

**STRATFORD BOROUGH COUNCIL REGULAR MEETING
TUESDAY, MAY 12, 2009
7:30 PM**

CALL TO ORDER:
STATEMENT OF
ADVERTISEMENT:

Notice of this meeting has been provided to the Courier Post, Inquirer and Record Breeze along with being posted on the Borough Hall Bulletin Board stating the time and place of the meeting.

PRAYER & PLEDGE
OF ALLEGIANCE:
ROLL CALL:

MAYOR JOHN GENTLESS
BEN ANGELI, COUNCIL PRESIDENT
STEVE VENUTO, COUNCILMAN
WILLIAM GROVER, COUNCILMAN
MICHAEL SANTORO, COUNCILMAN
HOLLY TATE, COUNCILWOMAN
MICHAEL PEREZ, COUNCILMAN
BARBARA REIFBERG, ALT. SOLICITOR
JOHN D. KEENAN, JR. BOROUGH CLERK

PROCLAMATION:

Gabby Schiavo and David Schiavo

MEETING OPENED
TO THE PUBLIC:

Meeting is opened to the public for a maximum of 10 minutes to discuss anything appearing on tonight's agenda. You may also speak at the end of the meeting under Good and Welfare.
Nothing was discussed in this portion of the meeting.

APPROVAL OF
MINUTES:

April 09, 2009 Agenda Meeting
On motion of Councilman M. Santoro, seconded by Councilwoman H. Tate with all ayes on the roll call vote as follows:
Councilman B. Angeli yes Councilman S. Venuto yes
Councilman W. Grover yes Councilman M. Santoro yes
Councilwoman H. Tate yes Councilman M. Perez yes
the minutes were approved.

April 14, 2009 Regular Meeting
On motion of Councilman M. Perez, seconded by Councilman W. Grover with all ayes on the roll call vote as follows:
Councilman B. Angeli yes Councilman S. Venuto yes
Councilman W. Grover yes Councilman M. Santoro yes
Councilwoman H. Tate yes Councilman M. Perez yes
the minutes were approved.

REPORTS:
FINANCE &
REVENUE:

Councilwoman Holly Tate read the April, 2009 Finance Report as submitted by the CFO as follows:

BALANCE APRIL 1, 2009	411,654.81
Total Receipts	1,501,800.03
Total Disbursements	1,770,017.88
BALANCE APRIL 30, 2009	143,436.96
Schedule of Account Balances April 30, 2009	
Municipal Alliance	41,023.54
Animal Control	12,351.17
Public Assistance I	2,400.13
K-9	186.45
General Capital	300,899.71
Developers Escrow	25,609.18
POAA	1,460.00
Special Law Enforcement Trust	14,592.79

UCC/LEA Trust	130,915.90
Uniform Fire Safety	15,859.32
Tax Title Lien	71,932.43
Trust Other	67,916.81

EMERGENCY SERVICES:

Councilman Michael Santoro read the Emergency Services report for April, 2009 as follows:
FIRE:
 The Fire Department responded to twenty-seven (27) Alarms and held two (2) drills.
AMBULANCE:
 The Volunteer Crew responded to eleven (11) Alarms and held one (1) drill.
 The Paid Crew responded to eighty (80) Alarms.

POLICE:

Councilman Ben Angeli read the Police Activity report for April 2009 as submitted by the Chief of Police as follows:

Adult Arrest	44	Juvenile Arrests	02
Assaults to Police	0	Simple Assaults Complaints	02
Criminal Mischief Complaints	05	Harassment Complaints	07
Other Investigations & Complaints	73	Burglaries	02
Robberies	02	Thefts \$22,475.	16
Stolen Property Recovered	\$15,250.	Motor Vehicle Thefts	01
DWI Arrests	12	Narcotics Arrests	06
Traffic Summonses Issued	293	Motor Vehicle Accident	21
		“ “ Pedestrian “	01
Injuries from Car Accidents	13	Alarm Activations	33
Total crime reports taken	66	Total Calls for Police Ser.	708

Councilman B. Angeli read a letter from Mr. Redfearn commending Det. Brett Johnson. Also a letter from Jack Cathrall commending Ptl. Mike Meyers and Sgt. S. McBride; and DARE Graduation will be held on May 27th at Yellin School.

PUBLIC EVENTS:

Councilman William Grover reported the Miss Stratford Pageant will be held at Yellin School Gymnatorium on July 24th with practice on July 23rd. Fireworks will be held at Sterling High School on July 3rd with a parade on July 4th.
 -Parks report – installed mulch, swings, new picnic table and not with County Open Space Grant committee for \$25,000 additional funding; will install rock climbing for children, and senior fixtures equipment.
 -Vassar – installed new backboards and will power wash courts
 -Laureba – seeding will begin and new mulch installed,
 -Snack Stand at Yellin is 95% completed.
 -Vassar Park new mulch and picnic tables installed

PUBLIC WORKS:

Councilman Michael Perez reported that the Sewer Utility checking out sewer lines/pump stations/put out Senior Center trash and will assist with metal pick up starting this month.
 DPW – installed new street signs, new flags installed on Warwick Road, grass cutting of Borough grounds and school properties, pot hole repair to begin this week.

ORDINANCE & PROPERTY:

Councilman Stephen Venuto reported there are four (4) Ordinances and twelve (12) Resolutions on for tonight’s meeting. He also thanked Mike Perez with managing workforce and doing tasks that we usually would have to pay for.

OLD BUSINESS:

Ord.2009:11 Ordinance 2009:11 – Repeal Ch. 2.48 Shade Tree Commission
 Clerk presented proof of publication. Meeting was opened to the public.
 -Mike D’Errico spoke, Todd Wyckoff, Assist Rep. Forester, Mr. Berry asked some questions. Mr. Strippoli. Jake Gambon spoke about early years four (4) trees were removed for every one (1) planted in Stratford. Jerry Zekas wanted to be sure not to jeopardize possible stimulus funds for the trees.

-Agnes Moore spoke of neighbor's tree at 148-150 Laureba Avenue
 -Rev. Dawson served on the Shade Tree Commission for years and was happy with the work and compared Stratford to towns that do not have a commission.
 The meeting was closed to the public. Motion to finally adopt was made by Councilman M. Santoro, seconded by Councilwoman H. Tate, with a ll ayes on the roll call vote as follows:
 Councilman B. Angeli yes Councilman S. Venuto yes
 Councilman W. Grover yes Councilman M. Santoro yes
 Councilwoman H. Tate yes Councilman M. Perez yes
 MOTION CARRIED

Ord.2009:12 Ordinance 2009:12 – Amend Development Fee Ordinance
 The Clerk presented proof of publication. Meeting was opened to the public and after ample time and no questions were asked, the meeting was closed to the public. Motion to finally adopt was made by Councilman S. Venuto, seconded by Councilman B. Grover with all ayes on the vote as follows:
 Councilman B. Angeli yes Councilman S. Venuto yes
 Councilman W. Grover yes Councilman M. Santoro yes
 Councilwoman H. Tate yes Councilman M. Perez yes
 MOTION CARRIED

ORDINANCE 2009:12
 AN ORDINANCE OF THE
 BOROUGH OF STRATFORD
 CAMDEN COUNTY, STATE OF NEW JERSEY
Regulating the Collection of Development Fees
Council on Affordable Housing

- 1. Purpose**
 - a) In Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.
 - b) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from non-residential development.
 - c) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.
- 2. Basic requirements**
 - a) This ordinance shall not be effective until approved by COAH pursuant to *N.J.A.C. 5:96-5.1*.
 - b) The Borough of Stratford shall not spend development fees until COAH has approved a plan for spending such fees in conformance with *N.J.A.C. 5:97-8.10* and *N.J.A.C. 5:96-5.3*.
- 3. Definitions**
 - a) The following terms, as used in this ordinance, shall have the following meanings:
 - i. "Affordable housing development" means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

- ii. “**COAH**” or the “**Council**” means the New Jersey Council on Affordable Housing established under the Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.
- iii. “**Development fee**” means money paid by a developer for the improvement of property as permitted in *N.J.A.C. 5:97-8.3*.
- iv. “**Developer**” means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
- v. “**Equalized assessed value**” means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).
- vi. “**Green building strategies**” means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

4. Residential Development fees

- a) Imposed fees
 - i. Within the any redevelopment area where residential development is proposed or within any residential zoning district(s), residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of one and one half (1½) percent of the equalized assessed value for residential development provided no increased density is permitted.
 - ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a “d” variance) has been permitted, developers may be required to pay a development fee of six (6) percent of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.
Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal one and a half percent of the equalized assessed value on the first two units; and the specified higher percentage up to six percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.
- b) Eligible exactions, ineligible exactions and exemptions for residential development
 - i. Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.
 - ii. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
 - iii. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.

- iv. Developers of residential structures demolished and replaced as a result of a natural disaster, or developers of green buildings, shall be exempt from paying a development fee.

5. Non-residential Development fees

- a) Imposed fees
 - i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
 - ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
 - iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.
- b. Eligible exactions, ineligible exactions and exemptions for non-residential development.
 - i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.
 - ii. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
 - iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.
 - iv. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
 - v. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by Stratford Borough as a lien against the real property of the owner.

6. Collection procedures

- a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official who is responsible for the issuance of a building permit.
- b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

- c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.
 - d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
 - e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
 - f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
 - g) Should the Borough of Stratford fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).
 - h) Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.
 - i) Appeal of development fees
 - 1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by Stratford Borough. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
 - 2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by *[insert name of municipality]*. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
- 7. Affordable Housing trust fund**
- a) There is hereby created a separate, interest-bearing housing trust fund to be maintained by the Borough Clerk for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
 - b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - 1. payments in lieu of on-site construction of affordable units;
 - 2. developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
 - 3. rental income from municipally operated units;
 - 4. repayments from affordable housing program loans;
 - 5. recapture funds;
 - 6. proceeds from the sale of affordable units; and
 - 7. any other funds collected in connection with the Borough of Stratford's affordable housing program.

c) Within seven days from the opening of the trust fund account, the Borough of Stratford shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, First Colonial National Bank of Collingswood, NJ, and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).

d) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

8. Use of funds

a) The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the Borough of Stratford's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.

b) Funds shall not be expended to reimburse the Borough of Stratford for past housing activities.

c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.

i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.

ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.

iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.

d) The Borough of Stratford may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.

e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

9. Monitoring

a) The Borough of Stratford shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with Stratford’s housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH. All monitoring reports shall be completed on forms designed by COAH.

10. Ongoing collection of fees

a) The ability for the Borough of Stratford to impose, collect and expend development fees shall expire with its substantive certification unless the Borough of Stratford has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH’s approval of its development fee ordinance. If the Borough of Stratford fails to renew its ability to impose and collect development fees prior to the expiration of substantive certification, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). The Borough of Stratford shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall the Borough of Stratford retroactively impose a development fee on such a development. The Borough of Stratford shall not expend development fees after the expiration of its substantive certification or judgment of compliance.

Adopted by the Mayor and Council of the Borough of Stratford this 14th day of April, 2009 with

an affirmation vote of 5 ayes, 0 nays, 0 abstentions and 1 absent.

BY: John Gentless, Mayor
 April 14, 2009
 John Keenan, Borough Clerk
 April 14, 2009

PUBLIC NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on the first reading at a meeting of the Governing Body held on the 14th of April, 2009 and will be considered for final passage on the 12th of May, 2009 at a meeting at the Stratford Justice Facility, 315 Union Avenue, Stratford, NJ
 John D. Keenan, Jr., RMC

Ord.2009:13

Ordinance 2009:13 – Special Emergency Appropriation – Planner

The Clerk presented proof of publication. Meeting was opened to the public and after ample time and no questions were asked, the meeting was closed to the public. Motion to finally adopt was made by Councilman S. Venuto, seconded by Councilman M. Perez with all ayes on the vote as follows:

Councilman B. Angeli	yes	Councilman S. Venuto	yes
Councilman W. Grover	yes	Councilman M. Santoro	yes
Councilwoman H. Tate	yes	Councilman M. Perez	yes

MOTION CARRIED

NEW BUSINESS:

Res.2009:86A

Resolution 2009:86A – Appoint Redeveloper Block 58, Lots 28-37 of Area I-05/18/09
 On motion of Councilman B. Angeli, seconded by Councilwoman H. Tate with all ayes on the vote to TABLE this Resolution until May 18, 2009.

Res.2009:87 Resolution 2009:87 – Appoint COAH Mediation Team
 On motion of Councilman B. Grover, seconded by Councilman M. Santoro with all ayes on the vote.

RESOLUTION 2009:87

WHEREAS, the Borough of Stratford Council filed a petition for substantive certification with the Council on Affordable Housing (COAH) on December 31, 2008; and
 WHEREAS, the Council on Affordable Housing (COAH) has received during the 45-day comment period; and

WHEREAS, per N.J.A.C. 5:96-4.1 the objection was reviewed and deemed compliant; and

WHEREAS, per N.J.A.C. 5:96-8.2(d) the Governing Body shall submit a resolution designating and authorizing to COAH the members of their mediation team; and

WHEREAS, a municipality is permitted a team of two representatives in addition to a member of the municipal planning board, a member of the municipal governing body of which shall not be the same person as the member of the municipal planning board,

NOW, THEREFORE, BE IT RESOLVED, by Council to designate Councilman Stephen Venuto, as a member of the municipal planning board; Councilman Michael Perez of the municipal governing body, and the municipal solicitor Jeffrey I. Baron, and the municipal planner Larry Waetzman.

I, John D. Keenan, Jr., Borough Clerk, hereby certify the above resolution was adopted on May 12, 2009.

Res.2009:88 Resolution 2009:88 – Authorize Estimated Tax Bill for 3rd Quarter 2009
 On motion of Councilman M. Santoro, seconded by Councilwoman H. Tate with all ayes on the vote.

RESOLUTION 2009:88

WHEREAS, due to the late adoption of the Borough of Stratford’s 1009 Municipal Budget and 2009 Camden County Budget, the Camden County Board of Taxation is unable to certify tax rates for the year 22009; and

WHEREAS, without a 2009 certified tax rate the Tax Collector of the Borough of Stratford will be unable to issue 2009 tax bills on a timely basis;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stratford as follows:

1. The Tax Collector of the Borough of Stratford is hereby authorized and directed to prepare and issue estimated tax bills for the Borough of Stratford for the third installment of 2009 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by Chapter 72, Public Laws of 1994 and N.J.S.A. 54:4 – 66.2 and 54:4 – 66.3.
2. The entire estimated tax levy for 2009 is hereby set \$16,067,872.08. The estimated tax rate for 2009 is hereby set at 5.603.

I, John D. Keenan, Jr., Borough Clerk, hereby certify the above resolution was adopted on May 12, 2009.

Res.2009:89 Resolution 2009:89 – Authorize Execution of Fireworks Contract 2009
 On motion of Councilman S. Venuto, seconded by Councilwoman H. Tate with all ayes on the vote.

RESOLUTION 2009:89

WHEREAS, the municipalities of Somerdale, Magnolia and Stratford for years have shared in the cost of the annual fireworks display for Independence Day; and

WHEREAS, it has been agreed and budgeted by all three towns to have fireworks for 2009; and

WHEREAS, the same company used for years International Fireworks has given the same quote of \$16,000.,

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council to authorize the Borough Clerk to execute the contract with International Fireworks for \$16,000.

I, John D. Keenan, Jr., Borough Clerk, hereby certify that the above resolution was adopted on May 12, 2009.

Res.2009:90A Resolution 2009:90A – Authorize Engineer to Submit NJDOT Applications
On motion of Councilman S. Venuto, seconded by Councilman M. Perez with all ayes on the vote.

RESOLUTION 2009:90A

APPROVAL TO SUBMIT GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE STRATFORD AVENUE-PHASE II

WHEREAS, the Borough of Stratford desires to perform reconstruction work on Stratford Avenue-Phase II; and

WHEREAS, a municipal aid application to the State of New Jersey as prepared by the Borough Engineer is appropriate and in the best interest of the Borough; and

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Stratford, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2009-Stratford Borough-00562 to the New Jersey Department of Transportation on behalf of the Borough Stratford.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Stratford and that their signatures constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution, adopted by the Council on this 12th day of May, 2009.

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL - John D. Keenan, Jr., R.M.C.

Mayor John Gentless

Res.2009:90B Resolution 2009:90B – Authorize Engineer to Submit NJDOT Applications
On motion of Councilman M. Santoro, seconded by Councilwoman H. Tate with all ayes on the vote.

RESOLUTION 2009:90B

APPROVAL TO SUBMIT GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE STRATFORD AVENUE-PHASE II

WHEREAS, the Borough of Stratford desires to perform reconstruction work on Columbia Avenue-Phase II; and

WHEREAS, a municipal aid application to the State of New Jersey as prepared by the Borough Engineer is appropriate and in the best interest of the Borough; and

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Stratford, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2009-Stratford Borough-00592 to the New Jersey Department of Transportation on behalf of the Borough Stratford.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Stratford and that their signatures constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution, adopted by the Council on this 12th day of May, 2009.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL - John D. Keenan, Jr., R.M.C.

Mayor John Gentless

Ord.2009:14 Ordinance 2009:14 – 2009 Salary Ordinance
The Ordinance was read by title. A motion was made to approve on the first reading by Councilman M. Santoro, seconded by Councilman M. Perez with all ayes on the roll call vote as follows:

Councilman B. Angeli	yes	Councilman S. Venuto	yes
Councilman W. Grover	yes	Councilman M. Santoro	yes
Councilwoman H. Tate	yes	Councilman M. Perez	yes

MOTION CARRIED

Res.2009:91 Resolution 2009:91 – Public Hearing –Ord. 2009:14 – June 09, 2009
On motion of Councilman B. Grover, seconded by Councilman M. Perez with all ayes on the vote.

RESOLUTION 2009:91

PUBLIC HEARING FOR ORDINANCE 2009:14

BE IT RESOLVED, by Mayor and Members of Borough Council of the Borough of Stratford, County of Camden, State of New Jersey, that the 09th day of June, 2009, 7:30 PM set for the date and time of the Public Hearing for Ordinance 2009:14 and;
BE IT FURTHER RESOLVED that final reading and adoption shall be set for the 09th day of June, 2009 at 7:30 PM.

I, John D. Keenan, Jr., Clerk of the Borough of Stratford, do hereby certify the foregoing resolution was adopted by Mayor and Council on the 12th day of May, 2009.

Res.2009:92 Resolution 2009:92 – Authorize Ford Lease – Police Car
On motion of Councilman M. Santoro, seconded by Councilwoman H. Tate with all ayes on the vote.

RESOLUTION 2009:92

WHEREAS, recently one of the police Ford Crown Victoria vehicles was involved in an accident; and

WHEREAS, the vehicle is assumed to be totaled by the insurance company; and

WHEREAS, the funding will not be sufficient to purchase outright another similar vehicle; and

WHEREAS, upon the recommendation of the Police Chief is to enter into a Ford Municipal Lease for new Ford Crown Victoria; and

WHEREAS, this will be conditioned upon the insurance company declaring the vehicle totaled, and issuing a check to help offset the lease payments,

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council to authorize the proper employees to execute the required documents for a new Ford Municipal Lease for a Crown Victoria.

CFO RESOLUTIONS

Res.2009:93 Resolution 2009:93 – Refund Tax Overpayment B. 65, L. 2.01

RESOLUTION 2009:93

WHEREAS, an overpayment was received in the Tax Collector's office for Block 65, Lot 2.01 – 12 Almond Avenue;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stratford that the amount of \$1,010.10 be disbursed to First American Real Estate Tax Service for the overpayment.

Res.2009:94 Resolution 2009:94 – Refund Tax Overpayment B. 96, L. 30

RESOLUTION 2009:94

WHEREAS, an overpayment was received in the Tax Collector’s office for Block 96, Lot 30 – 28 Winding Way Road;
 NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stratford that the amount of \$1,479.80 be disbursed to First American Real Estate Tax Service for the overpayment.

Res.2009:95 Resolution 2009:95 – Refund Tax Overpayment B. 43, L. 2

RESOLUTION 2009:95

WHEREAS, an overpayment was received in the Tax Collector’s office for Block 43, Lot 2 – 221 Princeton Avenue;
 NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stratford that the amount of \$1,999.95 be disbursed to First American Real Estate Tax Service for the overpayment.

Res.2009:96 Resolution 2009:96 – Remove Senior Citizen Tax Deduction

B.13, L.8; B.18, L.4; B.24, L.9; B.67,L.7; B.71,L.4; B.79,L.23; B.83,L.9; B.109,L.13
 On motion of Councilman M. Perez, seconded by Councilman S. Venuto with all ayes on the vote.

RESOLUTION 2009:96

WHEREAS, all eligibility requirements for a SENIOR CITIZEN tax deduction for the year 2008 have not been met by the following residents due to their exceeding the statutory limitations in income and age or sale or the property or failure to file the annual Post Year Tax Statement:

BLOCK	LOT	NAME	ADDRESS	AMOUNT
13	8	Genova Sassa	108 Whitman Ave	250.00
18				

Res.2009:97 Resolution 2009:97 – Authorize J. McHale & Assocs. Proposal \$4,000.

On motion of Councilman M. Santoro, seconded by Councilman H. Tate with all ayes on the vote.

RESOLUTION 2009:97

WHEREAS, the Borough of Stratford is involved in a tax appeal regarding B. 52, L. 25 and 27; and

WHEREAS, the Tax Assessor has received a proposal from J. McHale & Associates, Inc. for \$4,000. for appraisal services; and

WHEREAS, the appraisal will assist in the defense of the 2008 and 2009 tax appeals filed on this property,

NOW, THEREFORE BE IT RESOLVED, by Mayor and Council to accept and execute the proposal in the amount of \$4,000. to J. McHale & Associates, Inc.

Res.2009:98 Resolution 2009:98 – Accept Camden County Prosecutor’s DWI Checkpoint Grant \$2,125.
 On motion of Councilman M. Perez, seconded by Councilman M. Santoro with all ayes on the vote.

RESOLUTION 2009:98

WHEREAS, the Borough of Stratford Police Department has applied for a grant offered by the Camden County Prosecutor’s Office for DWI Checkpoints; and

WHEREAS, the Camden County Prosecutor’s Office has awarded to Stratford a grant in the amount of \$2,125.,

NOW, THEREFORE BE IT RESOLVED, by Mayor and Council to accept the Camden County Prosecutor’s Office Grant in the amount of \$2,125.

MERCANTILE Boardwalk Grill and Ice Cream, 804 N. White Horse Pike

LICENSE: On motion of Councilman S. Venuto, seconded by Councilman B. Angeli with all ayes on the vote, the Mercantile License was approved.

DiNapoli Pizza, LLC, 205 S. White Horse Pike
On motion of Councilman M. Santoro, seconded by Councilman S. Venuto with all ayes on the vote, the Mercantile License was approved.

APPROVAL OF BILLS: Be it resolved to approve payment of bills numbered from #20923 to #21018, Animal Control #1313 to #1318, Manual #19407 to #19411, with various wire and electronic transfers. Councilman W. Grover abstaining on check #20967 for his reimbursement. On motion of Councilman M. Santoro, seconded by Councilman M. Perez with all ayes on the roll call vote as follows:

Councilman B. Angeli	yes	Councilman S. Venuto	yes
Councilman W. Grover	yes	Councilman M. Santoro	yes
Councilwoman H. Tate	yes	Councilman M. Perez	yes

MOTION CARRIED

GOOD AND WELFARE:

- Joan Trexler of Central Avenue
- Mike Perez spoke of the Posh Wash May 18th car show
- Agnes Moore of Laureba Avenue questioned CVS appeal and recommended to not seed Laureba, and also requested that 105 Laureba Avenue be inspected
- Pat Walsh
- Jerry Zekas spoke of the town wide yard sale on June 6, an the Atlantic City trip on June 27 from 12-8 PM
- Joe Strippoli stated they've been in business for 49½ years and waiting for a redevelopment appointment
- Dennis Watson of Laureba Avenue stated he lives close by and close to LaMartinique and supports Joe Strippoli
- Jerry Zekas spoke positive and supports Joe Strippoli

ADJOURNMENT: On motion of Councilman S. Venuto, seconded by Councilwoman H. Tate with all ayes on the vote, the meeting was adjourned.

John D. Keenan, Jr., RMC
Borough Clerk