

STRATFORD BOROUGH COUNCIL
REGULAR MEETING AGENDA
OCTOBER 12, 2021
7:00 P.M.

CALL TO ORDER: THE STRATFORD REGULAR COUNCIL MEETING FOR OCTOBER 12, 2021

PLEDGE OF ALLEGIANCE AND PRAYER:

STATEMENT OF ADVERTISEMENT:

Notice of this meeting has been provided to the Courier Post and The Retrospect and is posted on the Borough Hall Bulletin Board stating the time and the place of the meeting.

ROLL CALL:

MAYOR JOSH KEENAN	STUART PLATT, BOROUGH SOLICITOR
COUNCIL PRESIDENT LINDA HALL	RON MORELLO, POLICE CHIEF
COUNCILMAN STEPHEN GANDY	BILL BRAY, BOROUGH CLERK
COUNCILMAN PATRICK GILLIGAN	
COUNCILWOMAN TINA LOMANNO	
COUNCILMAN MICHAEL TOLOMEO	
COUNCILMAN JAMES KELLY	

PUBLIC PORTION FOR AGENDA ITEMS ONLY:

Motion to go to open public portion on agenda items only:

Motion: _____ Second: _____ Voice Vote: _____

Motion to close public portion on agenda items:

Motion: _____ Second: _____ Voice Vote: _____

REPORTS:

ORDINANCE & PROPERTY	Councilman James Kelly
FINANCE & REVENUE	Councilwoman Tina Lomanno
POLICE	Councilman Patrick Gilligan
EMERGENCY SERVICES	Councilman Stephen Gandy
PUBLIC WORKS & LIGHTING	Councilman Michael Tolomeo
PUBLIC EVENTS	Councilwoman Linda Hall

OLD BUSINESS:

ORD. 2021:18 AMEND 2021 SALARY ORDINANCE

Motion to open the public hearing on ORD. 2021:18: _____ Second: _____ Voice Vote: _____

Motion to close the public hearing on ORD. 2021:18: _____ Second: _____ Voice Vote: _____

Motion to adopt ORD 2021:18 _____ Second: _____ RCV: _____

ORDINANCE 2021:19 ORDINANCE OF THE BOROUGH OF STRATFORD, COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING CHAPTER 3.16 OF THE CODE OF THE BOROUGH OF STRATFORD ENTITLED, "FIVE YEAR TAX EXEMPTION AND ABATEMENT LAW"

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This agenda is subject to change

STRATFORD BOROUGH COUNCIL
 REGULAR MEETING AGENDA
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Motion to open the public hearing on ORD. 2021:19: _____ Second: _____ Voice Vote: _____
 Motion to close the public hearing on ORD. 2021:19: _____ Second: _____ Voice Vote: _____
 Motion to adopt ORD 2021:19 _____ Second: _____ RCV: _____

NEW BUSINESS:

Motion to Introduce Ord. 2021:120 ORDINANCE AMENDING CHAPTER 10:44.010 – SCHEDULE I – No PARKING on First Reading by Title Only

_____ Second: _____ RCV: _____
 _____ Second: _____ RCV: _____

RESOLUTIONS:

RESOLUTIONS 2021:140 THROUGH 2021:144 WILL BE DONE AS A CONSENT AGENDA
 Council can at this time request to remove any of the resolutions from the consent agenda and they can be voted on separately.

- RES. 2021:140 APPROVE VETERAN'S TAX DEDUCTION
- RES. 2021:141 APPOINT POLICE SERGEANT
- RES. 2021:142 APPOINT POLICE SERGEANT
- RES. 2021:143 AUTHORIZE CHANGE ORDER #2 AND FINAL PAYMENT EVERGREEN ROAD PHASE II
- RES. 2021:144 APPROVE CHAPTER 159 BUDGET AMENDMENT – DWI CHECKPOINT GRANT

Motion: _____ Second: _____ RCV: _____

BUSINESS LICENSES:

APPROVE BUSINESS LICENSE APPLICATION – HOME PRO STUDIO BY S.K.D.S. LLC – 416 N White Horse Pike

Motion: _____ Second: _____ RCV: _____

APPROVAL OF BILLS:

Animal checks		through		
Manual checks		through		
Payroll checks		through		and
Payroll checks		through		
Automated checks		through		
Various electronic transfers and potential interim payments to				

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Motion: _____ Second: _____ RCV: _____

COUNCIL COMMENTS:

GOOD AND WELFARE:

Motion to open the meeting to the public for Good and Welfare:

Motion: _____ Second: _____ Voice Vote: _____

Motion to close the public portion for Good and Welfare:

Motion: _____ Second: _____ Voice Vote: _____

ADJOURN:

Motion: _____ Second: _____ Voice Vote: _____

ORDINANCE 2021:18

AMENDING ORDINANCE 2021:06 ESTABLISHING SALARIES

WHEREAS, it has become necessary to amend certain salaries set forth in ordinance 2021:06

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the Borough of Stratford, County of Camden, and State of New Jersey that Ordinance 2021:06 is amended to include the salary range for the following positions as follows:

Section 1:

Solid Waste/Recycling Department

Temporary Laborer – Part Time

State minimum wage - \$18.00 per hour

Commercial Driver’s License (CDL) Driver

\$55,000.00 - \$65,000.00

Section 2. All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

Section 3. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

Section 4. This Ordinance shall take effect immediately upon posting, publication and final passage in the manner prescribed by law.

Mayor Josh Keenan

Adopted:

ATTEST:

Bill Bray, Borough Clerk

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 day of September, 2021 and will be considered for final passage on the 12th of October, 2021 at a meeting to be held at the Stratford Justice Facility, 315 Union Avenue, Stratford, NJ.

Bill Bray, Borough Clerk

ORDINANCE 2021: 19

ORDINANCE OF THE BOROUGH OF STRATFORD, COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING CHAPTER 3.16 OF THE CODE OF THE BOROUGH OF STRATFORD ENTITLED, “FIVE YEAR TAX EXEMPTION AND ABATEMENT LAW”

WHEREAS, P.L. Chapter 441, and N.J.S.A. 40A:21-1 et seq., enables “qualified municipalities” to abate from local property taxes certain qualified properties; and

WHEREAS, the Department of Community Affairs has determined that the Borough of Stratford is a “qualified municipality” and has been granted that status; and

WHEREAS, the Borough Council of the Borough of Stratford has determined that the Borough and its residents would be well served by encouraging the redevelopment of property and the construction of new residential dwellings to provide for single-family homes in areas that have been declared in need of redevelopment pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.); and

WHEREAS, the Borough Council of the Borough of Stratford has determined that it is in the best interest of the Borough and its resident to enter into agreements with qualified applicants for tax abatements on construction of new residential dwellings in areas that have been declared in need of redevelopment pursuant to the provisions of the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.), providing for an abatement from real property taxation on said projects for a period of up to five years, and further providing for payments in lieu of taxes to be made to the Borough; and

WHEREAS, the Borough Council previously approved a Tax Abatement Ordinance as codified in Chapter 3.16 of the Borough Code entitled, “Five Year Tax Exemption and Abatement Law” which Ordinances are to be readopted every 10 years; and

WHEREAS, Chapter 3.16 was readopted by virtue of Ordinance No. 2021:#02 adopted on February 9, 2021; and

WHEREAS, the Borough seeks to amend Chapter 3.16 for certain qualified applicants as defined below.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Stratford that the Code of the Borough of Stratford is hereby amended, revised and/or supplemented as follows:

SECTION 1. Chapter 3.16 of the Code of the Borough of Stratford is hereby amended to add the following Section:

“3.16.030B. Residential Dwellings in Areas Declared in Need of Redevelopment Pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 *et seq.*)

1. The Borough of Stratford may enter into agreements with applicants for tax abatements on newly constructed single-family residential dwellings (attached or detached) which are in an area that has been declared in need of redevelopment by the Council of the Borough of Stratford pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 *et seq.*) which satisfy the Article requirements set forth herein. The agreement shall provide for an abatement from real property taxation on the improvements only for a period of not more than five years commencing from completion of the improvements. During such five-year period, the agreement shall provide for payments to the Borough of Stratford in lieu of full property taxes, which payment shall be calculated as set forth hereinafter in this Article. Applications for abatement from taxation may be filed to take effect for the first full year commencing after the tax year in which the authorizing Ordinance is adopted, and upon completion of the project for tax years thereafter as set forth in P.L. 1991, C. 441 (N.J.S.A. 40A:21-1 *et seq.*), but no application for tax abatement

shall be filed for an abatement to take initial effect for the 11th full tax year or any tax year occurring thereafter unless this Article is readopted by the Borough Council of the Borough of Stratford.

2. To be considered for newly constructed single-family residential dwellings, the project must consist of single-family homes in an area declared in need of redevelopment pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.). Any such approvals shall be subject to a redeveloper's agreement, financial agreement and any other agreement to be required by the Borough in order to receive the tax abatement.

3. **Application Procedure**

a. A preliminary application is required to be filed with the Borough Tax Assessor, with a copy to the Borough Council, prior to the issuance of a construction permit for the project. No construction permit shall be issued to an applicant seeking tax abatement until such time as the preliminary application has been filed in accordance with the Borough Ordinance requirements and the Construction Office advised of same in writing by the Borough Tax Assessor. If a preliminary application is not filed, said property will not be eligible for tax abatement. In the event a construction permit is not issued within one year from the date the preliminary application is filed, the preliminary application shall be deemed null and void.

b. Upon the filing of a preliminary application, the Borough Tax Assessor will review said application to determine if it meets the requirements of the Borough Ordinance for abatement and a tax abatement agreement. The Tax Assessor shall provide this determination to the Borough Council within 30 days of receipt of a properly completed preliminary application. In the event the Tax Assessor determines that the application meets the Ordinance requirements, then the Borough Council may adopt an Ordinance authorizing a tax abatement agreement as provided by N.J.S.A. 40A:21-10 with the applicant, subject to the following conditions:

1. That the applicant shall file a final application for tax abatement with the Tax Assessor in the form prescribed, within 30 days, including Saturdays and Sundays, following completion of construction. A copy of the final application shall also be filed with the Borough Council. Failure to file shall automatically void the preliminary application approval.

2. The completed construction shall be in accordance with the original Borough approvals on which the tax abatement agreement was initially authorized based on the preliminary application.

3. The applicant has continued to meet the requirements of the Borough Ordinance for tax abatement.

c. Every properly completed final application for abatement shall be evaluated for approval by the Borough Tax Assessor within 30 days of filing. The Tax Assessor shall notify the Borough Council in writing of the approved determination. Upon receipt of the written approval from the Borough Tax Assessor, an ordinance may be adopted for the appropriate Borough officials to then proceed to execute the tax abatement agreement previously authorized by the specific Ordinance adopted as part of the preliminary application approval process. The applicant shall be required to sign this tax abatement agreement prior to the Borough signatories.

4. **Form of preliminary application.** The preliminary and final application must be on a form prescribed by the Borough Tax Assessor and by the Director of the Division of Taxation in the Department of Treasury, and shall provide the following information:

a. A general description of this project for which abatement is sought;

b. A legal description of all real estate necessary for the project;

c. Plans and drawings including a site layout on the total lot area, and other documents

as may be required by the Borough Council to demonstrate the structure and design of the project;

d. A statement of the reasons for seeking tax abatement on the project, and a description of the benefits to be realized by the applicant, if tax abatement is granted;

e. Estimates of the cost of completing such project;

f. A statement showing:

1. The real property taxes currently being assessed at the project site;

2. Estimated tax payments that would be made annually by the applicant on the project during the period of tax abatement; and

3. Estimated tax payments that would be made by the applicant on the project during the first year following the termination of the tax abatement agreement.

g. If applicable, a description of any lease agreements between the applicant and proposed users of the project, and a history and description of the user's business;

h. Proof of payment of taxes through the current quarter;

i. If applicable, other pertinent data regarding the relationship, agreements and status of other properties owned by the applicant within the Borough of Stratford; and

j. Such other pertinent information as the Borough Council may require.

5. **Form of Final Application.**

1. The applicant shall file a final application for tax abatement with the Tax Assessor in the form prescribed, within 30 days, including Saturdays and Sundays, following completion of construction. A copy of the final application shall also be filed with the Borough Council.

2. The completed construction shall be in accordance with the original Borough approvals on which the tax abatement agreement was initially authorized based on the preliminary application.

3. The applicant shall have continued to meet the requirements of the Borough ordinance for tax abatement.

4. Every properly completed final application for abatement shall be evaluated for approval by the Borough Tax Assessor within 30 days of filing. The Tax Assessor shall notify the Borough Council in writing of the approval determination. Upon receipt of the written approval from the Borough Tax Assessor, the appropriate Borough officials shall then proceed to execute the tax abatement agreement previously authorized by the specific ordinance adopted as part of the preliminary application approval process. The applicant shall be required to sign this tax abatement agreement prior to the Borough signatories.

6. **Payments in lieu of full property taxes**

a. All tax abatement agreements must be authorized by a separate Ordinance for the Developer or Designated Project Builder.

b. The tax abatement agreement shall provide for the End User, upon issuance of a Certificate of Occupancy, to pay to the Borough in lieu of full property tax payments an amount annually to be computed by the following formula:

Tax Phase-In Basis

The End User must pay to the Borough full taxes on the land component of the property and a separate payment on the improvements in an amount equal to a percentage of taxes otherwise due, according to the following schedule:

1. In the first full calendar year after completion, no payment in lieu of taxes otherwise due;

2. In the second full calendar year, an amount not less than 20% of taxes otherwise due;

3. In the third calendar year, an amount not less than 40% of taxes otherwise due;
4. In the fourth calendar year, an amount not less than 60% of taxes otherwise due;
5. In the fifth calendar year, an amount not less than 80% of taxes otherwise due.

c. All tax agreements entered into by virtue of this Article shall be in effect for no more than five full tax years next following the issuance of a Certificate of Occupancy. Within 30 days of the execution of a tax abatement agreement with the Developer or Designated Project Builder, the Borough shall forward a copy of said agreement to the Director of the Division of Local Government Services in the Department of Community Affairs.

d. No exemption or abatement shall be granted, or tax agreement entered into, with respect to any property for which property taxes are delinquent or remain unpaid, or for which penalties for nonpayment of taxes are due.

e. The Deed to the End User shall include a Deed Restriction identifying the five year tax abatement provided to the End User, said form of Deed to be approved by the Borough with the Application for Tax Abatement filed by the Developer or Designated Project Builder.

f. At termination of the five year tax abatement provided to the End User, the property shall be subject to all applicable real property taxes as provided by law.

g. During the abatement period, the assessment on the property shall not be less than the assessment existing thereon prior to the completion of the improvements.

7. Eligibility for additional construction or improvement.

An additional improvement or construction completed on a property granted a previous exemption or abatement during the period in which such previous exemption or abatement is in effect shall be qualified for an exemption and/or abatement just as if such property had not received a previous exemption or abatement. In such case, the additional improvements or construction shall be

considered as separate for the purposes of calculating exemptions and abatements, except that the assessed value of any previous improvement or construction shall be added to the assessed valuation of the property from which any additional abatement is to be subtracted.

8. **Applicability of statutory and regulatory provisions.** Every application for exemption or abatement and every exemption and abatement granted shall be subject to all of the provisions of N.J.S.A. 40A:21-1 et seq. and all rules and regulations issued thereunder.

9. **Applicability of federal, state and local laws.** All tax abatement and exemption agreements shall provide that the applicant is subject to all federal, state and local laws and regulations.

10. **Equalization.** The percentage which the payment in lieu of taxes bears to the property taxes which would have been paid had an abatement not been granted for the property under the agreement shall be applied to the valuation of the property to determine the reduced valuation of the property to be included in the valuation of the municipality for determining equalization for county appointment and school aid during the term of the tax abatement agreement covering the property.

11. **Application fee.** An application filing fee of \$2,500 shall be paid by the applicant at the time of filing the preliminary application. The application fee will provide for the administrative services to be undertaken by the Borough Tax Assessor, and any other Borough official, in order to render a determination on the applicant's eligibility for a tax abatement. The filing fee shall cover the cost for both the preliminary application and final application review and determination process.

12. **Escrow for five-year tax abatement agreements.** Every tax abatement agreement authorized by this Article shall be subject to the escrow provisions of the redevelopment agreement

between the Borough and the applicant. The required escrow shall be used to pay the cost of professional review by the Borough Solicitor, Engineer, or the professionals employed by the Borough to review and make recommendations regarding the tax abatement agreement.

13. **Applicability of Redevelopment Designation.** Every tax abatement agreement authorized by this Article shall be subject to the area in need of redevelopment declaration, redevelopment plan and redevelopment agreement concerning the project.”

SECTION 2. Except as set forth in Section 1 above, the balance of the Code of the Borough of Stratford shall not be affected by this Ordinance.

SECTION 3. All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 4. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon posting, publication, and final passage in the manner prescribed by law as well as the additional review provisions of Chapter 16.30.130.

Mayor Josh Keenan

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 day of September, 2021 and will be considered for final passage on the 12th day of October, 2021 at a meeting to be held at the Stratford Justice Facility, 315 Union Avenue, Stratford, NJ.

Bill Bray Borough Clerk

DRAFT

RESOLUTION 2021:140

WHEREAS, all the eligibility requirements for a 2021 VETERAN property tax deduction have been met by the following residents:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
40	11.01	Diana L Brooks	105 Grand Ave	\$250.00
84	14	Charles Cipparone	21 Bryn Mawr Ave	\$250.00

WHEREAS, the deduction has been approved by the Borough Tax Assessor and Tax Collector;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council that a tax deduction be granted to the above-mentioned residents and these deductions be placed on the 2021 tax list.

CERTIFICATION

I, Bill Bray, Borough Clerk, do hereby certify the foregoing Resolution to be a true and complete copy of a Resolution duly adopted at a public meeting of the Governing Body of the Borough of Stratford held on October 12, 2021.

BILL BRAY, RMC
BOROUGH CLERK

RESOLUTION 2021-141
APPOINTMENT OF – POLICE SERGEANT

WHEREAS, the Mayor & Borough Council of the Borough of Stratford finds that for the health, safety and welfare of the citizens of the Municipality, that the appointment of a POLICE SERGEANTS is required to assist in the management of the police force of the Borough of Stratford; and

WHEREAS, New Jersey Civil Service Commission Certification # PL210656 has been activated for the title of Police Sergeant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Borough Council of the Borough of Stratford to appoint Michael Meyers to the position of Police Sergeant effective 10/12/2021 to fill a vacancy in said title.

CERTIFICATION

I, Bill Bray, Borough Clerk, do hereby certify the foregoing Resolution to be a true and complete copy of a Resolution duly adopted at a public meeting of the Governing Body of the Borough of Stratford held on October 12, 2020.

BILL BRAY, RMC
BOROUGH CLERK

RESOLUTION 2021-142
APPOINTMENT OF – POLICE SERGEANT

WHEREAS, the Mayor & Borough Council of the Borough of Stratford finds that for the health, safety and welfare of the citizens of the Municipality, that the appointment of a POLICE SERGEANTS is required to assist in the management of the police force of the Borough of Stratford; and

WHEREAS, New Jersey Civil Service Commission Certification # PL210656 has been activated for the title of Police Sergeant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Borough Council of the Borough of Stratford to appoint Steven Schmidt to the position of Police Sergeant effective 10/12/2021 to fill a vacancy in said title.

CERTIFICATION

I, Bill Bray, Borough Clerk, do hereby certify the foregoing Resolution to be a true and complete copy of a Resolution duly adopted at a public meeting of the Governing Body of the Borough of Stratford held on October 12, 2020.

BILL BRAY, RMC
BOROUGH CLERK

RESOLUTION 2021:143
APPROVING CHANGE ORDER #2 (FINAL) – RESURFACING OF EVERGREEN ROAD
PHASE 2 & HOMESTEAD ROAD

WHEREAS, the Borough of Stratford awarded a contract to Paving Plus LLC of Franklinville, NJ for the Resurfacing of Evergreen Road Phase II & Homestead Road; and

WHEREAS, the Borough Engineer has recommended a Change Order #2 and Final Payment for the project; and

WHEREAS, Change Order #2 results in a net increase of the contracted amount to \$259,612.07.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stratford, County of Camden, that the following Change Order #2 documenting a net increase in the sum of \$16,463.13 (6.5%) for a total contract cost of \$259,612.07 is hereby authorized.

CERTIFICATION

I, Bill Bray, Borough Clerk, do hereby certify the foregoing Resolution to be a true and complete copy of a Resolution duly adopted at a public meeting of the Governing Body of the Borough of Stratford held on October 12, 2021.

BILL BRAY, RMC
BOROUGH CLERK

RESOLUTION 2021:144
CHAPTER 159 – DWI CHECKPOINT GRANT
(\$2,970)

WHEREAS, N.J.S.A. 40A:40-87 provides that the Director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount; and

NOW, THEREFORE, BE IT RESOLVED that the Borough of Stratford hereby requests the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget for the year 2021 in the amount of two thousand, nine hundred-seventy dollars and no cents (\$2,970.00) DWI Checkpoint Grant which item is now available pursuant to the provision of statute; and

BE IT FURTHER RESOLVED, that a like sum of two thousand, nine hundred-seventy dollars and no cents (\$2,970.00) be and the same is hereby appropriated under the caption of:

DWI CHECKPOINT GRANT

BE IT FURTHER RESOLVED, that the above is the result of monies received from the State of New Jersey and was deposited into the proper account.

CERTIFICATION

I, Bill Bray, Borough Clerk, do hereby certify the foregoing Resolution to be a true and complete copy of a Resolution duly adopted at a public meeting of the Governing Body of the Borough of Stratford held on October 12, 2021.

BILL BRAY, RMC
BOROUGH CLERK