

**February 23, 2010, CAUCUS MEETING MINUTES**  
**BOARD OF COMMISSIONERS OF THE BOROUGH OF MT. EPHRAIM**

**MEETING CALL TO ORDER:**

Mayor Wolk called the meeting to order at 3:04pm.

**SALUTE TO FLAG:**

All present pledged their allegiance to the Flag of the United States of America.

**ROLL CALL:**

**PRESENT**

**ABSENT**

Commissioner Gilmore	_____x_____	_____
Commissioner Greenwald	_____x_____	_____
Mayor Wolk	<u>arrived late</u>	_____

Mayor Wolk is expected to arrive late as he had an appointment.

**OTHER OFFICIALS PRESENT:**

Borough Solicitor –Joe Marrazzo  
Borough Engineers – Joe Federici and Doug Akin  
Rich Schwab—Borough Consultant  
Police Chief – Ed Dobleman  
Marie Darlington –Tax Collector/Deputy Clerk  
Ken Jones, Chris Fitzgerald and John Wenner representing Public Works

**“OPEN PUBLIC MEETINGS LAW” ANNOUNCEMENT:**

Commissioner Gilmore announced this Meeting has been advertised and notices posted in accordance with the “Open Public Meetings Act.”

**PUBLIC PARTICIPATION:     None**

**ENGINEER’S REPORT:**     Joe Federici reported on the following items.

**1.     Streetscape Phase II**

Joe Federici reported that he now has the signed agreement from the DOT so he will schedule the pre-construction meeting. He is aware of the new civil rights reporting requirements and will make sure they comply.

**2.     Railroad crossing-Kings Highway**

There has still been no response to the letter the engineer sent to Conrail.

**3. NJDOT Municipal Aid 2010- Delaware Ave.**

As soon as the weather breaks, they will begin surveying so the design work can begin.

**4. USDA Rural Development Program**

We have a pre-application meeting scheduled for March 2 with representatives from the program to get more details and see what we need to do in order to submit an application.

**5. Discretionary Aid-NJDOT-Bell Road drainage improvements**

Nothing to report other than we got the money.

**6. Route 295/76 Agreement**

DOT has hired a consultant (Ryan Teets of CES) who developed a map showing all the utilities in the municipalities impacted by their project. The map was submitted for their review. Bob Henry went out and reported that the map looks pretty accurate. We cannot certify that it is absolutely correct but it generally looks accurate. They have asked us to indicate where the new drainage line going along Bell Road will be located but until it is designed, we really can't do that. Also, there are some issues with the language in the agreement. Joe Marrazzo said he would call Paul Ezeuka to discuss the language issues. Joe Federici said he would call Ryan and have him speak directly to the engineer who would be designing the Bell Road drainage project so they could work out the location details.

**7. CDBG Project Description Form**

Commissioner Greenwald reported that the submission package is due to them March 19. He talked to Rich Holmes about possibly continuing with more improvements at the Lambert Avenue facility for additional barrier and doorway improvements. If not, our choices are to allow another town to use our money this year or we could possibly purchase fire safety equipment. If we cannot use the funds for Lambert, we may want to do this. We will have to research this further to verify what kind of fire safety equipment qualifies. We can also do a town survey to determine if we have any low-income areas that would qualify for the funds. 62% of the surveys must be returned. We would have to include a cover letter clearly explaining why the surveys are so important.

Commissioner Gilmore asked if we have signed agreements pertaining to the \$755,000 grant we got for the Bell Road drainage project. He was concerned that if we don't have a contract, the money could be pulled. Joe Federici said he would call Sal at the DOT to see what we need to do to expedite the agreement.

**DEPARTMENTAL REPORTS/DISCUSSIONS**

**Public Works, Planning and Zoning**

Ken Jones reported on the following:

### **1. Parking in Driveways during snowstorms**

Ken asked if it was a possibility of making it a requirement that any resident who has a driveway must park their vehicles in the driveway during snowstorms. We had residents who left their cars in the street making it difficult to plow even though they had driveways. Joe Marrazzo said absolutely this could be done and his office would prepare the ordinance language.

### **2. Throwing of snow into streets**

Another problem that surfaced during the snowstorms was residents throwing snow back into streets that had already been plowed. He would like to suggest we consider enacting an ordinance prohibiting this practice. Commissioner Gilmore added that this is a primarily a problem with commercial properties as well who have their property and/or lots cleared and the company doing the plowing throws the snow right into the street that was just plowed by the Borough. Joe Marrazzo again said his office would prepare the necessary ordinance language. Both ordinances would be ready for introduction next Thursday.

Commissioner Greenwald reported that he met with Joe Ciano and Bellmawr would like to purchase a trash truck as a shared service with Mt. Ephraim. The truck is about \$87,500 and we would have to work out the payment schedule. This would be a new truck that would be used by both towns. This is a win-win for both towns and is something we want to do and it will be included in the 2010 capital budget.

Terry reported that she received an e-mail from Anthony Stagliano reporting that they responded to a fire call at Walgreens and found that solar panels have been installed on their roof. They are questioning if permits were obtained, is the roof load-bearing qualified for the panels, what is the back-flow from the grid if they are up there fighting a fire, etc. They have serious concerns. The issue would be referred to Steve Beach for his follow-up.

## **Police:**

Chief Dobleman reported on the following:

### **1. Vehicles towed during snowstorm**

During the snowstorm, several vehicles were towed for plowing. Several calls have been received that these residents will be at the commission meeting to voice their complaints. Photos were taken to support the decision to tow the vehicles.

### **2. Sidewalk warnings issued**

The police have issued several warnings pertaining to removal of sidewalk snow but all complied and no fines were issued.

### **3. Sale of old police vehicles**

The police have several vehicles which they would like to sell. Further, the Chief met with Richard to discuss purchase of a new police vehicle utilizing funds that will be

available as a result of overtime billing for the PSE&G project. Resolutions will be needed to sell the old vehicles and to purchase a new one.

#### **4. Meeting with Verizon**

The Chief will be meeting with Verizon to discuss possibly lowering our costs for the MDT's and computer service. I will advise of the outcome.

#### **5. CJIS Inspection**

The state is coming in to inspect the in-house computer system and mobile system and they are prepared. Inspection should go well.

#### **6. Personnel update**

- Officer Beach and his wife had a baby boy and all are doing well.
- Sgt. Errigo and his wife had a baby girl and all are doing well.
- Officer Sullivan was injured in a physical altercation with a suspect and is under medical care for treatment of what appears to be a broken hand. His return to work is unknown at this time.

Also, we have tentative agreements on the employment contracts for the captain and the chief.

#### **Fire:**

Commissioner Gilmore asked Terry to report the following for Rich Schwab:

##### **1. Bell Rd. Fire Station project status**

Richard has been negotiating with Steve Becica, the architect, concerning any extra payment to put the revised conceptual plan into bid documents. The latest counter proposal by the architect would reduce construction phase services (inspections and the hope the job takes only 8 months vs. 12 months) to offset the re-drafting of the plans. The end result would be a \$155,000 architect's cost vs. the budgeted \$138,000. If that \$17,000 increase is acceptable (the extra cost was for changes reducing the building cost by more than \$500,000) we can authorize him to proceed and do a resolution at the March 4 meeting. If not, he recommends that Commissioner Gilmore be authorized to join him and Rich Holmes, Fire Dept President, to meet after March 1 to try to conclude this so a timetable for going out to bids can be set. The governing body agreed and the resolution will be included on next Thursday's agenda.

We are still waiting for the work plan for asbestos removal from TTI so we can finalize quotes for the demolition of the James St. property.

Earth Engineering has agreed to complete the remediation of the contaminated soil per their 2/27/09 proposal for \$19,960. It can be authorized by resolution as a professional service contract. The hitch is that they are concerned there may be some contaminated soil UNDER the foundation so they recommend the removal take place AFTER the building is demolished but before the new foundation is prepared. With the need to wait for the DEP to issue a "No further action" designation, this would mean whoever gets the Fire House replacement bid would have a built in time lag. The alternative is to

remove what is outside the building now but still wait to inspect after demolition. That could cost more.

We still need to discuss the proposed Bell Rd lease agreement.

## **2. Lambert Ave Removal of Architectural Barriers project status**

MD Remodeling should finish the project shortly. There is a March 2 final job meeting to inspect.

## **Administration and Finance**

The Clerk reported on the following items:

### **1. Registration of owner-occupied rental units**

At last month's meeting, Marie had discussed a complaint she received from a gentleman who has an owner-occupied rental unit regarding our registration requirement. He felt that if he registers with the State, he should not have to register with the Borough. Marie has been dealing with Eric on this and both have done some research but there is still confusion. The question is does the State registration exclude the Borough from also requiring registration? We still would want to inspect the rental unit for livability and code purposes and the registration is the vehicle that sets up the inspection. We need more clarification on this and to review our current ordinance for any necessary amendments. Joe Marrazzo reported that in fact when it is owner-occupied, the owner does have to register with the State. However, the purpose of our registration is to ensure that the rental unit is properly inspected. We need to amend our ordinance to state that the registration requirement is for inspection purposes only and his office would prepare the language.

### **2. Results of SEM natural gas auction**

The New Jersey Sustainable Energy Joint Meeting (NJ SEM) went back out to auction on February 11 and was successful in getting bids for a 12-month contract. The bid price was .884 per therm and the winning bidder was Woodruff Energy. Natural gas is expected to rise in the next few months so locking in at the price now protects the Borough against future cost increases. After the initial 12-month term, we will have to evaluate to see if this actually results in cost savings and if we want to continue to participate with the SEM. The contract was e-mailed to you already for review and the resolution authorizing will be on the agenda.

### **3. PSE&G Induction Lamp Installation**

Keith Murphy from PSE&G came in yesterday and met with Commissioner Gilmore and me. He provided the locations of the lamps proposed to be changed to induction and the savings calculations. We need to determine if we agree to keep the lamps on for five years as required by the agreement and to authorize the agreement. He explained that the light generated by the induction lamps will actually appear to be brighter than the current mercury vapor lamps. These new lamps last for 100,000 hours as opposed to the current 50,000 hours for mercury vapor. They use less energy and save PSE&G in maintenance costs which results in the savings. Most of our lights are 175-watt mercury vapor lights which will be replaced with 80-watt induction lamps. The monthly cost is currently about \$15.00 each for these lamps but will drop to \$12.54 for the

induction lamps which results in a savings of \$2.46 per lamp monthly and over \$7,800 annually. He also confirmed that should you want to turn-off every light as part of a cost savings measure in the future, that would be no problem. If you agree to the program, a resolution authorizing the agreement will be on the agenda. It was decided that the governing body does want to move forward with the conversion so the resolution will be on the agenda.

#### **4. Foreclosure Action Notification**

The New Jersey Foreclosure Fairness Act imposed requirements that mortgage companies notify municipalities of "intent to foreclose" on a property. That law has now been expanded to provide that the clerk receive official notice once foreclosure actually begins. The notice must provide the location of the property and specific contact information at the mortgage company in the event there are any property maintenance issues or violations that need to be addressed. We will put these notifications in the property record file and Marie will develop a code so that a note will appear on the computer property record informing that the property is in foreclosure.

#### **5. New CFO Responsibilities**

In reviewing with the new CFO his duties and the need to be able to be quickly proficient on the Edmunds accounting software, we thought it might work better for all to look for a "bookkeeper" to do the computer work and bank reconciliations. We are talking to a couple people now. The CFO would continue to sign documents, handle investments, debt issues, cash flow, check signing, etc. Rich Schwab would continue with the budget issues. Pay rates for the CFO would be adjusted to offset the costs for the potential new person so there won't be any increase over what was planned. We'll keep you informed.

#### **6. Complaints Regarding Business Registration Forms**

Marie has received several complaints that our business license applications ask for the social security number of the business owner as well as driver's license number. They feel this is sensitive information that we should not require. However, this information is used for background check purposes. After some discussion, it was decided that we would not change the requirements for now but will review each on a case-by-case basis.

#### **7. Capital Ordinance to be introduced along with budget resolutions**

We will be introducing a capital ordinance for engineering as well as approving resolutions amending the temporary budget.

#### **8. Information Request from DEP**

The DEP has requested detail information on the Mayor as well as the Mayor's designee. We need to determine who the designee will be and what information can be released.

#### **9. Issues Regarding Canal's Liquor License**

Canal's has been issued a notice of violation by the ABC for various charges and they have been 30 days to enter a plea. Further, we have been notified that they have outstanding tax issues with the state. I will keep you apprised as more information becomes available.

**10. Flu Shot Clinic**

The County has plenty of H1N1 vaccine and some regular vaccine as well leftover and has offered to hold clinics for municipal employees and their families. You need to commit to at least 50 people so Barrington has offered to host a clinic and will invite Haddonfield, Haddon Heights, Mt. Ephraim, Audubon and Runnemede to participate as well. The clinic will be within the next month and flyers will be distributed as soon as the date is set.

**ADJOURNMENT:**

On a motion by Commissioners Greenwald and Gilmore, the meeting was finally adjourned at 5:55pm.

Respectfully submitted,

Terry Shannon  
Municipal Clerk