

APRIL 11, 2012

**BOROUGH COUNCIL MEETING MINUTES  
APRIL 11, 2012**

**Meeting called to order at 7:06 P.M.**

**Pledge of Allegiance**

**Moment of silence for fallen Philadelphia firemen Robert Neary & Daniel Sweeney**

**Mayor Campbell announced the Opening Statement** "All the notice requirements of the Open Public Meeting Act have been complied with in full."

**ROLL CALL:**

Present:

Councilman Gerald Bonsall  
Councilman John Croghan  
Councilman Michael MacFerren  
Councilwoman Anita Mancini  
Councilwoman Margie Schieber

Absent:

Councilman Mitch Brown

Professionals: John P. Jehl, Borough Solicitor  
Gregory Fusco, Borough Engineer

**FIRST ORDER OF BUSINESS:**

2012-01      AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.  
40A:4-45.14)

Meeting Open to the Public. No comment from the public.

Meeting Closed to the Public.

Motion to approve Ordinance Councilman Bonsall, Second Councilman Croghan

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

PUBLIC HEARING ON 2012 BUDGET:

Open to the public. No comment from the public.  
Closed to the public.

2012-4-61      RESOLUTION TO AMEND 2012 BUDGET

Appended to these minutes

Motion to approve Resolution Councilman Bonsall, Second Councilman Croghan

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Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

**VOUCHERS:**

Motion to dispense reading and approve vouchers in the amount of **\$166,314.82**  
Councilman Bonsall, Second Councilwoman Schieber

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

**ORDINANCES:**

**FIRST READING:**               None

**SECOND READING:**

2012-02           ORDINANCE AMENDING CHAPTER 311, SEWERS, OF THE  
ORDINANCES OF THE BOROUGH OF GIBBSBORO

**BE IT ORDAINED** by the Council of the Borough of Gibbsboro, County of Camden, State of New Jersey, that Chapter 311 of the Ordinances of the Borough of Gibbsboro, Sewers, be amended as follows:

Section 311-3 is revised in its entirety as follows:

Section 311-3 Connection Charges.     Charges for connections with the sewer utility of the Borough of Gibbsboro, County of Camden, State of New Jersey, shall be at the rate of Three Thousand Seven Hundred Ninety Five Dollars (\$3,955) per domestic consumer unit (DCU), together with a charge to be determined by the Borough Engineer for the cost of installation of the connection, inspection by the Borough Engineer and street repairs. This shall be effective April 11, 2012.

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Edward G. Campbell, III  
Mayor

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Anne D. Levy, RMC  
Borough Clerk

Meeting Open to the Public. No voice from the public. Meeting Closed to the Public.

Motion to approve Ordinance Councilman Bonsall, Second Councilman Croghan

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

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2012-03      AN ORDINANCE AMENDING CHAPTER 400 ENTITLED "ZONING ORDINANCE OF THE BOROUGH OF GIBBSBORO", BY AMENDING §400-70 TO IMPLEMENT REDUCED YARD STANDARDS FOR BARRIER FREE ACCESS RAMPS

**WHEREAS**, the Municipal Land Use Law, *N.J.S.A. 40:55D-1 et seq.*, confers power to a municipality to regulate the use of lands and arrangement of buildings within its jurisdiction; and

**WHEREAS**, the Borough Council of the Borough Gibbsboro desires to provide greater accommodation to persons requiring barrier free access to their homes within the Borough; and

**WHEREAS**, it has been determined by the Borough Council of the Borough Gibbsboro that such accommodation may be best achieved by balancing the needs of the disabled with the aesthetic and land use controls of the municipality by reducing the yard width requirements for barrier free access ramps; and

**WHEREAS**, the Planning Board of the Borough of Gibbsboro finds that the Zoning Ordinance addition is consistent with the intent and purpose of the Master Plan; and

**WHEREAS**, this Ordinance does not effectuate a classification and boundary change as defined in *N.J.S.A. 40:55D-62.1* requiring individual public notice; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Gibbsboro that the Zoning Ordinance be hereby amended as follows:

**Section 1.** §400-70, General Permitted Modifications, shall be revised by adding paragraph "C", as follows:

- C.      Reduced yard widths for barrier free access ramps in residential districts. Ramps to provide barrier free access to a building used for residential purposes may encroach into any required yard width one-half the distance to the property line, without variance relief, provided the following criteria are met:
  - 1.      The ramp shall be used to accommodate a person residing in the residence who exhibits one or more of the following conditions:
    - a.      Have lost the use of one or more limbs as a consequence of paralysis, amputation, or other permanent disability.
    - b.      Are severely and permanently disabled and cannot walk without the use of or assistance from a brace, cane, crutch, another person, prosthetic device, wheelchair or other assistive device.

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- c. Suffer from lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixth mm/hg on room air at rest, or uses portable oxygen.
  - d. Have a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association.
  - e. Are severely and permanently limited in the ability to walk because of an arthritic, neurological, or orthopedic condition, or cannot walk two hundred (200) feet without stopping to rest.
  - f. Have a permanent sight impairment of both eyes as certified by the NJ Commission of the Blind.
2. A physician licensed in the United States shall certify the presence of one or more of the conditions in sub-paragraph –C.1 prior to the issuance of a building permit for the structure.
3. The barrier free access ramp shall be designed to encroach into the required yard area the least distance feasible given the arrangement of the building, slope, drainage and the technical standards of the Barrier Free Sub-Code, *N.J.A.C. 5:23-7*. Should it be feasible to provide accommodation in more than one location for the ramp, the ramp with the least visibility from the public street shall first be granted zoning permit approval.
4. Any portion of a barrier free access ramp in a front yard shall have latticework attached to the support posts under the deck on any side facing a public street.
5. The barrier free access ramp shall not encroach upon any public right-of-way or recorded easement.
6. Within ninety (90) days of the cessation of the residence of a person upon the premises for whom the ramp provides an accommodation to their disability, the barrier free access ramp shall be removed. The time for removal may be extended by the Zoning Officer upon reasonable cause.

**Section 2.** Continuation. In all other respects the Code of the Borough of Gibbsboro shall remain in full force and effect.

**Section 3.** Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

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**Section 4.** Interpretation. If the terms of this Ordinance shall be in conflict with those of another Ordinance of the Code of the Borough of Gibbsboro, then the restriction which imposes the greater limitation shall be enforced.

**Section 5.** Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 6.** Enactment. This Ordinance shall take effect upon the filing thereof with the Camden County Planning Board after final passage, adoption, and publication by the Borough Council of the Borough of Gibbsboro in the manner prescribed by law.

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Edward G. Campbell, III  
Mayor

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Anne D. Levy, RMC  
Borough Clerk

Meeting Open to the Public. No comment from the public.  
Meeting Closed to the Public.

Motion to approve Ordinance Councilman Bonsall, Second Councilwoman Schieber

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

## **MEETING OPEN TO THE PUBLIC FOR COMMENT ON PENDING RESOLUTIONS**

No comment from the public.

## **CLOSED TO THE PUBLIC**

### **RESOLUTIONS:**

2012-4-58      RESOLUTION APPROVING ON-PREMISE 50/50 AND ON-PREMISE DRAW  
RAFFLE LICENSES (MERCHANDISE PRIZES) RL 2012-08 AND RL2012-09  
TO THE CONTACT COMMUNITY HELPLINES

BE IT RESOLVED by Mayor and Council of the Borough of Gibbsboro, County of Camden, State of New Jersey that an On Premise Draw Raffle application has been submitted to the Borough of Gibbsboro by the Contact Community Helplines to be held on May 6, 2012; and

BE IT RESOLVED by the Mayor and Council that License RL2012-08 and RL2012-09 is hereby granted to Contact Community Helplines; and

BE IT FURTHER RESOLVED that said license is for the benefit of the Contact Community

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Helplines general Operating Expenses for 501(c)3 non-profit.

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Edward G. Campbell, III  
Mayor

2012-4-59      RESOLUTION AUTHORIZING PUBLIC WORKS TO REMOVE TRASH,  
CUT GRASS AND WEEDS AND TRIM TREES AND AUTHORIZE THE TAX  
COLLECTOR TO RECORD A MUNICIPAL LIEN  
ON BLOCK 75, LOT 4.17 ALSO KNOWN AS  
26 HENRY ROAD ON THE GIBBSBORO TAX MAP

**WHEREAS**, The Gibbsboro Public Works Department is directed to remove trash, cut the grass and weeds and trim trees; and

**WHEREAS**, A Municipal lien shall be placed against this property after expenses are calculated; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Gibbsboro that a Municipal Lien be placed against this property known as Block 75, Lot 4.17.

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Edward G. Campbell, III  
Mayor

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Anne D. Levy, RMC  
Borough Clerk

2012-4-60      RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 FOR THE  
PURCHASE AND DELIVERY OF DECORATIVE STREET SIGN POSTS

WHEREAS, it was necessary to make changes in the Scope of Work to be done in the Purchase and Delivery of Decorative Street Sign Posts in the Borough of Gibbsboro, Camden County, New Jersey.

WHEREAS, Change Order Number 3 was developed to itemize and authorize those changes; and

WHEREAS, certification has been received by the Borough Chief Finance Officer that sufficient funds have been allocated for this Change Order;

NOW, THEREFORE BE IT RESOLVED by the Borough of Gibbsboro, County of Camden, State of New Jersey that Change Order Number 3 is hereby authorized and approval is hereby granted.

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Edward G. Campbell, III  
Mayor

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Anne D. Levy, RMC  
Borough Clerk

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Motion to approve Resolutions Councilman Bonsall, Second Councilman MacFerren

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

**MINUTES:** None

**REPORT OF MUNICIPAL OFFICERS:**

Borough Clerk	<u>  X  </u>	Police Department	<u>  X  </u>
Construction Official	<u>  X  </u>	Sewer Clerk	<u>  X  </u>
Tax Collector	<u>  X  </u>	Court Clerk	<u>  X  </u>
Treasurer	<u>  X  </u>	Welfare Director	<u>  X  </u>
Compliance/Zoning Officer	<u>  X  </u>	Engineer	<u>  X  </u>
Fire Official	<u>  X  </u>	Risk Manager	<u>  X  </u>

**COUNCIL COMMITTEE REPORTS:**

PLANNING BOARD/PUBLIC WORKS

COUNCILMAN BONSTALL

Councilman Bonsall reported that the planning board met and heard testimony on the proposed construction of a new house on Kresson Road. It will be continued to the May meeting. The new truck for public works has been delivered. The material at Lauer Playground needs additional mulch.

Regarding COAH, the Borough has approximately \$17,000 for fees collected from developers. COAH has stated that the Borough must use the funds or lose them.

Motion made to authorize Councilman Bonsall, George Miller, Mayor Campbell, Solicitor Jehl, and Brian Slaugh to review the fees and formulate a plan to use the fees – Councilman Bonsall, second Councilman MacFerren.

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

PUBLIC EVENTS

COUNCILMAN BROWN

Councilman Brown was absent. Councilman MacFerren thanked everyone for their help with the Easter Egg Hunt. The event was a success.

POLICE/ENVIRONMENTAL COMMISSION

COUNCILMAN CROGHAN

Councilman Croghan reported that the environmental commission held their reorganization with Jack Flynn as chair and Mitch Brown as vice chair, Gary Dodd as secretary.

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They are working on the sign program. A meeting was held with the police and fire chiefs and emergency manager. Discussions were emergency communications and the possibility of obtaining a generator. The fire house will be the command center in an emergency.

#### RECYCLING/SANITATION/RECREATION

COUNCILMAN MACFERREN

Councilman MacFerren reported that a recycling rebate check in the amount of \$700.63 was received. The trash tonnage for March was 84.83 tons.

#### LOCAL ASSISTANCE/INSURANCE

COUNCILWOMAN MANCINI

Councilwoman Mancini reported that the Borough has received a plaque for loss time. The on-line employee health wellness program continues to spend an enormous amount of money and manpower. The executive directors submitted a resolution authorizing the payment of the state surcharge to the fund's school board members. Solicitor Jehl will review.

#### L&I/ZONING BOARD

COUNCILWOMAN SCHIEBER

Councilwoman Schieber reported that 13 permits were issued in March and total value of construction was \$73,265 and \$1,527 was received in fees.

#### MAYOR'S REPORT

MAYOR CAMPBELL

Mayor Campbell reported that clean-up day will be April 21<sup>st</sup> from 10:00 a.m. to Noon. Letters and e-mails were sent to Eastern High School, Gibbsboro School, two environmental groups, announcement at the county open space committee meeting, and the Gibbsboro Planning Board meeting. Engineer Fusco is working on easements for sidewalks/bikeway along Route 561. George Sowa, Vice President of Brandywine Realty and the Mayor met. Brandywine has completed a study to take a portion of the Paint Works, remove soil, demolish some buildings and build a total residential standard. The concern to be had is if the buildings are torn down significant ratables for the town are lost. The tax base would take a big shift.

Motion made to put written reports on file for one year Councilman Bonsall, Second Councilman MacFerren.

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

#### **CORRESPONDENCE:**

TO: Mayor and Council (undated)  
FROM: Officer John W. Waechtler  
RE: Resignation 4/11/12  
ACTION: Motion made by Councilman Croghan and seconded by Councilwoman Schieber to accept Officer Waechtler's resignation and to authorize the police committee to conduct

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interviews for new candidates.

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

TO: Borough of Gibbsboro dated 3/23/12

FROM: Harry Pohl, ROW Manager - Sunesys

RE: Continued Agreement to install fiber optics facilities

ACTION: Solicitor Jehl will review agreement and report at the next meeting under Old Business.

**OLD BUSINESS:** None

**NEW BUSINESS:**

1. CRICKET FIELD LIGHTING FIXTURES AND TRANSFORMER

On-line quotes received for purchase of 10 low voltage lighting fixtures and one 300 watt transformer to illuminate statutes.

Louie Lighting	\$1,108.70
Lighting by Gregory	\$1,134.20
Billows Electric Supply	\$1,080.00

Motion to award to Billows Electric Supply in the amount of \$\$1,080, charged to streetscape ordinance, conditioned on certificate of availability of funds by the CFO.

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

2. SENIOR CENTER IMPROVEMENTS

Quotes received for installation of new drywall surfaces over the existing ceramic tile walls, construction of storage closet adjacent to kitchen area, installation of vinyl tile flooring throughout the old section to match the Dining area.

Custom Constructors, LLC	\$15,621.00
Levy Construction	\$32,055.00
DiMeglio Construction	No Bid

Motion to award to Custom Constructors, LLC in the amount of \$15,621, charged to Senior Center ordinance, conditioned on certificate of availability of funds by the CFO.

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Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

3. BLUEBERRY HILL SOLAR POWERED LED LIGHTING

On-line quotes were received for the purchase of the solar powered lighting:

GenLight Solar Lights	\$465.21*2 lights =	\$950.42
Solar Goes Green	\$349.99*2 lights =	\$699.98
Solar Illumination	\$399.99*2 lights =	\$799.98

Motion to table made by Councilman Bonsall and seconded by Councilman Croghan.

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

4. USE OF GIBBSBORO MUNICIPAL FACILITIES

Applicant: Alicia Rose Victorious Foundation  
Date of Event: Sunday May 20, 2012 (United States Avenue Green Trail)  
Fee & Bond Paid: N/A

Motion made to approve use of the Municipal Facilities Councilman Bonsall, Second Councilwoman Schieber.

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

5. USE OF GIBBSBORO MUNICIPAL FACILITIES

Applicant: Gibbsboro Adult Softball League  
Date of Event: Monday – Friday April 16, 2012 – 7/27/12 (Babe Ruth field)  
Fee & Bond Paid: N/A

Motion made to approve use of the Municipal Facilities Councilman Bonsall, Second Councilman MacFerren.

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

6. USE OF GIBBSBORO MUNICIPAL FACILITIES

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Applicant: Gibbsboro Adult Softball League  
Date of Event: Sundays (4/15/12 – 8/26/12) (Babe Ruth Field)  
Fee & Bond Paid: N/A

Motion made to approve use of the Municipal Facilities Councilman MacFerren, Second Councilman Croghan

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

7. USE OF GIBBSBORO MUNICIPAL FACILITIES

Applicant: Tina MacCready  
Date of Event: Saturday June 23, 2012 – 3:00 – 7:00 p.m.  
Fee & Bond Paid: Requests Waiver for fundraiser for local family

Motion to approve use of the Municipal Facilities Councilman MacFerren, Second Councilman Croghan

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

**INFORMATIONAL:**

1. Next regular council meeting is Wednesday May 9, 2012.

**MEETING OPEN TO THE PUBLIC**

No comment from the public.

**CLOSED TO THE PUBLIC**

**MOTION TO ADJOURN AT 8:07 P.M. COUNCILMAN BONSALL, SECOND COUNCILWOMAN SCHIEBER**

Voice Vote:	Councilman Bonsall	Aye	Councilman Brown	Absent
	Councilman Croghan	Aye	Councilman MacFerren	Aye
	Councilwoman Mancini	Aye	Councilwoman Schieber	Aye

\_\_\_\_\_  
Anne D. Levy, RMC  
Borough Clerk

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Edward G. Campbell, III  
Mayor

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