

**FEBRUARY 5, 2013**

The Regular Meeting of the Mayor and Council of the Borough of Runnemede was held on the above date in the meeting room of the Borough Hall, 24 N. Black Horse Pike, Runnemede, NJ. The meeting was called to order at 7:00 PM. The following members were present at roll call: Council members: Kappatos, Passio, Moore, White, & Kelly. Absent: Mayor Kalvaitis; Present: CFO/Business Administrator, Richard Wright, Borough Engineer, Mark Basehore, Solicitor Leonard J. Wood.

STATEMENT: Council President Kappatos read the notice of this meeting pursuant to the "Open Public Meetings Act."

**RESOLUTION #13-31**

**RESOLUTION CONFIRMING 2013 APPOINTMENTS,  
FOR THE BOROUGH OF RUNNEMEDE,  
COUNTY OF CAMDEN, STATE OF NEW JERSEY.**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Runnemede, that the following individuals are hereby appointed for 2013:

**FIRE DEPARTMENT**

Ryan Fisher            Part-Time EMT            \$11.00 per hour

**ADMINISTRATION**

Diane Drapala Part-Time Temporary Help            \$13.50 per hour

**PUBLIC WORKS/SEWER**

Thomas Fowler            Permanent Laborer 3<sup>rd</sup> Class effective 1/1/13            \$13.84 per hour

**POLICE DEPARTMENT**

David Lee Covely            Class II Special Officer            \$12.25 per hour

**BOROUGH COUNCIL**

Michael J. Root            filling unexpired term of Frank Williams who resigned 12/31/12  
2/5/13 to 12/31/13

**BOROUGH OF RUNNEMEDE**

A motion was made by Kelly, seconded by Passio this resolution be approved. Councilman Ed White asked all present how the new councilman was selected. Councilman Kappatos stated that it was the local democrat committee who chose him. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Kappatos, Passio, Kelly, Moore & White (for all but Root):. Absent: None. Nays: White for the appointment of Root; Abstentions: Root; Council President Kappatos declared the resolution adopted.

Solicitor Len Wood administered the oath of office to Michael J. Root.

APPROVAL OF MINUTES: A motion was made by Passio, seconded by White that the minutes of the 12/4/12, 12/27/12, 1/6/13 reorg & 1/6/13 meetings be approved as submitted by the clerk. The motion carried. Councilwoman Moore & Councilwoman Kelly abstained from the approval of the 12/4 and 12/27 minutes. Councilman Root abstained from voting on all the minutes. The rest of council voted aye and Council President Kappatos declared the minutes approved.

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**REPORT OF CONSTRUCTION CODE OFFICIAL:** A report was read stating that the sum of \$5,385.00 was collected for various building permits and license fees during the month of December, 2012. A report was read stating that the sum of \$9,397.00 was collected for various building permits and license fees during the month of January, 2013. All fees were turned over to the Borough Treasurer.

**REPORT OF BOROUGH TREASURER:** No report was filed.

**REPORT OF BOROUGH CLERK:** A report was read reporting that the sum of \$2,480.00 was collected in various permits and licenses together with \$1,970.00 in dog & cat license fees during the month of January, 2013. All fees were turned over to the Borough Treasurer.

**REPORT OF CHIEF OF POLICE:** A report was read reporting that the sum of \$343.00 was collected in Police, Accident, & Firearms Permits during the month of January, 2013. All funds were turned over to the Borough Treasurer.

**REPORT OF MUNICIPAL JUDGE:** A report was read stating that the sum of \$10,323.16 to cover fines and costs was collected during the month of November, 2012. A check in the amount of \$10.00 was also received for the POAA Fund. A check in the amount of \$370.00 was also received for the Public Defender fees. All funds were turned over to the Borough Treasurer.

**REPORT OF FIRE CHIEF:** No report was submitted.

**REPORT OF REGISTRAR OF VITAL STATISTICS:** A report was read reporting that the sum of \$3,596.00 was collected for vital statistic documents during the month of January, 2013. All fees were turned over to the Borough Treasurer.

**REPORT OF FIRE OFFICIAL:** No report was submitted.

**REPORT OF TAX COLLECTOR:** A report was read for the month of December, 2012, reporting that a total of \$214,830.15 was collected in taxes for the current year and a total of \$91,158.98 was collected in Sewer Utility Payments. A report was read for the month of January, 2013, reporting that a total of \$1,750,855.78 was collected in taxes for the current year and a total of \$40,871.90 was collected in Sewer Utility Payments. The collector gave the 2012 year end report as follows:

|                  |                 |
|------------------|-----------------|
| Taxes            | \$17,655,670.89 |
| Liens            | 484,086.36      |
| Prop Main Liens  | 12,781.90       |
| Sewer            | 794,760.92      |
| Animal Licensing | 19,908.60       |
| Misc. Payments   | 56,091.22       |
| NSF              | -5,881.40       |
| Collection Rate  | 97.52%          |

A motion was made by Moore, seconded by Passio that the reports be received and filed. The motion carried and Council President Kappatos declared the reported accepted.

**COMMUNICATIONS:**

Mayor & Council:

Thank you all so much for the delicious fruit basket and get well wishes. They are very much appreciated.

Theresa

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Runnemede Borough

Many, many thanks for your most generous amount of food you gave to Trinity church Pantry. Wow! We do appreciate all you gave and it will help us in taking care of 50-60 families each month. What a great bunch of folks you are and always willing to help others. God Bless You, Keep Smiling

Pat Henry

Mayor & Council

(SEE ATTACHED LETTER)

David N. Rowan, Esquire  
Runnemede Planning/Zoning Board Solicitor

Joyce Pinto

As part of our ongoing infrastructure replacement program, we would like to inform you that New Jersey American Water is planning water main replacements in your town. Road opening permits will be obtained as required. In addition, if your municipality has a formalized paving program, please provide us with a copy of our records so we can coordinate future projects. These replacements will include the water main, service laterals and fire hydrants on the streets listed below: Chestnut Avenue, Oak St. To Garden Terr. Nov 2013 to May 2014.

If you have any further questions regarding this matter please contact me at this office.

Jacquelyn Weaver  
NJAW

A motions was made by Passio, seconded by White the communications be received and filed. The motion carried and Council President Kappatos declared the communications accepted.

**COMMITTEE REPORTS:**

**Public Safety:** Public Safety Director Kelly reported on the meeting held on January 18<sup>th</sup>, possible police retirements, handicapped parking, the proposed purchase of three police cars and the auction of older vehicles. Eleanor also reported on a fire house tour, a fire grant and the classroom facility located at the fire house. Councilwoman Kelly also reported that she had received from the fire department short and long term fire department goals.

**BINGO LICENSE #13-02:** St. Teresa Regional School-4/14/13, 7/14/13 & 10/13/13-  
All paper work is in order.

**RAFFLE LICENSE #13-02:** Home & School Association-St. Teresa's-3/9/13-50/50  
on-premise raffle-All paperwork is in order.

**RAFFLE LICENSE #13-03:** Home & School Association-St. Teresa's-3/9/13-Casino  
Night-All paperwork is in order.

**RAFFLE LICENSE #13-04:** Holy Child Parish Altar Society-4/27/13-Basket Auction-  
All paperwork is in order.

A motion was made by Moore and seconded by Passio to approve the raffle and bingo licenses listed above. The motion carried. Council President Kappatos declared the raffle and bingo licenses approved.

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**Finance, Personnel & Administration:** Council President Kappatos reported on the financial closing of 2012 matters. Nick also reported on weekly meetings held with department directors.

**Public Works:** Councilwoman Moore reported on the productivity of her meeting with public works supervisors. Beverly also informed everyone about the water main breaks, snow storms, pole which blew down at the library complex and discussions of Harry Williams Building opening and closing. Councilwoman Moore also informed members of the proposed bike path clean up.

**Engineering:** Councilwoman Passio reported on possible projects to consider such as the RYAA and Orchard and Read Avenues.

**Public Events:** Councilwoman Passio stated that she was waiting for data from Rich Wright, CFO, to be able to proceed in her position as Director of Public Events. Pat also informed everyone that the Green Team would be working on the garden and they would be sponsoring movie Mondays at the library.

**Health, Education & Welfare:** Councilman White reported progress.

**Business Administrator:** Richard Wright stated that he would rely on his report given at the caucus meeting. Rich also reported on the sale of bond anticipation notes. At the request of Council President Kappatos, Mr. Wright explained the borrowing procedure.

**Solicitor's Report:** Solicitor Wood reported on the letter from Dave Rowan regarding the townhouses. Len explained the procedure which should be followed in order to amend the zoning ordinance as well as the master plan. Len then reviewed the civic association ordinance from 2005 and recommended it be repealed. A discussion ensued among council members regarding this ordinance.

**Engineer's Report:** Mark Basehore gave a brief summary of the written report he presented at the caucus meeting.

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

**PROCLAMATION**

**WHEREAS**, the citizens of the Borough of Runnemede stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future and their ability to compete in a global economy; and

**WHEREAS**, the Borough of Runnemede has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community's well being and long-term quality of life; and

**WHEREAS**, NEA's Read Across America, a national celebration of reading, will be conducted on March 1, 2013, the day before what would have been the 109<sup>th</sup> birthday of Theodore Seuss Geisel, better known as Dr. Seuss; and

**WHEREAS**, Read Across America-NJ is being conducted statewide by the New Jersey Education Association, the New Jersey State League of Municipalities, the New Jersey Library Association, and their local affiliates across the state.

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**NOW, THEREFORE, BE IT RESOLVED** that Mayor and Council of the Borough of Runnemede calls on the citizens of Runnemede to assure that every child is in a safe place reading together with a caring adult on March 1, 2013;

**AND BE IT FURTHER RESOLVED** that this body enthusiastically endorses NEA's Read Across America and Read Across America-NJ and recommits our community to engage in programs and activities to make America's children the best readers in the world.

**BERTHA KALVAITIS, MAYOR**

**RESOLUTION #13-23**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT  
TO TECH PLEASE FOR MAINTENANCE  
OF THE BOROUGH WEBSITE  
BOROUGH OF RUNNEMEDE, COUNTY OF CAMDEN  
STATE OF NEW JERSEY**

WHEREAS, the website of the Borough of Runnemede is in need of maintenance and updating from time to time; and

WHEREAS, Tech Please has proposed to maintain & update the site, when needed, at a cost of \$2,000 per year; and

**BE IT RESOLVED**, That the Borough of Runnemede hereby agrees authorize payment for the above-referenced services.

**BE IT FURTHER RESOLVED**, That the presiding officer of this body be and hereby is directed to sign for and on its behalf the contract in the prescribed form for said bid.

**BE IT FURTHER RESOLVED**, That the Clerk of this Body be and is hereby directed to seal said contract with the corporate seal of this Body and to attest to the same.

**BOROUGH OF RUNNEMEDE**

A motion was made by Kelly, seconded by Moore this resolution be approved. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Kappatos, Passio, Kelly, Moore, Root & White. Absent: None. Nays: None. Council President Kappatos declared the resolution adopted.

**RESOLUTION #13-24**

**RESOLUTION AUTHORIZING THE APPOINTMENT OF  
REPRESENTATIVE AND ALTERNATE TO THE  
CAMDEN COUNTY COMMUNITY DEVELOPMENT ADVISORY BOARD  
BOROUGH OF RUNNEMEDE, COUNTY OF CAMDEN, STATE OF NEW JERSEY**

WHEREAS, there is hereby established an annual requirement of a Municipality to appoint a voting representative, and alternate to the Camden County Community Development Advisory Board; and

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WHEREAS, the Borough of Runnemedede wishes to continue to be a voting member of said Board in conjunction with the existing Cooperation Agreement;

NOW THEREFORE, BE IT RESOLVED by the Borough of Runnemedede that Nick Kappatos is hereby appointed to serve as the representative from the Borough of Runnemedede to the Camden County Community Development Advisory Board; and

FURTHER, Eleanor Kelly is hereby appointed to serve as the alternate member,

FURTHER, a certified copy of this Resolution is to be submitted to the County Division of Community Development.

**BOROUGH OF RUNNEMEDE**

A motion was made by Kelly, seconded by Moore this resolution be approved. Councilman White asked how the decision was made for these two appointments. Council President Kappatos stated that the decision is being made by the majority now. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Passio, Kelly & Moore. Absent: None. Nays: White. Abstentions: Kappatos & Root. Council President Kappatos declared the resolution adopted.

**RESOLUTION #13-25**

WHEREAS, certain property owners within the borough have not maintained their properties in the appropriate manner; and

WHEREAS, borough employees have had perform tasks to bring the properties in line with out property maintenance code; and

WHEREAS, the tax collector is permitted to place a lien on the property per Runnemedede Code Chapter 95 for the maintenance and up-keep of these properties for the service provided by the borough; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Runnemedede property maintenance liens be placed against the following properties:

| <b>Block</b> | <b>Lot</b> | <b>Amount</b> |
|--------------|------------|---------------|
| 147.01       | 3.01       | \$ 363.61     |
| 62           | 6          | 173.04        |
| 114          | 6          | 201.88        |

BE IT FURTHER RESOLVED, by Mayor and Council of the Borough of Runnemedede that said records be adjusted accordingly.

**BOROUGH OF RUNNEMEDE**

A motion was made by Moore, seconded by Kelly this resolution be approved. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Kappatos, Passio, Kelly, Moore, Root & White. Absent: None. Nays: None. Council President Kappatos declared the resolution adopted.

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**RESOLUTION #13-26**

**RESOLUTION AUTHORIZING A CONTRACT (BID A-51/2010)  
2<sup>nd</sup> YEAR OPTION, BY AND BETWEEN THE COUNTY OF  
CAMDEN AND OFFICE BASICS, FOR THE PURCHASE OF  
OFFICE SUPPLIES UNDER THE CAMDEN COUNTY  
COOPERATIVE PRICING SYSTEM, SYSTEM IDENTIFIER #57-CCCPS  
BOROUGH OF RUNNEMEDE, COUNTY OF CAMDEN, STATE OF NEW JERSEY**

BE IT RESOLVED, That the contract for the purchase of office supplies in the Borough of Runnemede, County of Camden, be and is hereby extended for the term of February 1, 2013 through January 31, 2014 as per the second of the one year options exercised at the sole discretion of Camden County; and

BE IT RESOLVED, That the presiding officer of this body be and hereby is directed to sign for and on its behalf the contract in the prescribed form for said extension

BE IT FURTHER RESOLVED, That the Clerk of this Body be and is hereby directed to seal said contract with the corporate seal of this Body and to attest to the same.

**BOROUGH OF RUNNEMEDE**

A motion was made by Kelly, seconded by Passio this resolution be approved. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Kappatos, Passio, Kelly, Moore, Root & White. Absent: None. Nays: None. Council President Kappatos declared the resolution adopted.

**RESOLUTION #13-27**

**RESOLUTION OF THE BOROUGH OF RUNNEMEDE,  
COUNTY OF CAMDEN, STATE OF NEW JERSEY,  
RELEASING A PERFORMANCE BOND IN THE AMOUNT OF  
\$425,557.00**

WHEREAS, the applicant, Cedar Properties, LLC (Site Plan) has requested release of its performance bond in the amount of \$425,557.00; and

WHEREAS, the Borough Engineer, has recommended release of such bond, pending payment of all escrow amounts, solicitor review and the posting of a maintenance bond;

WHEREAS, upon payment of all escrow amounts, the solicitor has approved the maintenance bond submitted.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the Borough of Runnemede, County of Camden and State of New Jersey, that the performance guarantee in the amount of \$425,557.00, posted by the applicant, Cedar Properties, LLC, is hereby is released in full pursuant to the recommendation of the Borough Engineer's letter dated December 18, 2012, and the posting of a two year maintenance bond in the amount of \$63,833.55 (Bond #105345682).

**BOROUGH OF RUNNEMEDE**

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A motion was made by Passio, seconded by Kelly this resolution be approved. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Kappatos, Passio, Kelly, Moore, Root & White. Absent: None. Nays: None. Council President Kappatos declared the resolution adopted.

**RESOLUTION #13-28**

**RESOLUTION APPROVING A CHANGE ORDER  
FOR BUD CONCRETE, INC.  
BOROUGH OF RUNNEMEDE, COUNTY OF CAMDEN,  
STATE OF NEW JERSEY**

WHEREAS, bids were solicited for the Revitalization of State Highway Route #168-Phase II; and

WHEREAS, Bud Concrete, Inc. was awarded the bid in the amount of \$139,675.00; and

WHEREAS, the borough engineer has recommended change order #1 per the attached documentation; and

NOW, THEREFORE BE IT RESOLVED, by Mayor and Council of the Borough of Runnemede, County of Camden, State of New Jersey, that Change Order # 1 for Bud Concrete, Inc. in the total amount of an increase of \$1,015.80 changing the contract to the amount of \$140,690.80 be and is hereby approved;

BE IT FURTHER RESOLVED, that the proper officials are hereby authorized to execute all documents for such change order.

BE IT FURTHER RESOLVED THAT this resolution shall take effect immediately upon its enactment as provided by law.

**BOROUGH OF RUNNEMEDE**

A motion was made by Passio, seconded by Kelly this resolution be approved. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Kappatos, Passio, Kelly, Moore, Root & White. Absent: None. Nays: None. Council President Kappatos declared the resolution adopted.

**RESOLUTION #13-29**

**RESOLUTION OF THE BOROUGH OF RUNNEMEDE,  
COUNTY OF CAMDEN, STATE OF NEW JERSEY,  
RELEASING A RIGHT-OF-WAY SURETY BOND IN THE AMOUNT OF  
\$7,500.00**

WHEREAS, Sunoco Pipeline L.P. has requested release of its 1998 performance bond in the amount of \$7,500.00; and

WHEREAS, the Borough Solicitor has recommended release of such bond; and

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the Borough of Runnemede, County of Camden and State of New Jersey, that the right-of-way surety bond in the amount of \$7,500.00, posted by Sun Pipe Line Company is hereby is released in full pursuant to the recommendation of the Borough Solicitor (Bond #5898224).

**BOROUGH OF RUNNEMEDE**



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A motion was made by Kelly, seconded by Passio this resolution be approved. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Kappatos, Passio, Kelly, Moore, Root & White. Absent: None. Nays: None. Council President Kappatos declared the resolution adopted.

**RESOLUTION #13-30**

**RESOLUTION AUTHORIZING THE TAX ASSESSOR TO  
FILE APPEALS, ADDED AND OMITTED ASSESSMENT APPEALS,  
AND ROLLBACK COMPLAINTS WITH THE CAMDEN  
COUNTY BOARD OF TAXATION**

WHEREAS, a statutory provision is made for review and correction of errors prior to certification of an assessment list; and

WHEREAS, provision is also allowed for the discovery and correction of errors after establishment of the tax rate; and

WHEREAS, change in property ownership at times necessitates adjustments in the veteran's and/or senior citizen's deduction allowed on the assessment list; and

WHEREAS, responsibility for maintenance and correction of the assessment lists rests with the local Tax Assessor subject to specific laws and regulations;

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Runnemede, County of Camden and State of New Jersey, that the Tax Assessor, Brian Schneider, CTA, SLREA, is hereby authorized to file with the Camden County Board of Taxation all such appeals, including Omitted and Added Assessment Appeals, as may be necessary to maintain accuracy and equality in the assessment list of the Borough of Runnemede; and

BE IT FURTHER RESOLVED, that the Tax Assessor, Brian Schneider, CTA, SLREA, is hereby authorized to execute Stipulations of Settlement on behalf of the Borough of Runnemede; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution accompany any appeal filed by the Tax Assessor with the Camden County Board of Taxation.

**BOROUGH OF RUNNEMEDE**

A motion was made by Passio, seconded by Kelly this resolution be approved. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Kappatos, Passio, Kelly, Moore, Root & White. Absent: None. Nays: None. Council President Kappatos declared the resolution adopted.

**RESOLUTION #13-32**

WHEREAS, It has come to the attention of the Tax Collector that taxes for Block 12, Lot 7 were paid twice for the 4<sup>th</sup> quarter of 2012 due to a sale; and

WHEREAS, the title company has requested reimbursement of the duplicate payment; and

WHEREAS, Mayor and Council passed Resolution #12-149 on December 4, 2012 refunding this duplicate payment to Weichert Title Agency; and

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WHEREAS, Weichert Title Agency has misplaced the check mailed to them and has since requested that a new check be issued directly to the seller; and

WHEREAS, the tax office has received the requisite \$25 stop payment fee from Weichert Title Agency; and

THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Runnemede that a check be issued in the following amount directly to the seller as a refund for a duplicate payment; and

BE IT FURTHER RESOLVED, by Mayor and Council of the Borough of Runnemede that said records be adjusted accordingly.

|  |                 |            |
|--|-----------------|------------|
| Ms. Joan E. Klacik<br>54 Sequoia Drive<br>Berlin, NJ 08009 | Block 12, Lot 7 | \$1,471.19 |
|--|-----------------|------------|

**BOROUGH OF RUNNEMEDE**

A motion was made by Kelly, seconded by Moore this resolution be approved. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Kappatos, Passio, Kelly, Moore, Root & White. Absent: None. Nays: None. Council President Kappatos declared the resolution adopted.

**RESOLUTION #13-33**

**RESOLUTION AUTHORIZING THE BOROUGH ENGINEER  
TO PROCEED WITH THE SURVEY, DESIGN, INSPECTION, TESTING  
OF THE READ AVENUE AND ORCHARD AVENUE PROJECTS  
BOROUGH OF RUNNEMEDE, COUNTY OF CAMDEN, STATE  
OF NEW JERSEY**

WHEREAS, the Borough of Runnemede has received and reviewed the proposal submitted by Bach Associates for the survey, design, inspection and testing of the above-referenced projects in the amounts outlined in Page A1 of the February status report as follows:

Read Avenue Broadway to end:

|                      |             |
|----------------------|-------------|
| Engineering & Design | \$11,900.00 |
| Inspection & Testing | 15,150.00   |

Orchard Avenue 3<sup>rd</sup> Avenue to bend

|                      |             |
|----------------------|-------------|
| Engineering & Design | \$ 9,500.00 |
| Inspection & Testing | 12,200.00   |

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Runnemede, in the County of Camden, State of New Jersey, that the Borough hereby authorizes Bach Associates to proceed with the above-referenced items according to the specifications and costs as set forth in the Page A1 of the February status report.

**BOROUGH OF RUNNEMEDE**

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A motion was made by Passio, seconded by White this resolution be approved. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Kappatos, Passio, Kelly, Moore, Root & White. Absent: None. Nays: None. Council President Kappatos declared the resolution adopted.

**RESOLUTION #13-34**

**RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING  
TO TRANSFER SPECIFIC RADIO EQUIPMENT PURCHASED FOR  
THE 700 MHZ CONVERSION, BOROUGH OF  
RUNNEMEDE, COUNTY OF CAMDEN, STATE OF NEW JERSEY**

WHEREAS, FCC has required us to change frequencies and the county has procured by public bid certain public safety radio communications equipment (mobile, portable, and base station radios) for the purpose of interfacing with the new Camden County Communications Center 700 MHZ radio system; and

WHEREAS, the Mayor & Council wish to approve such memorandum of understanding; and

NOW, THEREFORE, BE IT RESOLVED, by Mayor & Council of the Borough of Runnemede, that the Memorandum of Understanding to Transfer Specific Radio Equipment purchased for the 700 MHZ Conversion is hereby approved and the proper officials are authorized to sign any documents based on this memorandum for two years.

**BOROUGH OF RUNNEMEDE**

A motion was made by Kelly, seconded by Moore that this resolution be approved. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Kappatos, Passio, Kelly, Moore, Root & White. Absent: None. Nays: None. Council President Kappatos declared the resolution adopted.

A motion was made by Kelly, seconded by Passio authorizing the Clerk to advertise for bids for the purchase of an ambulance and three police vehicles. The motion carried and Council President Kappatos declared the resolution adopted.

**RESOLUTION #13-35**

**RESOLUTION AMENDING RESOLUTION #13-01  
CREATING THE COMMITTEES OF BOROUGH COUNCIL  
OF THE BOROUGH OF RUNNEMEDE FOR THE YEAR 2013**

WHEREAS, a vacancy has occurred within the Borough Council; and

WHEREAS, the governing body has appointed someone to fill this vacancy; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Runnemede, that the following named committees of the Borough Council are hereby established for the remainder of the year 2013:

|   |                          |
|---|--------------------------|
| <b>Finance, Personnel &amp; Administration:</b> | Kappatos, Kelly & Moore  |
| <b>Public Safety:</b>                           | Kelly, Kappatos & Passio |
| <b>Health &amp; Education:</b>                  | White, Root & Passio     |
| <b>Parks &amp; Recreation:</b>                  | Root, Moore & White      |

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**Engineering & Public Events:**  
**Public Works:**

Passio, Kelly & Root  
Moore, Kappatos & Passio

BE IT RESOLVED, that the members of said committees shall supervise and coordinate the Borough affairs within the spheres of the respective committees, as aforesaid, between meetings of the Mayor and Borough Council.

BE IT FURTHER RESOLVED, that the Mayor, a member of all committees, shall appoint the members of Borough Council to the respective committees, as aforesaid, and shall designate the Chairman of each committee.

**BOROUGH OF RUNNEMEDE**

A motion was made by Kelly, seconded by Passio that this resolution be approved. Councilman White asked why he was removed from the Engineering Committee. Council President Kappatos stated that this was the decision made by the majority. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Kappatos, Passio & Moore; Absent: None. Nays: White. Abstentions: Moore & Root. Council President Kappatos declared the resolution adopted.

**RESOLUTION #13-36**

**RESOLUTION OPPOSING SENATE BILL 2511 AMENDMENTS TO OPEN PUBLIC MEETINGS ACT**

**WHEREAS**, legislation has been introduced to reform and modernize the Open Public Meetings Act (S-2511); and

**WHEREAS**, the governing body of the Borough of Runnemede agrees with and supports the statement that “the right of the public to be present at all meetings of public bodies, and to witness in full detail all phases of the deliberation, policy formulation, and decision making of public bodies, is vital to the enhancement and proper functioning of the democratic process”; and

**WHEREAS**, the changes, however, proposed in S-2511 will not only be a cost driver for local and State government but make government less effective; and

**WHEREAS**, S-2511 includes a number of proposed requirements which involve costly unfunded mandates, impractical requirements and impediments to the democratic process; and

**WHEREAS**, S-2511 creates a new definition of subcommittees that expands subcommittees to be overly inclusive; and

**WHEREAS**, subcommittees would be required to provide public notice of subcommittee meetings, if the governing body determines them to be open; and

**WHEREAS**, subcommittees would be required to submit at least one report to the governing body detailing the number of meetings, names of members of the committee and a concise statement of the matters discussed. The governing body would be required to establish a schedule of when the subcommittee reports shall be filed; and

**WHEREAS**, subcommittees do not commit the governing body to action or expend public funds; and

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**WHEREAS**, the requirements for subcommittees meetings would, among other things, necessitate additional administrative support for all subcommittees as well as increased legal advertising cost; and

**WHEREAS**, the new requirement that agendas provide a description of all agenda items, including the names of parties to and approximate dollar amounts of any contracts to be acted upon, will delay the award of contracts and could lead to the loss of grant monies; and

**WHEREAS**, the new requirement that the governing body may act upon an item brought up by a citizen at a public meeting if it was not published as an agenda item only if: (1) there is a vote of 2/3 of the members present to proceed, (2) the municipality demonstrates that it is in the public's best interest and includes the reasons why it is in the public best interest in the minutes; is impractical, ineffective and unnecessarily inhibits the operations of municipal government and runs contrary to the time honored tradition of holding a public meeting for the very purpose of soliciting such input and acting upon it; and

**WHEREAS**, the new requirement that electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting become part of the minutes and renders the recordings a permanent municipal record, is unworkable and unmanageable as the technology does not always exist to make "hard copies" or digital copies of text messages and the records custodian does not always have access to them, and which is an unprecedented expansion of the meeting concept; and

**WHEREAS**, the new requirement that comprehensive minutes must include each member's stated reason for their actions or vote, the identity of each member of the public who spoke, and summary of what was said, be made available to the public as soon as possible but no later than 60 days after the meeting will not only be costly but the historical value of minutes will be lost in order to meet an arbitrary deadline; and

**WHEREAS**, the new requirement that the public be allowed to speak for a minimum of three minutes, at the start of the public meeting, without the ability of the public body to limit the length of the public comment could disrupt public meetings, lead to filibustering and prevent the governing body from conducting business; and

**WHEREAS**, the provisions of S-2511 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so that municipalities can meet the strict CAP requirements with decreased revenues and increasing operating expense; and

**WHEREAS**, the totality of the new requirements of S-2511 will be a significant cost driver for local and State government with no known appropriation contemplated or any alternate means to offset these costs, such a reasonable increase in fees; and

**WHEREAS**, the provisions of S-2511 continue to exempt the Legislature from the requirements placed on municipalities; and

**WHEREAS**, while we appreciate Senator Weinberg's efforts to address our concerns, we must continue to oppose the amendments to the Open Public Meeting Act as the changes proposed in S-2511 will not only be a cost driver for local and State government but make government less effective;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE** Borough of Runnemede for reasons stated above, does hereby oppose S-2511, as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills, and

**FEBRUARY 5, 2013**

**BE IT FURTHER RESOLVED** that the governing body of the Borough of Runnemede does hereby strongly urge the Legislature, in the interest of transparency and openness, to remove the various exceptions in the Open Public Meetings Law that apply to the Legislature. The rules that the legislation makes applicable to other governmental bodies should apply equally to all governmental levels and officials; and

**BE IT FURTHER RESOLVED** that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Loretta Weinberg, Assembly Speaker Sheila Oliver, Assemblyman Gordon Johnson, the legislators of the Borough of Runnemede's State Legislative Districts, Governor Chris Christie, the New Jersey State League of Municipalities and the Municipal Clerks' Association of New Jersey.

**BOROUGH OF RUNNEMEDE**

A motion was made by Kelly, seconded by Moore this resolution be approved. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Passio, Kelly, Moore & Root. Absent: None. Abstentions: Kappatos & White; Nays: None. Council President Kappatos declared the resolution adopted.

**ORDINANCE #13-01**

**AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE CODE ,  
OF THE BOROUGH OF RUNNEMEDE.**

A motion was made by Kelly, seconded by Passio the ordinance be approved on first reading, advertised according to law, with a public hearing to be held on March 5, 2013 at a meeting beginning at 7:00 PM. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Kappatos, Passio, Kelly, Moore, Root & White. Absent: None. Nays: None. Council President Kappatos declared the resolution adopted.

**ORDINANCE #13-02**

**AN ORDINANCE REPEALING CERTAIN PROVISIONS OF THE CODE ,  
OF THE BOROUGH OF RUNNEMEDE.**

A motion was made by Kelly, seconded by White the ordinance be approved on first reading, advertised according to law, with a public hearing to be held on March 5, 2013 at a meeting beginning at 7:00 PM. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Kappatos, Passio, Kelly, Moore, Root & White. Absent: None. Nays: None. Council President Kappatos declared the resolution adopted.

**GOOD & WELFARE:**

Maria Panzarella, 12 S. Oakland Avenue: Ms. Panzarella welcomed Mr. Root to council and thanked the Public Works Department for all of their efforts during the snow storm. Maria also had questions about the garden to be constructed behind Deluxe Bakery near the soccer field. Ms. Panzarella presented Mayor & Council with a sample agreement for use of facilities for them to review. Maria also thanked Joyce Pinto for taking care of the "housekeeping" issue on Sundays at the gym.

Gene Smith, 876 Orchard Avenue: Mr. Smith had questions about townhouses being allowed in Runnemede. Solicitor Len White explained the process as to how to make changes in the master plan. Mr. Smith also asked why Councilman White was removed from the engineering committee and he then welcomed Mike Root.

**FEBRUARY 5, 2013**

John Schmidt, 1 W. Thompson Avenue, Gloucester City: Mr. Schmidt wanted to know the process used to appoint Michael Root as Councilman. Council President Kappatos explained the process. Mr. Schmidt then asked what Mr. Root voted on this evening. Council President Kappatos stated the resolutions which Mike had voted on. Again Mr. Schmidt asked about the process used to appoint Michael Root as Councilman and again Council President Kappatos explained the process used.

Council President Kappatos welcomed Councilman Root.

Seeing no one else wishing to speak, a motion was made by Passio, seconded by White to close the good and welfare portion of the meeting. The motion carried and Council President Kappatos declared that portion of the meeting closed.

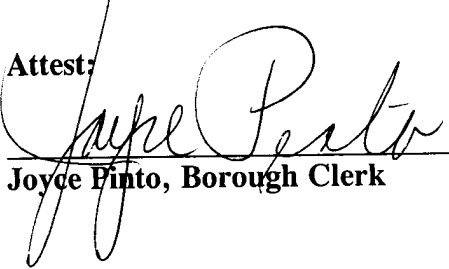
Councilwoman Moore informed everyone about the Library fundraiser for the new sign.

There being no further business to come before Mayor and Council at this time a motion was made by Passio and seconded by Kelly to adjourn the meeting. The motion carried and Council President Kappatos declared the meeting adjourned at 8:47 PM.

Approved by:

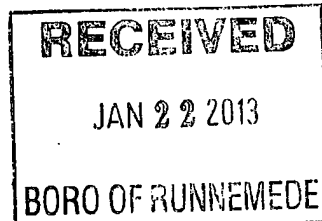
  
Nick Kappatos, Council President

Attest:

  
Joyce Pinto, Borough Clerk

**CARLAMERE & ROWAN**

Attorneys-at-Law  
1546 Blackwood-Clementon Road  
PO BOX 1397  
Blackwood, New Jersey 08012



Phone No. (856) 232-9200  
Fax No. (856) 232-9201

David F. Carlamere  
David N. Rowan

January 17, 2013

Honorable Mayor and Distinguished Members of Council  
Borough of Runnemede  
24 North Blackhorse Pike  
Runnemede, New Jersey 08078

**Re: Zoning Ordinance Section 395-8: Residential R-3 District**

Dear Mayor and Council:

As Mayor and Council are aware, during 2012 the Runnemede Planning/Zoning Board received an Application for the subdivision and development of approximately eighteen (18) acres located at Hartford Drive and Evesham Road. The initial Application proposed a mixed use of single family residences and townhouses. At the first hearing on the application it was evident that the residents were firmly against the construction of townhouses at the site. In addition to the sentiment of the residents, members of the Board also expressed their opinions and concerns regarding the Applicant's proposed plans. Because the Applicant and Board were able to work together in resolving everyone's concerns, in November, 2012, the Board granted Conditional Preliminary Subdivision approvals for the development and construction of forty-eight (48) single family homes.

At the first regular meeting of the Planning/Zoning Board for 2013, there was informal discussion regarding a revision to the Zoning Ordinance which would prohibit the development of townhouse style projects within the Borough of Runnemede. If the Borough of Runnemede governing body is of the opinion that townhouse style development should be curtailed or prohibited, they should, in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64 refer the issue to the Planning/Zoning Board, who would place the matter on their agenda for discussion at a regular meeting, and thereafter make any recommendations, by Resolution, to the governing body for purposes of amending the Zoning Ordinance.

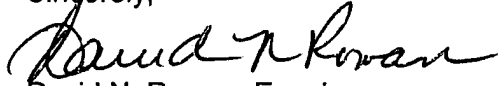
In conclusion, if the Governing Body desires to have the Planning/Zoning Board review the Ordinance in question and make their recommendations, kindly make your written referral, with any particular instructions, to the Board Secretary who will see that the matter is placed on the Board's agenda.



Page 2;

Thank you for the Mayor's and Council's kind attention to this matter.

Sincerely,



David N. Rowan, Esquire  
Runnemedde Planning/Zoning Board Solicitor

DNR/lh

cc: Chairperson and Members, Planning/Zoning Board of Runnemedde  
John S. Kennedy, Esquire, Borough Solicitor