

**THURSDAY, DECEMBER 3, 2020, MOUNT EPHRAIM COMMISSION MEETING MINUTES
IN-PERSON MEETING HELD IN MUNICIPAL BUILDING MEETING ROOM AND VIRTUAL
MEETING HELD VIA ZOOM AT 7:00PM**

MEETING CALL TO ORDER/OPEN PUBLIC MEETINGS STATEMENT

Mayor Tovinsky called the meeting to order with the “Pledge of Allegiance” and the “Open Public Meetings Act” statement in accordance with the “Open Public Meetings Act” and pursuant to recent Executive Orders issued by the State of New Jersey due to the Covid-19 Public Health Emergency.

ROLL CALL

The Clerk called the roll with Commissioner Gies, Commissioner Wolk and Mayor Tovinsky present. Also participating via Zoom for the Borough were Solicitor Eric Riso and Engineer Greg Fusco, Jr.

APPROVAL OF MINUTES FROM PRIOR MEETING

Mayor Tovinsky announced that the minutes from the November 5, 2020, Zoom commission meeting and the November 24, 2020, caucus meeting were distributed and asked for any corrections. Seeing none, on a motion by Commissioner Gies, second by Commissioner Wolk, the minutes were approved with all in favor.

APPROVAL OF VOUCHERS

Mayor Tovinsky announced that vouchers in the amount of \$1,459,910.50 were submitted for approval. On a motion by Commissioner Gies second by Commissioner Wolk, the vouchers as submitted were approved with the following poll vote: Gies-yes; Wolk-yes; Tovinsky-yes.

ORDINANCES FOR PUBLIC HEARING AND ADOPTION

Clerk Shannon announced that we have three ordinances on for public hearing and adoption tonight but will do each one separately. She then read the following ordinances:

Ordinance 2020-17, Amending Ordinance 2020-14, Amending Chapter 94, Entitled “Animals” and Chapter 165, Entitled Fees. This ordinance extends the late date for dog licensing to November 30. Mayor Tovinsky opened the public hearing on this ordinance. Seeing no public comment, on a motion by Commissioner Gies, second by Commissioner Wolk, the public hearing on this ordinance was closed. On a motion by Commissioner Gies, second by Commissioner Wolk, the ordinance was adopted with the following poll vote: Gies-yes; Wolk-yes; Tovinsky-yes. Ordinance 2020-17 was adopted.

Ordinance 2020-18, Authorizing the Acquisition and Purchase of Real Property Known as 27 West Kings Highway and Designated as Tax Block 34, Lots 5, 6, 7, 9.02, 10, 11 and 12 on the Tax and Assessment Map of the Borough of Mount Ephraim. This is authorizing the acquisition of the Sacred Heart Church properties. Mayor Tovinsky opened the public hearing on this ordinance. On Zoom was Donna Miller of W. Buckingham Avenue. She asked how this project will affect our street in terms of property value. Mayor Tovinsky responded that there will be no traffic on Buckingham so that won’t be an issue. Regarding property value, the information we received is that property values around the Lidl store in Cherry Hill went up by 34%. Miller asked if they will be looking at dumpsters and Mayor Tovinsky replied they will be presenting their plans. The Mayor also told her that they will be invited to the Planning Board meeting when Lidl will be presenting their plans. Miller then asked about the time line and Mayor Tovinsky replied it will be between nine and 18 months.

Next was Rocco Vespe on Zoom who asked if the church will be demolished. Mayor Tovinsky answered that yes, it will be demolished. Lidl will take the whole Sacred Heart church and school

properties. They are trying to settle with the Tony Roni's property so they can obtain the whole corner.

Next was Doug Morgan on Zoom who asked about the financial impact to the town in general. Mayor Tovinsky replied we are meeting with developers who will cover all of our costs so the town will not spend anything on the project. Morgan asked about the tax revenue and Mayor Tovinsky answered that we anticipate \$130,000 in taxes and 20-40 jobs. Morgan asked if Lidl is getting a tax incentive and Mayor Tovinsky responded that we have not discussed the details with them yet. More information will be coming.

Rocco Vespe asked if we have any takers on the old gas station property. Mayor Tovinsky responded that the developer is also looking at that property but we don't know for sure yet. Vespe then asked how we will go about evaluating the developer. Mayor Tovinsky responded that they will be vetted by our lawyers and their prior projects will be evaluated.

Richard Bonczak on Zoom asked about the parking lot at the funeral home. Are we going to require them to improve the appearance of that property. He said it is an unsightly looking property. It never should have been permitted to be like that. Mayor Tovinsky responded that has nothing to do with this deal. Judy Bonczak then asked about the traffic movement out of Lidl's parking lot. The light does not allow enough cars to turn out of the lot and will need to be adjusted. Mayor Tovinsky responded that the DOT will be involved.

Suzanne Gaglianone asked what happens if they don't get the Tony Roni's property. Mayor Tovinsky answered that we will be discussing that with our attorneys. Commissioner Wolk then explained that we have one of the greatest spots in South Jersey. We had no control on who was going to go in there. The Diocese of Camden is in bankruptcy. They lowered the purchase price of the property down to \$750,000 because they needed cash. There were other bidders but we decided to get involved because we wanted to be in control of what goes there. Lidl did not want to put up the money yet until they had all the necessary approvals. This was happening quickly and there were other churches who were bidding on the property but that would not bring in tax revenue. So we looked at the big picture and decided to buy the property and we had to move quickly. Even if Lidl doesn't come, we have other developers interested in that property. We need to bring in revenue and jobs. This will go before the Land Use Board and everyone can come to those meetings as the process gets started. Lidl is a large company with 11,000 store worldwide. This will be a great project for the town. Mayor Tovinsky added that we went and visited the Lidl in Cherry Hill and it is a beautiful store.

Theresa Ingram asked if we are offering Lidl a tax abatement. Mayor Tovinsky responded that they did not ask for an abatement. Commissioner Wolk added that any tax agreement will be made public anyhow.

Rocco Vespe asked if there is an opening on the Planning Board. Mayor Tovinsky said there is an opening and he would welcome him. Clerk Shannon asked Mr. Vespe to send his bio information to her email so she can forward to the Mayor.

Donna Miller asked if it is public record about the three houses on Buckingham that were offered buyouts. It seems like they are buying a lot of property. Mayor Tovinsky responded that they are squaring off the whole parcel. You will be able to express your concerns to the Planning Board.

Renee Bussnauer asked about what happens if the store goes out of business. We don't want something to be put up that will go out of business. Mayor Tovinsky responded that he is not worried about them going out of business. You are worried about something and we haven't even built the place yet. Bussnauer responded she is worried about the impact to her property value.

Mayor Tovinsky added that the residents will be invited to the Planning Board meetings to view the plans. We wanted something that will bring in tax revenue and jobs.

Theresa Ingram asked if the homeowners who were offered buyouts don't want to accept, will we do eminent domain? Mayor Tovinsky said we have not even discussed that because they were offered great prices for their homes.

Mike Rossano who was actually present asked if Lidl will use the whole corner and the Mayor responded that they will.

Stan Witkowski, also present, asked about the financing coming from the bond issue. So when we go to settlement, will that cover the costs of the bond issue? Deputy CFO Paul Thomas responded that the town's finances will not be impacted at all. Witkowski then asked if we have any kind of agreement with Lidl at this time. The Solicitor responded that we are currently in negotiations with the developer. Witkowski asked about alternative projects if Lidl does not go through.

Commissioner Wolk responded that we don't want to own any property—we just want to be in control of what goes there. Commissioner Wolk responded that there are other interested parties. Witkowski then asked about tax incentives for Lidl and the response was that there have been no discussions about that as this time. Our understanding is they will pay ad valorem taxes.

Present on Zoom was Ed Voluntad who said he likes what he is hearing. He is looking forward to the planning meeting. He asked that we get more information out about the planning meeting so we can get a good amount of residents out to give their input. Mayor Tovinsky responded that the planning meeting won't be right away as there will be a lot of paperwork that has to happen before that. But we will get the information out and will have their plans on our website.

On a motion by Commissioner Gies, second by Commissioner Wolk, the public hearing on Ordinance 2020-18 was closed. On a motion by Commissioner Gies, second by Commissioner Wolk, Ordinance 2020-18 was adopted with the following poll vote: Gies-yes; Wolk-yes; Tovinsky-yes. Ordinance 2020-18 was adopted.

The Clerk then read Ordinance 2020-19, Bond Ordinance Authorizing Acquisition of Certain Real Property as Part of the Central Business Redevelopment Plan in and for the Borough of Mount Ephraim, County of Camden, New Jersey; Appropriating the Sum of \$800,000 Therefor; Authorizing Issuance of General Obligation Bonds or Bond Anticipation Notes of the Borough of Mount Ephraim, County of Camden, New Jersey, in the Aggregate Principal Amount of up to \$800,000; Making Certain Determinations and Covenants; and Authorizing Certain Related Actions in Connection with the Foregoing. Mayor Tovinsky opened the public hearing on this ordinance. Seeing no further public comment, on a motion by Commissioner Gies, second by Commissioner Wolk, the public hearing was closed. On a motion by Commissioner Gies, second by Commissioner Wolk, Ordinance 2020-19 was adopted with the following poll vote: Gies-yes; Wolk-yes; Tovinsky-yes. Ordinance 2020-19 was adopted.

RESOLUTION CONSENT AGENDA

Clerk Shannon read the following resolutions for approval by consent agenda:

- 78-20 Setting 2021 Meeting Dates
- 79-20 Authorizing a Contract with Homeward Bound for Animal Shelter Services for 2021
- 80-20 Authorizing a Shared Service Agreement with Barrington for Municipal Clerk Services
- 81-20 Authorizing a Shared Service Agreement with Brooklawn for Building Sub-code Svcs.
- 82-20 Authorizing a Shared Service Agreement with Stratford for Electrical Sub-code Svcs.
- 83-20 Authorizing a Shared Services Agreement with Oaklyn for Municipal Court Services
- 84-20 Authorizing a Shared Services Agreement with Oaklyn for Ambulance Services

- 85-20 Authorizing a Shared Services Agreement with Audubon for Ambulance Services
- 86-20 Certifying Property Maintenance Liens against Certain Properties
- 87-20 Authorizing Refund of Overpayment of Taxes
- 88-20 Authorizing Refund of Taxes to Exempt Veteran
- 89-20 Authorizing an Agreement with Gloucester City for Provision of Brine

On a motion by Commissioner Gies, second by Commissioner Wolk, the resolution consent agenda was approved with the following poll vote: Gies-yes; Wolk-yes; Tovinsky-yes. Resolution consent agenda was approved.

REPORTS AND COMMENTS BY COMMISSIONERS

Commissioner Gies read highlights from the October Court report. Funds turned over to the Borough were \$9,004.13. He then read highlights from the November Police Department report. He read highlights of the calls for service. The officers made 36 car stops and issued 31 motor vehicle summonses. They had 23 adult arrests and he read highlights of the charges. He then read highlights from the November Fire Department report. He read highlights of the calls for service including a structure fire yesterday morning. They had assistance from Brooklawn and Barrington Fire Companies. They did a fantastic job and no one was hurt. Kudos to our Fire Department for a job well done. There is a Go Fund Me for the family if anyone wants to donate. The Fire Company will be going around town on December 20 but there will be no candy. Lastly, in October we had 55 cases of Covid. Now we have 140. Wear your mask; keep your social distancing. If you don't, this will get worse.

Commissioner Wolk read the details from the Tax Collector's report for November, 2020, reporting total receipts of \$2,317,911.71 and lien redemptions of \$3,883.04. Our collection percentage as of today is 97.85% which is awesome. We had our budget workshop last Tuesday with all the department heads so we will be working on the budget. We hope to have it ready for introduction in March. We had a great shredding event last Saturday that was well attended. He thanked Commissioner Gies for recommending everyone about masks and social distancing.

Borough Engineer Greg Fusco, Jr. reported that Pioneer Pipe has completed the paving on Bell Road. The line striping has also been completed. We will be processing the final voucher and change order. Regarding James Street, our survey crew has performed work at James and Gloucester and James and Warrington for the rework necessary to eliminate the ponding that is occurring. We are waiting to hear from the contractor on when they will return to make the repairs.

Mayor Tovinsky reported that single stream recycling was 52,700 pounds and trash tonnage was 176 tons for a disposal cost of \$14,115.00. Public Works picked up 4820 pounds of metal, set MEPRI up for the election, winterized the ball field facilities, and leaf season is coming to an end so they will start running the leaves to the farm for December. Our recycling truck broke down today so trash and recycling will be collected on Friday, December 4. We have four new cases of Covid today. No large gatherings—just family. Our next meeting is December 29 which will be a Zoom meeting. We are leaning towards going back to Zoom meetings until Covid slows down.

PUBLIC PARTICIPATION

Mayor Tovinsky opened the meeting to the public and asked that residents state their for the record. Rocco Vespe asked about how they plan on eliminating the pond next to my house on Gloucester Avenue. The problem seems to be that the crown of James Street is too high and the water can't go around the corner. If it freezes, it will create a significant icing condition. Greg Fusco said he was not directly involved with the project but they will come up with a solution. Andy Gilmore said kudos to the engineers for addressing the ponding. He is glad it is being followed up on because it will become a problem. He then joked that if we don't have the money

for the \$800,000, we can reach into Joe Wolk's back pocket. Everyone appreciated the humor. He added he is concerned about the traffic in and out but it sounds like a great project. Theresa Ingram asked if we know how many housing vacancies there are in town. Mayor Tovinsky responded that a lot of them are selling and there are not that many left. Clerk Shannon told her she can call the office and talk to Tara and she can tell her how many are registered.

Seeing no further public comment, on a motion by Commissioner Gies, second by Commissioner Wolk, the public portion was closed.

On a motion by Commissioner Gies, second by Commissioner Wolk, the meeting was adjourned to closed session at 8:17pm.

Approved: Terry Shannon
Terry Shannon, Municipal Clerk