental Services.

BE IT FURTHER RESOLVED that the Employer is adopting a Deferred Compensation Plan substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the Internal Revenue Service except for provisions added by reason of the Small Business Job Protection Act of 1996 (United States Public Law No. 104-88), the Economic Growth and Tax Relief Reconciliation Act of 2001 (United States Public Law No. 107-16), the Job Creation and Worker Assistance Act of 2002 (United States Public Law No. 107-147), the final Internal Revenue Code ("Code") Section 415 regulations, Pension Protection Act of 2006 (United States Public Law No. 109-280), the Heroes Earnings Assistance and Relief Tax Act of 2008 (United States Public Law No. 110-245) and the Worker, Retiree, and Employer Recovery Act of 2008 (United States Public Law No. 110-458), and regulations promulgated under Code Section 457 (including proposed revisions thereto), and Internal Revenue Service Revenue Procedures 2004-12 and 2004-56, and all such provisions are stated in the Plan in terms substantially similar to the text of those provisions in Internal Revenue Code Section 457. The use of the Ruling is for guidance only and the Employer acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not to be considered precedent.

BE IT FURTHER RESOLVED that the Plan Administrator, Kenneth J. Cheeseman shall be designated as the official representative of the Employer and Local Plan Administrator for the Administration of the Plan.

BE IT FURTHER RESOLVED that the successful vendor is VALIC, in that the Employer reviewed the proposal submitted and met with the representative of the responding company; and VALIC was selected because VALIC has been found to possess the necessary lower enrollment threshold, and servicing capabilities for the Plan in the immediate locale of the Employer.

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BE IT FURTHER RESOLVED that VALIC shall be retained by the Employer as the contractor under the Deferred Compensation Plan, and VALIC shall educate all eligible employees of the Employer regarding the Plan and shall enroll and service those eligible employees who participate in the Plan. As enrolling agent, VALIC shall be the exclusive agent for its funding options to be offered under the Plan.

BE IT FURTHER RESOLVED that there has been no collusion or evidence or appearance of collusion between any local official and a representative of the contractor in the selection of a contractor for the administration of a Service Agreement pursuant to N.J.A.C. 5:37-5.7.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute a Service Agreement with VALIC and that such Service Agreement has been assigned by the Director of the Division of Local Government Services the following identifier: 03-SA-VALIC-E121201 and to submit all necessary documents to the Director of Local Government Services in the State Department of Community Affairs for approval.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services within the State Department of Community Affairs.

- The motion to approve by Councilman Redstreak was seconded by Councilwoman Mochel, with Letts, McCunney, Mochel, DiGregorio, Cruz and Redstreak in favor, none opposed and no abstentions

- #046-2015-APPOINTING MUNICIPAL ARCHITECT

WHEREAS, professional services contracts may be awarded by criteria established pursuant to N.J.S.A. 19:44-01 et. seq.; and

WHEREAS, the Borough of Laurel Springs desires to appoint a firm to provide a Municipal Architect for municipal and consulting architectural services.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Laurel Springs that the Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with Rodier Ebersberger Architects, LLC, 946 South Main Street, Williamstown, NJ 08094.

BE IT FURTHER RESOLVED, that a notice of the appointment be published in a designated publication of the Borough of Laurel Springs.

- The motion to approve by Councilman Redstreak was seconded by Councilwoman Mochel, with Letts, McCunney, Mochel, DiGregorio, Cruz and Redstreak in favor, none opposed and no abstentions
- **RESOLVED TO PAY** \$310,420.08 FROM CURRENT ACCOUNT AND \$34,371.47 FROM TRUST AND CAPITAL ACCOUNTS
- The motion to approve by Councilman Redstreak was seconded by Councilwoman Mochel, with Letts, McCunney, Mochel, DiGregorio, Cruz and Redstreak in favor, none opposed and no abstentions

ORDINANCES

- First Reading and Introduction - #784-2015-ORDINANCE APPROPRIATING CERTAIN UNEXPENDED PROCEEDS OF PREVIOUSLY ISSUED BONDS AND NOTES FROM CONSTRUCTION OF FIRE STATION TO CORD MANSION – Councilwoman DiGregorio asked if only construction projects could be funded by these unexpended proceeds. Mayor Barbera confirmed that the only thing changing was the purpose for the bond and that the only thing the Borough takes Bond and Notes for is Capital expenditures.
 - The motion to Introduce by Councilman Redstreak, was seconded by Councilwoman Mochel with Letts, McCunney, Mochel, DiGregorio, Cruz and Redstreak in favor, none opposed and no abstentions

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- Second Reading, Public Hearing and Motion to Adopt will be held on Monday, April 13, 2015, 7 pm in the Borough Hall.
- Second Reading, Public Hearing, Motion to Adopt
 - #781-2015-AN ORDINANCE REGULATING THE SALARIES OF THE POLICE OFFICERS AND EMPLOYEES OF THE BOROUGH OF LAUREL SPRINGS, COUNTY OF CAMDEN, STATE OF NEW JERSEY, FOR YEAR 2015
 - Public Hearing – Mayor Barbera opened the meeting to the public for questions and comments. Hearing none, he closed the meeting to the public.
 - The Motion to Adopt by Councilman Redstreak was seconded by Councilwoman DiGregorio with Letts, McCunney, Mochel, DiGregorio, Cruz and Redstreak in favor, none opposed and no abstentions.
 - #782-2015-ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)
 - Public Hearing-Mayor Barbera opened the meeting to the public for questions and comments. Hearing none, he closed the meeting to the public
 - The motion to Adopt by Councilman Redstreak, was seconded by Councilwoman Mochel with Letts, McCunney, Mochel, DiGregorio, Cruz and Redstreak in favor, none opposed and no abstentions

COMMITTEE REPORTS

- DIRECTOR OF PUBLIC WORKS, BOARDS, SERVICES/PRESIDENT OF COUNCIL – Council President Redstreak read the Public Works Report for February, 2015 a copy of which is on file and available for review. He reviewed matters covered by the Ordinance Review Committee and Land Use Board. He read the Sewer Utility Reports for February, 2015, a copy of which is on file and available for review.
- DIRECTOR OF PUBLIC BUILDINGS & GROUNDS – Councilman McCunney reported that there continues to be difficulties with leaks in the Borough Hall roof. He would rather not put any money into the roof of this building, so he will continue to monitor the situation to be certain. If it becomes a larger problem, something more may have to be done, but for the moment he would like to not put any more money into this building and grin and bear it.
- DIRECTOR OF MUNICIPAL COURT – Councilwoman DiGregorio read the Court Administrator’s Report for the month of January, 2015, a copy of which is on file and available for review.
- DIRECTOR OF ADMINISTRATION AND FINANCE – Councilman Letts read the CFO report for the month of February, 2015, a copy of which is on file and available for review. He also gave highlights of the Tax Collector’s Report for the year 2014, which is on file and available for review.
- DIRECTOR OF RECREATION – Councilman Cruz reviewed the Recreation Commission Report for the month of February, 2015, a copy of which is on file and available for review. There was discussion of moving the Local Ladies Social Network for April to the Cord Mansion Greene, as a conflict has developed for the use of the fields. The motion to approve use of the Cord Mansion Greene for Local Ladies Social Network Market Night by Redstreak was seconded by Councilwoman Mochel with Letts, McCunney Mochel, DiGregorio, Cruz and Redstreak.
- DIRECTOR OF PUBLIC SAFETY – POLICE AND FIRE – Councilwoman Mochel – Councilwoman Mochel read the Police and Fire Reports for the month of February, copies of which are on file and available for review. Councilwoman Mochel read a letter from resident Peggy Morris commending the Fire, Police and Ambulance for their decisive action in responding to her 911 call, when her husband suffered a heart attack.

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- MAYOR'S REPORT – Mayor Barbera read the Mayor's Report covering his activities from the date of the last Regular Meeting in February, a copy of which is on file and available for review.

OLD BUSINESS

- Weaver's Good Tiding Liquor License – the Borough received notice that on February 27, 2015 a Special Ruling was issued by the Director of NJABC, which frees up the license to be transferred to a new owner. Action from Council will be required at some point, to accomplish what is needed.

NEW BUSINESS

- Audit Exit Conference has been scheduled for Wednesday, March 11, 2015. Mayor Barbera asked Councilmen Letts and Redstreak to attend.

CORRESPONDENCE

- From NJDOT regarding rumble strip installation on White Horse Pike
- From DVRPC regarding Safe Routes to School Grant Awards

ITEMS RECEIVED AFTER THE AGENDA WAS PRINTED – None.

ANNOUNCEMENTS

- Whitman Stafford Committee - Tuesday, March 10, 2015 at 7 pm at the Farmhouse.
- Board of Education meets Wednesday, March 18, 2015 at 7 pm at Laurel Springs School.
- Combined Land Use Board - Thursday, March 19, 2015 at 7 pm - Borough Hall.
- Work Session Meeting-Mayor and Council, Monday, March 23, 2015 at 7pm in the Borough Hall

COMMENTS FROM THE PUBLIC

- Roy Kane-510 Park Avenue - alerted Council that one foot from the curb line cracks are appearing along the upper portion of Park Avenue. He also said that the NJ Burn Demo Trailer has been booked for Laurel Springs Day
- Mayor Barbera commented that former Councilman Joe DiDonato has successfully had his bypass surgery and is returning home, and commented again on resident Craig Morris' recovery.

There being no other comments, Mayor Barbera closed the meeting to the public.

ADJOURNMENT –There being no further business a motion was made by Councilman Redstreak, which was seconded by Councilwoman Mochel to adjourn at 7:33 p.m.

Respectfully submitted,

Dawn T. Amadio, RMC,
Municipal Clerk