**THURSDAY, APRIL 6, 2023, MOUNT EPHRAIM COMMISSION MEETING MINUTES**
**MEETING HELD IN BOROUGH HALL MEETING ROOM**

## MEETING CALL TO ORDER/OPEN PUBLIC MEETINGS STATEMENT

Mayor Tovinsky called the meeting to order at 7:01pm with the "Pledge of Allegiance". He announced that this meeting was posted in accordance with the "Open Public Meetings Act" and proper notice of this meeting was made.

## ROLL CALL

The Clerk called the roll with Commissioner Gies, Commissioner Wolk and Mayor Tovinsky present. Also in attendance for the Borough were Clerk Shannon, Solicitor Justin Strausser and Engineer Scott Smith from KEI Engineers.

## APPROVAL OF MINUTES

Mayor Tovinsky announced that the February 21, 2023, Caucus and March 2, 2023, 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 present in favor.

## APPROVAL OF VOUCHERS

Mayor Tovinsky announced that vouchers in the amount of $1,341,714.19 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.

## ORDINANCE FOR PUBLIC HEARING AND ADOPTION

The Clerk read the following ordinances by title:

Ord. 2023-05 Amending the Borough Code to Repeal and Replace Chapter 406, Entitled "Vacant Properties"

Ord. 2023-06 Ordinance Amending and Supplementing Chapter 86, "Cannabis" to Repeal and Replace the Cannabis "Opt-out" Provisions of Section 86-1, to Authorize Class V Cannabis Retail Licensure for One Retail Dispensary as a Conditional Use in the C-Commercial Zoning District

Ord. 2023-07 Ordinance Amending and Supplementing Chapter 86, "Cannabis" to Establish Section 86-2, to Collect a Statutorily Authorized Two Percent (2%) Municipal Transfer Tax on Sales by Class V Retail Cannabis License Holders

Mayor Tovinsky opened the public hearing on these ordinances. Stan Witkowski asked if there are any applicants who are being considered. Mayor Tovinsky responded there is one applicant who is going before the Land Use Board. We are only allowing one retail facility and it can only be located in the commercial district on Black Horse Pike.

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

On a motion by Commissioner Gies, second by Commissioner Wolk, Ordinances 2023-05, 2023-06 and 2023-07 were adopted with the following poll vote: Gies-yes, Wolk-yes, Tovinsky-yes.

## ORDINANCES FOR INTRODUCTION ON FIRST READING

The Clerk read the following ordinance by title:

Ord. 2023-08 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (NJSA 40AL4-45.14) for Calendar Year 2023

On a motion by Commissioner Gies, second by Commissioner Wolk, the ordinance as introduced was approved with the following poll vote: Gies-yes, Wolk-yes, Tovinsky-yes.

The Clerk announced that this ordinance will be considered for adoption after proper notice and a public hearing to be held during the May 4, 2023, commission meeting.

## RESOLUTIONS FOR APPROVAL BY CONSENT AGENDA

The Clerk read the following Resolutions by title for approval by Consent Agenda:

23-32 Authorizing the Purchase of a Police Vehicle and Related Installed Optional Equipment through the ESCNJ Cooperative
23-33 Authorizing Creation of the Colonial Fire Alliance Service between the Municipalities of Mount Ephraim, Audubon and Oaklyn
23-34 Authorizing Approval of Mercantile Licenses for 2023
23-35 Authorizing Advertisement for RFQ's for Selection of Professionals under a Fair and Open Process
23-36 Authorizing Submission of an Application for Recreation Facility Enhancement Funding, Round 2023, for Paving Improvements at the Mt. Ephraim Youth Athletic Fields
23-37 Authorizing an Amendment to the Utility Agreement by and between the Borough of Mount Ephraim and the New Jersey Department of Transportation Relative to the Direct Connect Project
23-38 Authorizing a Closed Session to Discuss Attorney/Client Privileged, Contractual or Personnel Matters
23-39 Resolution Introduce the 2023 Municipal Budget of the Borough of Mount Ephraim

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.

## REPORTS AND COMMENTS BY COMMISSIONERS

Commissioner Gies read the Mount Ephraim court report for February reporting they turned over $3,997.35 to the borough and public defender fees of $1,160.00. He then read highlights from the Fire Department report for March. They had 31 total calls for service, and he read the breakdown of the calls. The Chief also applied to the state for free smoke and carbon monoxide detectors and they were awarded 16 in the first round which they will distribute to those in need. They will also be at the Ales on the Rails event displaying drawings of the new monument and they will have sponsor forms available. Their hoagie sale is this Saturday. Commissioner Gies then read highlights from the March report from the Police Department. They had 685 calls for service, made 81 car stops, issued 70 motor vehicle summonses, served 20 warrants and had 33 adult arrests for the month and he read highlights of the charges for the arrests. He then reported the Easter Egg Hunt is this Saturday at the lake hosted by the Celebrations Committee. Next Saturday, will be the parade for opening day for baseball and softball. Line-up will be at 8:30 at Mary Bray and they will walk to the Black Horse Pike complex and then have their festivities.

Commissioner Wolk read the Tax Collector's report for March reporting total collections for March were $192,249.53 and there were several lien redemptions totaling $62,119.59.

Engineer Scott Smith reported DOT has requested additional paperwork regarding the award of the contract for the improvements to the intersection of Harding and Linwood. As soon as we provide that info, the DOT will authorize the contract award and the contractor can get started. Regarding the drainage improvements and Lowell and Winthrop, work is progressing well. Inlets and piping last week and concrete will be completed by tomorrow. Regarding the traffic study done on 4th, we were authorized to analyze the date and will prepare and submit a report to the Governing Body.

Mayor Tovinsky read highlights from the Public Works report for March reporting single stream recycling was 64,360 pounds collected and trash tonnage was 177 tons for a cost of $15,933.00. Public Works collected 11,440 pounds of metal for $1,170.85 in revenue. We had an EJIF inspection at the borough garage and scored 100. They turned the water back on for Little League, reported street light outages to PSE&G and ran 34 tons of street sweepings to Salem County for a cost of $482.72. For the Construction Office, they issued 21 permits for $1,304.00 and 11 resale CO's for $1,320.00. Ales on the Rails is April 22 on Station Avenue, 2-7pm. Vendors providing beer and food. Celebrations Committee, Police and Public Works all do a great job at that event. Little League opening day is April 15 and I will be there. We are applying for a grant for new asphalt at the Little League complex.

**PUBLIC PARTICIPATION**

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

Present was Theresa Armbruster from Fourth Avenue. She is very pleased that the engineer is working on the traffic study report. Although the traffic sign has helped, she is concerned about the summer traffic. She would like to see more done before the summer. Shore traffic cuts through our streets.

Angelique Kappatos from Valley Road asked what kinds of solutions the engineer will come up with for the traffic on 4th Avenue. Scott Smith responded they will analyze the date that was collected from the traffic study and will draft a report with recommendations. Kappatos asked if the same thing can be done with Valley Road. Mayor Tovinsky responded that is a county road so they would have to do that. She then asked if the ordinance is for a cannabis store and Commissioner Gies responded it is for a retail store only. No growing, producing or processing—just selling. It can only be located on Black Horse Pike in the commercial district. Kappatos asked if there is a specific property and Commissioner Gies responded there are several properties available on Black Horse Pike and several are being looked at. Clerk Shannon explained to Ms. Kappatos that the first ordinance establishes the zone where a cannabis facility can be located. The second ordinance allows for one cannabis facility to be located in Mount Ephraim. An applicant would have to go to the Land Use Board to get approval for their selected location and then they apply to the town for the license. The Police would have to do an extensive background check on the applicant. Commissioner Gies added there are four retail cannabis stores in Collingswood and two in Brooklawn. Mayor Tovinsky added we get 2% of the retail sales which will help our budget. Chief Conte added we are trying to get ahead of the curve—these stores will be in every town eventually.

Stan Witkowski asked if there is any word on the Kings Highway project and Mayor Tovinsky responded we think they will start construction in late fall. The county is still working on the plans. All of the towns have to replace their mains but because we sold our sewer to American Water, it won't cost us a penny. Witkowski then asked for an update on the Sacred Heart project. Mayor Tovinsky responded that it is in the hands of the lawyers. The developer is interested in

purchasing the property. Justin Strausser added we are currently negotiating with the developer. Witkowski added any additional revenue will help with taxes and Mayor Tovinsky agreed—so will the cannabis revenue.

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, the meeting was adjourned to closed session at 7:27pm.

Approved: *Terry Shannon*
Terry Shannon, Borough Clerk