

**THURSDAY, JUNE 3, 2021, MOUNT EPHRAIM COMMISSION MEETING MINUTES
VIRTUAL MEETING HELD VIA ZOOM AT 7:00PM**

MEETING CALL TO ORDER/OPEN PUBLIC MEETINGS STATEMENT

Mayor Tovinsky called the meeting to order at 7:03pm with the "Pledge of Allegiance" and the "Open Public Meetings Act" statement pursuant to recent Executive Orders issued by the State of New Jersey due to the Covid-19 Public Health Emergency. He also stated that meetings will be held via Zoom until further notice and read the instructions on how participants can ask questions via Zoom. He stated that participants can also email questions in advance to the Borough Clerk.

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 Stuart Platt and Engineer Scott Smith from KEI Engineers.

APPROVAL OF MINUTES

April 27, 2021, Caucus meeting, May 6, 2021, Commission meeting minutes were submitted for review and approval. On a motion by Commissioner Gies, second by Commissioner Wolk, the minutes were approved with all in favor.

APPROVAL OF VOUCHERS

Clerk Shannon announced that vouchers in the amount of \$782,881.20 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

The Clerk read the following ordinances by title:

Ord. 2021-06 Ordinance Appropriating \$25,000 from the Capital Fund Balance for Additional Costs Associated with the Cleveland Avenue Area Environmental Project

Mayor Tovinsky opened the public hearing on ordinance 2021-06. He asked participants to raise their "virtual" hand to ask a question and they will be unmuted. Please state your name for the record. Comments are limited to five minutes per person.

Seeing no public question or comment, on a motion by Commissioner Gies, second by Commissioner Wolk, the public hearing on this ordinance was closed.

Ord. 2021-07 Ordinance to Amend the Borough Code to Create a New Chapter 86 Entitled Cannabis, Cannabis Products and Cannabis Related Businesses to Prohibit the Operation of any Class of Cannabis Businesses within its Geographical Boundaries

The Clerk explained that the reason for this ordinance is to give the Governing Body more time to study the issue. Mayor Tovinsky opened the public hearing on ordinance 2021-07. He asked participants to raise their "virtual" hand to ask a question and they will be unmuted. Please state your name for the record. Comments are limited to five minutes per person.

Seeing no public question or comment, on a motion by Commissioner Gies, second by Commissioner Wolk, the public hearing on this ordinance was closed.

On a motion by Commissioner Wolk, second by Commissioner Gies, ordinances 2021-06 & 2021-07 were adopted with the following poll vote: Gies-yes; Wolk-yes; Tovinsky-yes.

ORDINANCE FOR INTRODUCTION ON FIRST READING

The Clerk read the following ordinance by title:

- Ord. 2021-08 Ordinance Establishing the 2021 Salaries of Non-union Employees and Officials of the Borough of Mount Ephraim
- Ord. 2021-09 Bond Ordinance Authorizing the Acquisition of Various Capital Equipment and Completion of Various Capital Improvements in and for the Borough of Mount Ephraim, Appropriating the Sum of \$775,000 Therefor; Authorizing the Issuance of General Obligations Bonds or Bond Anticipation Notes of the Borough of Mount Ephraim, in the Aggregate principal Amount of up to \$523,400 Making Certain Determinations and Covenants; and Authorizing Certain Related Actions in Connection with the Foregoing
- Ord. 2021-10 Amending Chapter 354, Solid Waste (Debris Removal) in the Borough Code

On a motion by Commissioner Gies, second by Commissioner Wolk, the ordinances were approved with the following poll vote: Gies-yes; Wolk-yes; Tovinsky-yes. The Clerk announced that these ordinances will be considered for adoption after proper notice and a public hearing to be held during the July 1, 2021, commission meeting.

RESOLUTION CONSENT AGENDA

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

- 21-52 Appropriating an Item of Revenue and Expense for Body Armor Grant Received
- 21-53 Authorizing Submission of Application for NJDOT Municipal Aid for Lake Street, Phase 2
- 21-54 Approving Mercantile Licenses

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.

LAND USE BOARD APPOINTMENTS (the Clerk read the following appointments of the Mayor)

- Kimberly Beebe, Class 2, one-year term
- George Gies, Class 3, one-year term
- Michael Schiavo, Class 4, four-year term
- Carmine Rampolla, Alternate No. 3, two-year term
- Douglas Morgan, Alternate No. 4, two-year term

Solicitor Platt explained that the Class 3 appointment is not a Mayor's appointment and is, in fact, a commission appointment. It is the only one that is not a direct mayor appointment. On a motion by Mayor Tovinsky, second by Commissioner Wolk, the appointment of George Gies as the Class 3 member was approved with the following poll vote: Gies-yes; Wolk-yes; Tovinsky-yes.

REPORTS AND COMMENTS BY COMMISSIONERS

Commissioner Gies read highlights from the April Court report. Funds turned over to the Borough were \$13,856.40. He then read highlights from the May Fire Department report from Chief Aaron Holmes. They had five structure fires, five motor vehicle accidents, seven good intent calls, 16 mutual aid calls and had 123 volunteer duty crew hours and 38 duty crew shifts filled and three drills. Commissioner Gies then read highlights from the Police Department report for May from Chief Conte. They answered 697 calls for service and he read highlights of the calls. They also had 174 vehicle stops and issued 92 motor vehicle summonses. He reported they had 3 adult arrests and he read highlights of the charges. He also said that the Memorial Day services was really nice and a great job was done by all. That concluded his report.

Commissioner Wolk read the details from the Tax Collector's report for May 2021, reporting total receipts of \$2,337,634.30. We had lien redemptions totaling \$7,438.89. He thanked George and Stuart for walking is through the cannabis stuff. Commissioner Wolk then added Memorial Day was great—he wishes we could get more people to come out for that. Our next meeting is July 1 which will be before the July 4 parade. We will have a list of the parade sponsors who generously donated and will get the information out.

Engineer Scott Smith reported we are submitting a DOT application for the Lake Street, Phase 2 project. DOT project Lake Street, Phase 1, \$225,000 was awarded and we developed the cost estimate for the project and submitted it to Mr. Thomas. Engineering will be performed this fall. The preconstruction meetings for the Idora and Linden projects were held. The contractor would like to start on Idora the week of June 14. On James Street, Barrett will be replacing the curb and apron on one side of the street. Scott then provided an update on the environmental work being done at Sacred Heart Church. The results of the radar survey show an area where there may be historic fill. We received a proposal of \$1700 from Curren to excavate and confirm what is there. We received reports back from the environmental companies on all the testing that has already been done. There were some questionable results that need to be re-confirmed. Some areas will be retested to see if the results were the result of the way the samples were grabbed. TTI will be retesting some areas and will provide updated reports. The results of the asbestos study show asbestos in all four buildings. It is manageable quantities. His recommendation is that we get prices to have the asbestos removed. Solicitor Platt added that our contract with the church expires on July 6. He is recommending that we consider asking for an additional extension. After more discussion, the Governing Body authorized the additional \$1700 for the work to be done by Curren Environmental.

Paul Thomas, Deputy CFO, reported State DCA released some information today about the process to apply for American Rescue Plan funds. We need a SAMS number and a DUNS number. He asked the Governing Body if they want him to proceed with the process and the Governing Body responded yes he can proceed.

Mayor Tovinsky read highlights from the Construction Office report for May. They issued eight permits for a total of \$1,730.00 and seven resale CO's for \$840.00. Public Works collected single stream recycling of 64,880 pounds and 168 tons of trash for a cost of \$13,974.00. We collected metal, set-up for the Memorial Day service, installed the decorative sign on the paper street for Shorty Eggers Way, and cleaned up the area at the Norcross memorial. I attended a meeting yesterday with the County about the paving of Kings Highway. They want all mains replaced and the fact that we sold the water and sewer mains is great for us. The Memorial Day service was great and Fire and Police did a great job. We will need a schedule for the July 4 parade so we can post on social media. Celebrations Committee is working on the parade. In August, we will start in-person meetings. We are still doing virtual meetings for the Land Use Board and will be discussing in July. Also, tomorrow we will be starting negotiations with the Public Works union.

PUBLIC PARTICIPATION

Mayor Tovinsky opened the meeting to the public and asked that residents state their name for the record.

Stan Witkowski stated the following: he is pleased on the results of the environmental report so far on Sacred Heart; he agrees that the buyer should be responsible for asbestos removal; he hopes the sale of the property can be expedited; property at New Jersey and Center is becoming a trash dump; he wants to know if Public Works can notify residents when street cleaning will be done; is there another shredding event scheduled; can the cost for Kings Highway be funded under the American Rescue Plan; is a Messenger coming out soon; can the Zoom information be posted publicly. Mayor Tovinsky responded that regarding the property at New Jersey and Center, it is privately owned and the owner is planning to rebuild when he gets funds; the shredding event will

be scheduled for October; we will talk to Public Works about doing a Facebook post in advance of street cleaning; regarding Kings Highway we don't have any cost information yet. Clerk Shannon responded that the Messenger will be coming out in June.

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 at 7:57pm.

Approved: Terry Shannon
Terry Shannon, Municipal Clerk