

AUGUST 26, 2104

The Caucus Meeting of 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 6:00 P.M. The following members were present at roll call: Mayor Kalvaitis; Council members: Passio, Kelly, Moore, Root, Farrell & Kappatos. Absent: None; Present: Borough Administrator Richard Wright Solicitor Len Wood, Esquire; Borough Engineer Steve Bach;

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

Council President Kappatos stated that it was now time to discuss items to be included on the agenda for 9/2/14.

**PUBLIC HEARING:**

ORDINANCE #14-02: An Ordinance Amending and Supplementing the Zoning Ordinance of the Code of the Borough of Runnemede to Revise the Permitted and Conditionally Permitted Uses in the Commercial "C" District and to Add Standards for conditionally Permitted Uses, and Other Legal Requirements.

Council President Kappatos stated that it was now time for the public hearing to be held as it was advertised to be held at this time and declared the meeting open to the public. Mr. Ed DeSantis, 837 W. 3<sup>rd</sup> Avenue asked for this ordinance to be explained. Council President Kappatos explained it and Mr. DeSantis stated he was not interested in this ordinance and sat down. There appearing to be no one else wishing to speak at this time a motion was made by Kappatos, seconded by Passio the public hearing be closed. The motion carried and a motion was made by Root, seconded by Passio the ordinance be adopted on second and final reading and advertised according to law. The motion carried and Council President Kappatos requested a roll call vote with the following results: Ayes: Farrell, Root, Moore, Passio, Kappatos & Kelly. Nays: None. Absent: None. Council President Kappatos declared the ordinance adopted on second and final reading.

(SEE ATTACHED ORDINANCE)

Council President Kappatos reviewed the raffle application, the resolution canceling sewer charges, the tax sale resolutions and the resolution renewing 3 year membership in the JIF. Borough Engineer Steve Back reviewed the resolution to support DOT's request for centerline design standards on the Black Horse Pike.

Councilwoman Kelly stated that the Public Safety Committee would be holding interviews for sargent's positions based on the civil service exam results. Eleanor also expressed her committee's recommendation for the towing bid to be awarded to Bernie's Auto since his was the only bid submitted.

Council President Kappatos also reviewed the transfer of a liquor license and the County coop bid for paper.

Funding for the Washington Avenue bid was discussed along with the possibility of the Irish Hill road project.

Business Administrator Richard Wright discussed two shared services agreements and a consulting agreement with Bellmawr. The discussion continued regarding various problems which have arisen at the public works department and how to address these issues. Councilwoman Kelly wanted to know what the goal of bringing in a consultant. Councilwoman Moore stated that she hoped the consultant would be able to teach our public works employees to be more effective. Business Administrator Wright stated that he would be taking a more active role in the public works day-to-day.

Council President Kappatos stated that he would like to have the first reading of a sewer ordinance regulating grease traps at the next council meeting.

Administrator Wright discussed his desire to institute a pilot program of GPS in public works vehicles. Rich presented a proposal and stated that he would like support from Council on this issue.

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**RESOLUTION #14-136**

**RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR  
TO PURSUE THE LEASE/PURCHASE OF A VEHICLE TRACKING SYSTEM**

WHEREAS, Mayor & Council have determined there is a need to track borough vehicles for efficiency purposes; and

WHEREAS, the borough administrator has researched this issue and has come up with a pilot program for council to consider; and

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Runnemede that it wishes to authorize the business administrator to pursue the lease or purchase of GPS tracking devices for use in a pilot program with public works vehicles.

**BOROUGH OF RUNNEMEDE**

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

Council President Kappatos raised the issue of selling a portion of borough land to a homeowner on Lakeview Drive.

Engineer Steve Bach stated that he would rely on his written report but asked for two resolutions to be placed on the agenda on Tuesday. One would be a change order for the time frame of generator bid and the other would be to award bid to Landberg Construction for the reconstruction of Washington Avenue. Steve also showed Mayor & Council a sign to be posted on the old borough garage relating to an environmental issue.

**GOOD & WELFARE:**

Ed DeSantis, 837 W. 3<sup>rd</sup> Avenue: Mr. DeSantis read a lengthy statement about the problems with Hirsch Lake. Mr. DeSantis also provided methods and costs to rectify the situation including asking council to appoint him as general contractor. Solicitor Wood explained the process to Mr. DeSantis. Councilman Root informed Mr. DeSantis that we would not be able to hire the company he suggested or hire him as general contractor. Mike went on to explain that council had already hired a company to remedy the problem.

Bernie Wilson, 729 W. Clements Bridge Road: Mr. Wilson asked everyone to keep Paul Dailey and his family in their prayers.

Florence DeSantis, 837 W. 3<sup>rd</sup> Avenue: Mrs. DeSantis stated that her son was very upset about the lake problem and could not sleep over it. Mrs. DeSantis wanted to know if someone donated \$5,000 to remedy the problem the way her son wanted to do it would council accept. Councilman Root explained that council had hired their own professional who recommended how to fix the problem.

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

**RESOLUTION #14-130**

**RESOLUTION AUTHORIZING MAYOR AND COUNCIL OF THE  
BOROUGH OF RUNNEMEDE TO CONDUCT A CLOSED SESSION  
TO DISCUSS PERSONNEL ISSUES**

WHEREAS, the Mayor and Council of the Borough of Runnemede desires to discuss matters relating to personnel issues wish to do so in Closed Session for approximately 30 minutes;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Runnemede that the governing body shall discuss matters pertaining to the issues outlined above in the Borough of Runnemede at a Closed Session to be held on August 26, 2014 in the Borough Hall, 24 N. Black Horse Pike, Runnemede, NJ; and

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The minutes of the Closed Session Meeting shall be kept, as required by the Open Public Meetings Act. The matters discussed at such meeting shall be disclosed to the public when the reason for discussing this matter privately no longer exists.

It is further determined that said Closed Session and matters to be discussed therein are matters as permitted under the Open Public Meetings Act.

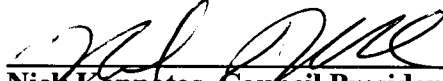
**BOROUGH OF RUNNEMEDE**

A motion was made by Kappatos, seconded by Farrell to approve this resolution. The motion carried and Council President Kappatos declared that we were now in closed session.


A motion was made and seconded to go back into open session at 8:04 PM. The motion carried and Council President Kappatos declared the were now back in open session.

There being no further business to come before Mayor and Council at this time a motion was made by Passio and seconded by Kappatos to adjourn the meeting. The motion carried and Council President Kappatos declared the meeting adjourned at 8:05 PM.

**Approved by:**

  
\_\_\_\_\_  
**Nick Kappatos, Council President**

**Attest:**

  
\_\_\_\_\_  
**Joyce Pinto, Borough Clerk**

**ORDINANCE 14-02**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE ZONING ORDINANCE OF THE CODE OF THE BOROUGH OF RUNNEMEDE TO REVISE THE PERMITTED AND CONDITIONALLY PERMITTED USES IN THE COMMERCIAL "C" DISTRICT AND TO ADD STANDARDS FOR CONDITIONALLY PERMITTED USES, AND OTHER LEGAL REQUIREMENTS**

**WHEREAS**, the Borough of Runnemede strives to adopt and implement land use regulations that advance the goals and objectives of the Borough as set forth in the Master Plan, and that enable well planned economic development opportunities; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Runnemede, County of Camden, and State of New Jersey (the "Borough"), have reviewed the Runnemede Master Plan Reexamination and Recommendations adopted by the Planning Board of the Borough of Runnemede on December 8, 2010; and

**WHEREAS**, on April 5, 2011 Borough Council adopted Ordinance 11-02, which updated the Borough zoning map and amended the zoning code to implement some, but not all of the recommendations of the 2010 Master Plan Reexamination and Recommendations; and

**WHEREAS**, the Mayor and Borough Council now desire to implement additional recommendations related to fast food restaurants and outdoor seating at restaurants in the Commercial "C" District and to update and clarify the permitted and conditionally permitted uses in the Commercial "C" District; and

**WHEREAS**, after careful consideration the Mayor and Borough Council wish to allow fast food restaurants with drive-through facilities in the Commercial District, when certain conditions are satisfied; and

**WHEREAS**, the Mayor and Borough Council are empowered by law to implement the Borough Master Plan and alter the zoning regulations through the adoption of ordinances; and

**WHEREAS**, this Ordinance was referred to the Planning Board of the Borough of Runnemede pursuant to the New Jersey Municipal Land Use Law; and

**WHEREAS**, the Planning Board of the Borough of Runnemede reviewed the Ordinance at their meeting on \_\_\_\_2014 and has recommended the adoption of this Ordinance and has determined that it is consistent with the Borough Master Plan.

**NOW, THEREFORE**, be it ordained by the Mayor and Council of the Borough of Runnemede that the Runnemede Zoning Code be supplemented and amended as follows:

**SECTION 1.** Amend section 395-9 the Commercial "C" District standards as follows:

**395-9 Commercial C District**

A. Permitted Buildings Structures and Uses. Only the following shall be permitted:

1. Shopping centers
2. Department stores
3. Medical and Dental Offices
4. Business Offices
5. Offices of government agencies
6. Retail stores
7. Banks (including drive-through lanes)
8. Day-care facilities.
9. General personal and business services
10. Funeral Parlor
11. Theater
12. Grocery and Supermarket
13. Bakery and Deli
14. Private educational facilities such as dance instruction or martial arts
15. Restaurants and taverns, not including fast-food, drive-in or drive-through

B. Conditionally Permitted Uses. The following uses are permitted only in accordance with the requirements of section 395-24

1. Outdoor Dining in accordance with the requirements of 395-24C(2)
2. Fast food restaurants without drive-through or window facilities in accordance with the requirements of 395-24C(3)
3. Fast food restaurants with drive-through or window facilities in accordance with the requirements of 395-24C(4)
4. Wholesale merchandise or servicing shall only be permitted if it is incidental and subordinate to a primarily retail business.

Letters B through H shall be re-numbered as letters C through I.

## **SECTION 2. Amend section 395-24 Conditional Uses to add the following:**

### **395-24 Conditional Uses**

#### **C(2)Outdoor Dining**

- a. Outdoor dining/seating must be ancillary to an approved permanent restaurant use.
- b. The outdoor dining/seating area must be shown on a plan at a maximum scale of 1"=30'
- c. The outdoor dining/seating area must be directly adjacent to the principal structure.
- d. The outdoor dining/seating area may not impede the sidewalk. If outdoor seating is proposed along a pedestrian route, a minimum 5 foot wide sidewalk area must remain unobstructed for pedestrian travel. If the existing sidewalk is only 4 feet wide, then the existing width may remain.
- e. If adjacent to a parking area the outdoor dining area must be delineated with a structural impediment, to be approved by the Planning Board.
- f. The number of seats proposed shall be considered in determining the parking requirements for the site.
- g. If the outdoor seating area will have speakers for background music, the speakers may not be utilized between 10pm and 7am.
- h. The edge of the outdoor seating area must be set back a minimum of 25 feet from any adjacent single family residential lot, and an adequate buffer in accordance with section 395-9F must be provided.
- i. If the restaurant is not a full service restaurant, then permanent receptacles for trash and recyclables must be provided within the outdoor seating area for patron use.

#### **C(3) Fast Food Restaurants without drive-through or window facilities**

- a. The minimum gross floor area for the use is 1,200 square feet.
- b. Food service must take place inside a building (not through a window to the outside).
- c. The restaurant must provide trash and recycling receptacles both inside and outside the building for customer use. Those receptacles placed outside must be secured and visually compatible with the overall development.
- d. The number of tables and seats must be provided on the application.
- e. If outdoor seating is proposed, the outdoor dining/seating area must comply with the requirements of 395-24C(2).
- f. Signage shall conform to the requirements for the zoning district.
- g. An enclosure for trash and recyclable materials must be provided to serve the facility and must be sufficiently sized to contain dumpsters/containers for trash and recyclable materials
  - i. New trash enclosures shall be masonry structures a minimum of six feet high, with an exterior facade to match the principal buildings.
  - ii. New trash enclosures not be located in the front yard and must be set back a minimum of five feet from side and rear property lines

#### **C(4) Fast food with Drive-through or Window Facilities**

- a. Minimum lot size is 20,000 square feet.

- b. Traffic impact information must be provided in a report submitted with the application to establish the nature and extent of the anticipated customer volume, and to establish that such volume can be accommodated at the proposed location without substantial adverse impact upon the required or existing on-site parking, existing and proposed driveways, and pedestrian and vehicular movements into, within, and out of the site.
- c. The number of tables and seats must be provided on the application.
- d. If outdoor seating is proposed, the outdoor dining/seating area must comply with the requirements of 395-24C(2).
- e. Signage shall conform to the requirements for the zoning district except for a menu board as noted below.
- f. For drive-through facilities one freestanding menu board sign is permitted, in addition to other permitted signs, not to exceed 7 feet 6 inches (7' 6") in height and 45 square feet in area.
- g. An enclosure for trash and recyclable materials must be provided to serve the facility and must be sufficiently sized to contain dumpsters/containers for trash and recyclable materials
  - i. Trash enclosures shall be masonry structures a minimum of six feet high, with an exterior facade to match the principal buildings.
  - ii. Trash enclosures may not be located in the front yard and must be set back a minimum of five feet from side and rear property lines.
- h. The restaurant must provide trash and recycling receptacles both inside and outside the building for customer use. Those receptacles placed outside must be secured and visually compatible with the overall development.
- i. The drive-through lane must provide sufficient stacking space for a minimum of eight (8) vehicles to queue.
- j. Drive-through service speakers shall not be utilized between the hours of 10pm and 6am if the property is within 100 feet of a residential zone.
- k. Drive-through window areas and vehicle stacking lanes must be buffered from adjacent properties with evergreen trees. The landscaped buffer must be a minimum of 8 feet in width. If adjacent properties are residential, a fence must also be provided within the buffer area.
- l. Pedestrian crosswalks must be provided at logical pedestrian crossing points to ensure safe pedestrian circulation around and within the site

**SECTION 3. REPEALER**

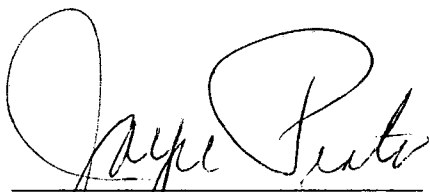
Ordinances or provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

**SECTION 4. INVALIDITY**


If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall only apply to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 5. EFFECTIVE DATE**

This Ordinance shall take effect upon adoption and publication according to law and the filing of same with the Camden County Planning Board in accordance with N.J.S.A. 40:55D-16.

  
 Joyce Pinto, Borough Clerk

**BOROUGH OF RUNNEMEDE**

  
 Bertha Kalvaitis, Mayor

**NOTICE**

The above ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Runnemede held on the 5<sup>th</sup> day of January, 2014 and will be taken up for final consideration and passage at a meeting of the Borough Council of said Borough of Runnemede 24 N. Black Horse Pike, Runnemede, New

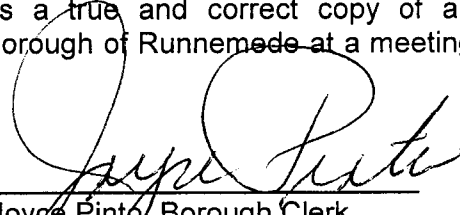
Jersey on the 26<sup>th</sup> day of August, 2014, at which time and place all persons interested will be heard.

  
\_\_\_\_\_  
Joyce Pinto, RMC

Upon First Reading

**CERTIFICATION**

I HEREBY CERTIFY that the foregoing is a true and correct copy of an ordinance, adopted by the Borough Council of the Borough of Runnemede at a meeting held on the 26<sup>th</sup> day of August , 2014.

  
\_\_\_\_\_  
Joyce Pinto, Borough Clerk  
Upon Final Passage

Name	Passed on First Reading				Adopted on Second Reading			
	Yes	No	Abstain	Absent	Yes	No	Abstain	Absent
Kelly	✓				✓			
Moore	✓				✓			
Passio	✓				✓			
Root	✓				✓			
Farrell	✓				✓			
Kappatos	✓				✓			