THURSDAY, MAY 4, 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 7:00pm 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 Greg Fusco from KEI Engineers.

PROCLAMATION

A proclamation was presented to Mount Ephraim resident Scotty Lynch, a high school student who was being recognized for his accomplishments in Audubon High School football and wrestling.

APPROVAL OF MINUTES

Mayor Tovinsky announced that the March 28, 2023, Caucus and April 6, 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 $1,582,218.20 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.

ORDINANCE FOR PUBLIC HEARING AND ADOPTION

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 40A:4-45.14) for Calendar Year 2023

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

On a motion by Commissioner Gies, second by Commissioner Wolk, Ordinance 2023-08 was adopted with the following poll vote: Gies-yes, Wolk-yes, Tovinsky-yes.

ORDINANCES FOR INTRODUCTION ON FIRST READING

The Clerk read the following ordinances by title:

Ord. 2023-09 Ordinance Amending and Supplementing the Borough Code at Part II, General Legislation, Chapter 86 "Cannabis", to Establish Section 86-3, to Impose Application and Annual Licensing Fees on Class V Retail Cannabis Applicants/License Holders

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.

Mayor Tovinsky announced that this ordinance will be considered for adoption after proper notice and a public hearing to be held during the June 1, 2023, commission meeting.

RESOLUTIONS FOR APPROVAL BY CONSENT AGENDA

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

23-41 Authorizing Self-Examination of the 2023 Municipal Budget
23-42 Authorizing the 2023 Municipal Budget to be Read by Title at Public Hearing
23-43 Authorizing Person-to-Person Transfer of Liquor License 0425-33-006-010 from McStone's, LLC, to Mount Ephraim Tavern, LLC
23-44 Change Order No. 1—Lake Street Project
23-45 Change Order No. 2—Drainage Improvements to Harding & Winthrop Aves.
23-46 Authorizing Submission of an Application to the NJDOT Local Transportation Fund for Bell Road Drainage Improvements
23-47 Authorizing Execution of an Agreement with Environmental Recovery, LLC, Relative to the Cleveland Avenue Project

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.

PUBLIC HEARING ON THE 2023 MUNICIPAL BUDGET

Mayor Tovinsky opened the public hearing on the 2023 Municipal Budget and asked that you state your name for the record and comments are limited to five minutes.

Present was resident Stan Witkowski who asked what the impact would be to a home assessed at 200,000. CFO Paul Thomas explained the calculation. Witkowski said his taxes will be going up again and Thomas explained all of our expenses have increased and we only increased the budget by exactly what we need to operate and provide services to the residents. Witkowski went on to complain about the delay in the Sacred Heart project and how long it is taking. CFO Thomas explained when we sell the property, the proceeds will pay off the debt we incurred to purchase the property. Witkowski said you keep increasing our taxes and it creates financial hardship. Mayor Tovinsky responded that last year, we were out of our fuel budget by May of last year. We got a brand new fire truck, recycling is going from $5.00 per ton to between $70 and $100 per ton. These are all costs over which we have no control. Thomas added we tried every avenue to reduce the tax increase as stated in the budget message. The last thing this governing body wants to do is raise taxes. We had no choice this year but to raise taxes so we could keep everyone employed and continue to provide services. Resident Dan Preziosi said the information we put out is misleading because we show them what our increase will be, but it does not include the school or county taxes. He talked about the municipal increases in comparison to the school and county increases. He also wanted to know why we are not covered by the Retrospect Newspaper. He compared Mount Ephraim's tax increases to those in other towns. Commissioner Gies added you cannot compare Mount Ephraim to other towns. We are one square mile and they had a lot of redevelopment. We will have a Lidl store and two new bars coming soon. We are completely different from Haddonfield, Haddon Heights and Barrington.

On a motion by Commissioner Gies, second by Commissioner Wolk, the public hearing on the 2032 budget was closed.

On a motion by Commissioner Gies, second by Commissioner Wolk, Resolution 23-48 to Adopt the 2023 Municipal Budget was approved with the following poll vote: Gies-yes; Wolk-yes; Tovinsky-yes.

REPORTS AND COMMENTS BY COMMISSIONERS

Commissioner Gies read the court report for March 2023 reporting they turned $3,945.25 over to the borough. He then read the Mt. Ephraim Fire Department report for April 0f 2023. They had a total of 40 runs for service and he read the breakdown of calls. Their Memorial Day activities will begin at 9am sharp at the firehouse. Their designer bag bingo last Friday was a success and thanks to all who participated. He then read highlights from the Police Department report for April. They had a total of 622 calls and he read highlights of the calls. He reported they had 78 vehicle car stops and issued 88 motor vehicle summonses. They served 12 warrants and had 44 adult arrests and he read highlights of the charges.

Commissioner Wolk read the Tax Collector's report for April reporting total collections for April were $824,834.66 and there were five lien redemptions totaling $74,257.66. He also reported that there are no taxes that are deemed uncollectible at this time and there are two bankruptcies pending and no existing installment plans.

Engineer Greg Fusco reported that NJDOT 2024 Municipal Aid applications are due in July so we will get together with Jim Beebe to recommend a street for submission. Our office hand delivered the Camden County Open Space application on Monday for improvements to the ballfields. We are working with the contractor for Lake Street to come up with a paving schedule.

Mayor Tovinsky read highlights from the Construction Office report for April and they issued 22 permits for a total of $5,477 and had seven CO inspections for a total of $840. For Public Works, he reported single stream recycling was 55,220 pounds collected and trash tonnage was 170 tons for a cost of $15,350. Public Works took care of the baseball fields and got new cameras at Shining Star Park through a Camden County grant. He reiterated that Memorial Day will start at 9am at the firehouse and we will then walk to the memorials to honor our veterans.

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 wants a stop sign on the street or wants the speed limit lowered. The last speed study was done in January, and she wanted to know if the engineer spoke with Chief Conte to review the report. Greg Fusco responded they have to follow the uniform traffic control manual that the federal government puts out. If you don't follow the manual, you become liable. The traffic study that was done was for a month and is a good representation of the traffic situation out there. Armbruster said she understands that but the summer is coming and she thinks traffic will be worse. Fusco recommended that another traffic study be done during that time frame. Based on the information gathered in January, there is nothing in the report that allows me to recommend a stop sign or speed reduction. Armbruster said she thinks 5000 cars in a month is a lot and Fusco disagreed. The report indicates it is the same people coming down the street every day. He does recommend another study be done in the summer.

Rick March from George Street asked if 5000 cars is a normal number of cars for the street. Fusco responded that equates to 166 cars per day. Most of the driving occurs in a ten hour period which is 16 cars per hour. That is nothing and people should be thankful it is so low.

Sue Carney from Valley Road spoke about the cannabis ordinance. After reviewing the minutes, she thought the governing body wanted to review the whole situation regarding land use. There was supposed to be a sub-committee who would review this whole situation and then in December, a report was submitted to the governing body with the Land Use Board recommendations. She wanted to know what buildings are being considered, whether or not crime

was considered because Mount Ephraim has a high crime rate. She said she got that information from Neighborhood Scout. She said there is a report from the Attorney General's office that says there is an 18% increase in crime when you allow cannabis facilities and did we consider that? She read from a write-up about federal law that she said she would share. Greg Fusco explained we looked at the entire corridor to establish the conditions that would allow a cannabis business. Her primary concern was whether or not an increase in crime was considered. Chief Conte said he is not aware of any increase in crime from the towns that have cannabis facilities but he will follow-up with the chiefs to get more information. Angelique Kappatos from Valley Road asked if there is any restriction regarding proximity to a residential street and Commissioner Gies responded no—it only pertains to schools. Carney added she did have the pleasure of meeting the potential owners of the cannabis facility and they seemed like upstanding business owners. She just wants to make sure we are considering all factors as to where a cannabis facility can be located.

Pete Kappatos from Linden Avenue said he has heard rumors about the All Brand building and possibly the copy place on Valley Road. He hopes there is consideration that proximity to homes is considered. He is not opposed to a cannabis facility but is concerned there could be odors. The residents already have to contend with the Wawa traffic and the motel and adding a dispensary could also attract riff-raff. Kids walk past every day. Mayor Tovinsky added that the residents will be notified when the applicant is coming before the Land Use Board. Kappatos added he just wants to make sure the location is seriously considered.

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 at 8:28pm.

Approved: *Terry Shannon*
Terry Shannon, Borough Clerk