

STRATFORD BOROUGH COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 14, 2021
7:00 P.M.

CALL TO ORDER: The Borough Clerk Bill Bray called the meeting to order at 7:00 P.M.

STATEMENT OF ADVERTISEMENT: The Borough Clerk read the following statement:
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.

PLEDGE OF ALLEGIANCE: Mayor Keenan led the Pledge and said an opening prayer.

ROLL CALL:

JOSH KEENAN, MAYOR – PRESENT
LINDA HALL, COUNCIL PRESIDENT – PRESENT
STEPHEN GANDY, COUNCILMAN – PRESENT
PATRICK GILLIGAN, COUNCILMAN – PRESENT
TINA LOMANNO, COUNCILWOMAN – PRESENT
MICHAEL TOLOMEO, COUNCILMAN – PRESENT
JAMES KELLY, COUNCILMAN – PRESENT
JUSTIN STRAUSSER, BOROUGH SOLICITOR – PRESENT
RON MORELLO, POLICE CHIEF – PRESENT

PUBLIC PORTION FOR AGENDA ITEMS ONLY:

Councilman Gilligan motioned to open the public portion on agenda items only. Councilman Tolomeo seconded the motion, which passed with all members present voting in favor in a voice vote.

John Gentless – 111 Union Avenue – Mr. Gentless asked about if the Berlin Road Tax abatement is needed for the project to move forward. Mr. Keenan stated the abatement should not be an issue with the start of the project. Mr. Keenan stated the developer has a builder interested in taking over the project once certain site improvements are completed.

There were no other comments.

Councilman Kelly motioned to close the public portion for agenda items. Councilwoman Lomanno seconded the motion, which passed with all members present voting in favor in a voice vote.

REPORTS:

ORDINANCE & PROPERTY Councilman Kelly read the Zoning Code Officer's Inspection Report for the month of August.

Total number of properties inspected/reinspected: 93
Total number of violations found: 87
69 of the issues have been abated
5 of the issues were not abated
13 of the issues are pending follow up
Total number of citations issued: 9

FINANCE & REVENUE Councilwoman Lomanno read the report as follows:

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BOROUGH FINANCIAL REPORT – August 2021
 Balance as of 8-1-2021 – \$2,458,697.76
 Total Receipts – \$1,769,451.12
 Total Disbursements – \$2,202,297.66
 Balance as of 8-31-2021 – \$2,025,851.22
 Total in other Funds - \$2,323,442.76

POLICE

Councilman Gilligan read the reports as follows:

August 2021
 20 Adult arrests,
 0 Juvenile arrests,
 0 Assaults to Police,
 6 Simple assaults Complaints,
 8 Criminal Mischief Complaints,
 24 Harassment complaints,
 461 Other investigations and complaints,
 0 burglary,
 0 robberies,
 13 thefts in the amount of \$9,660.00
 \$660.00 in stolen property recovered,
 0 motor vehicle thefts,
 7 D.W.I. arrests,
 6 Narcotics arrests,
 402 Traffic summonses issued,
 22 Motor vehicle accidents,
 9 injuries from accidents, 1 pedestrian
 19 Alarm activations,
 With 93 Total Crime Reports Taken, and 642 Total Calls for Police Service
Submitted by Ron Morello, Chief of Police

EMERGENCY SERVICES

Councilman Stephen Gandy read portions of the following report.

Fire Department

The Stratford Fire Department responded to 36 Alarms 3 Drills in the month AUGUST 2021. The following list is a breakdown of the same:

	MONTH	YEAR TO DATE
Dwelling Fires	2	8
Building Fires	2	8
Investigations	1	18
Out of Town Assists	6	94
Alarm Systems	11	68
Assist Ambulance, Police, Public	11	54
Car Fires	0	0
Wires, Trees Down	1	9
Rescues & M.V.A.'s	2	25
Brush Fires	0	5
Drills	3	19

Total work hours on the above alarm drills was 82
Submitted by Michael Lewitt, Deputy Chief

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Ambulance Association

The Stratford Ambulance Association **Paid Crew** responded to **126 Alarms** in the month of **AUGUST 2021**, the following is a breakdown of the same:

	Paid	
	<u>Month</u>	<u>Y.T.D.</u>
1. Abdominal Pain	0	8
2. Allergic Reaction	0	5
3. Altered Mental Status	0	2
4. Assault	0	12
5. Bleeding	5	32
6. Burn Victim	0	0
7. Cardiac	10	90
8. CVA	1	18
9. Diabetic	0	8
10. Fall	11	83
11. Fire Call	2	19
12. Fractures	0	2
13. Haz-Mat	0	0
14. Maternity	0	2
15. Medical Emergency	31	226
16. Medical Alarm	3	14
17. MVA	7	52
18. Overdose	2	6
19. Ped/MVA	1	3
20. Psych. Emergency	12	98
21. Respiratory	20	104
22. Seizures	2	27
23. Sick Person	5	31
24. Special Assignment	0	2
25. Stabbing	0	1
26. Unconscious Person	14	72

Suspected COVID-19 Alarms: 0

Year to Date Calls

Paid: 919

Submitted by Kristine Shafer, Chief-Stratford Ambulance

The Stratford Ambulance Association **Volunteer Crew** responded to **20 Alarms** in the month of **August 2021**, the following is a breakdown of the same:

	Volunteer	
	<u>Month</u>	<u>Y.T.D.</u>
Abdominal Pain	0	2
Allergic Reaction	0	0
Assault	1	2
Bleeding	2	5
Burn Victim	0	1
Cardiac	1	11
CVA	0	2
Diabetic	1	4
Fall	1	6
Fire Call	0	3
Haz-Mat	0	0

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Maternity	0	1
Medical Emergency	5	41
Medical Alarm	0	1
MVA	1	8
Overdose	0	3
Ped/MVA	0	2
Psych. Emergency	3	17
Respiratory	3	18
Seizures	1	3
Sick Person	1	3
Special Assignment	0	0
Stabbing	0	1
Unconscious Person	1	8
Fractures	0	0

Suspected COVID-19 Alarms: 0

Year to Date Calls

Volunteer: 142

Submitted by Kristine Shafer, Chief-Stratford Ambulance

PUBLIC WORKS & LIGHTING Councilman Michael Tolomeo read the reports as follows:

Sewer Utility

- Call outs for emergency service: 11
- Performed preemptive checks and required maintenance of all manholes and pump stations
- Work orders:
 - Fixed the bathroom stall lock at Library
 - Removed basketball net at Laureba
 - Clean Storm Drains
 - Painted crosswalk and yellow curb at Parkview School
 - Secured the vacant house at Temple Avenue
 - Removed & replaced light bulb at Borough Hall back stairway
 - Installed two signs at RR tracks

Regular maintenance activities performed include:

- Weekly trash pickup and cleanup at Yellin School, Parkview School and Vassar Ave. ball fields
- Bi weekly town wide metal/appliance collection.

Public Works

- Cutting at Borough properties, parks and ballfields
- Cutting of Sterling Arms, Quaker Store & railroad
- Chipper out two times during month
- Cleaning of storm drains.
- Put up new basketball nets at courts, put up racket holder at Pickle Ball nets
- Put up new speed limit signs on Holly Road, new stop sign on Oak Drive
- Picked up and returned books to library for National Night Out
- Weeding of Borough gardens
- Weeding and pulling vines at Library
- Trimming of bushes
- Metal and electronic pick up two times for a month
- Loaded metal and yard waste dumpster, 30 yds each

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- Picked up new chain saw at Laurel Lawn Mower
- Checked town for potholes

PUBLIC EVENTS - Councilwoman Hall stated the Borough would have a Halloween Parade on Oct 30 at 2 p.m. followed by treats for all, a DJ and pumpkin decorating Councilwoman Hall stated the Miss Stratford and Little Miss Stratford Pageants would also be held later in the fall and the date is to be determined. Councilwoman Hall stated the town-wide yard sale is Oct2 with an Oct 3 rain date.

OLD BUSINESS:

ORD.2021:16 AN ORDINANCE TO AMEND CHAPTER 17.48 ZONING – R-1 SINGLE FAMILY DETACHED RESIDENTIAL DISTRICT

Councilman Tolomeo motioned to open the public hearing on Ordinance 2021:16. Councilman Gandy seconded the motion, which passed with all members present voting in favor in a Voice Vote.

There were no comments from the public.

Councilman Gilligan motioned to close the public hearing on Ordinance 2021:16. Councilwoman Hall seconded the motion, which passed with all members present voting in favor in a Voice Vote.

Councilman Tolomeo motioned to adopt Ordinance 2021:16. Councilman Kelly seconded the motion, which passed with all members present voting in favor in a Roll Call Vote.

**ORDINANCE 2021:16
AN ORDINANCE TO AMEND CHAPTER 17.48 ZONING – R-1 SINGLE FAMILY DETACHED
RESIDENTIAL DISTRICT**

BE IT ORDAINED by the Mayor and Council of the Borough of Stratford:

SECTION 1

Delete 17.48.030 in its entirety and replace with the following:

17.48.030 – Area, yard and building requirements – Schedule I – R-1 residential district.

ITEM	DIMENSION
Minimum lot areas	
Corner lots	9,900 square feet
Inside lots	8,250 square feet
Minimum lot width	
Corner lots	90 feet
Inside lots	70 feet
Maximum occupied area of lots	30%
Front yard setback line for inside lots	25 feet
Front yard setback line for corner lots	25 feet

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Side yard clearance
Minimum aggregate 25 feet
Minimum required 10 feet

Rear yard clearance
For enclosed principal 15 feet
All other structures 5 feet

Minimum floor area of dwelling
1-bedroom dwelling 700 square feet
2-bedroom dwelling 800 square feet
3-bedroom dwelling 900 square feet
Each additional bedroom 100 square feet per bedroom

Residential Structure

Maximum Height 35 feet

Accessory use or building
Maximum area of structure 100 square feet
Maximum height 10 feet
Side yard setback 3 feet
Rear yard setback 3 feet
Front yard setback 25 feet

Minimum area of structure 101 square feet
Maximum height 12 feet
Side yard clearance minimum 10 feet
Side yard clearance aggregate 25 feet
Rear yard setback 5 feet
Front yard setback 25 feet

SECTION 2

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

SECTION 3

If any section, subsection, part, sentence, clause or phrase of this Ordinance shall be declared invalid of judgment by any court of competent jurisdiction, such section, subsection, part, sentence, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

SECTION 4

This Ordinance shall take effect immediately upon passage and publication according to law.

ORDINANCE 2021:17 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF STRATFORD, IN THE COUNTY OF CAMDEN, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$500,000.00 THEREFORE AND

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AUTHORIZING THE ISSUANCE OF \$475,000.00 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THERE OF.

Councilman Kelly motioned to open the public hearing on Ordinance 2021:17. Councilman Tolomeo seconded the motion, which passed with all members present voting in favor in a Voice Vote.

There were no comments from the public.

Councilwoman Hall motioned to close the public hearing on Ordinance 2021:17. Councilwoman Lomanno seconded the motion, which passed with all members present voting in favor in a Voice Vote.

Councilwoman Lomanno motioned to adopt Ordinance 2021:17. Councilwoman Hall seconded the motion, which passed with all members present voting in favor in a Roll Call Vote.

ORDINANCE 2021:17

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF STRATFORD, IN THE COUNTY OF CAMDEN, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$500,000.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$475,000.00 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THERE OF

BE IT ORDAINED by the Borough Council of the Borough of Stratford, County of Camden, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

SECTION 1. The improvements described in Section 3 of this Bond Ordinance are hereby respectively authorized to be undertaken by the Borough of Stratford, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for the improvements or purposes, such sums amounting in the aggregate to \$500,000.00 including the aggregate sum of \$25,000.00 as the down payment for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provisions for down payment or for capital improvement purposes in one or more previously adopted budgets.

SECTION 2. In order to finance the cost of improvement or purpose not covered by application of the several down payments, negotiable Bonds are hereby authorized to be issued in the principal amount of \$475,000.00 pursuant to the Local Bond Law. In anticipation of the issuance of the Bonds, negotiable Bond Anticipation Notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. The improvement hereby authorized and the purpose for which the Bonds are to be issued, the estimated cost for each improvement and the appropriation therefore, the estimated maximum amount of Bonds or Notes to be issued for each improvement and the period of usefulness for each improvement are respectively as follows:

PURPOSE	APPROPRATION & ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF	PERIOD OF AVERAGE USEFULNESS
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BONDS OR
NOTES

SEE SCHEDULE "A" ATTACHED

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of Bonds or Notes to be issued therefore, as above stated, is amount of the down payment for each purpose.

SECTION 4. All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no Note shall mature alter than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this Ordinance, and the Chief Financial Officer's signature upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject the provisions of N.J.S.A. 40A:2-8 (a). The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5. The following additional matters are hereby determined, declared, recited and state:

- (a) The purposes described in Section 3 of this Bond Ordinance are not current expenses. They are improvements, and no part of the costs thereof have been or shall be specifically assessed on property specially benefited thereby.
- (b) The average period of usefulness, computed on the basis of the respective amounts of Obligations authorized for each purpose and the reasonable lives thereof within the limitations of the Local Bond Law, is five (5) years or more.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly Prepared and filed in the office of the Clerk, and a complete executed duplicate thereof as been filed in the office of the Director of the Division of the Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the Gross debt of the Borough as defined by the Local Bond Law is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$475,000.00 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.
- (d) \$5,000.00 of expenses listed in and permitted under N.J.S.A. 40A:2-20 are included in the estimated cost herein for the purposes of improvements.

SECTION 6. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the costs of the improvements or to payment of the obligations issued pursuant to this Ordinance. The amount of obligations authorized by not issued hereunder shall be reduced to the extent that such that such funds are so used.

SECTION 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough is obligated to levy ad valorem taxes upon all the

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taxable real property within the Borough for the payment of obligations and the interest thereon without limitation of rate or amount.

SECTION 8. This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption as provided by the Local Bond Law.

BOND ORDINANCE 2021:17			
SCHEDULE "A"			
PURPOSE	APPROPRATION & ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS OR NOTES	PERIOD OF AVERAGE USEFULNESS
Solid Waste Collection Vehicles/Equipment	\$500,000.00	\$475,000.00	10 Years

NEW BUSINESS:

ORD. 2021:18 AMEND 2021 SALARY ORDINANCE The Borough Clerk announced this is the first reading and introduction; the public hearing for this ordinance will be on October 12, 2021 at 7:00 p.m. Councilwoman Hall made the motion to introduce ORDINANCE 2021:18, with Councilman Kelly making a second with all Council voting aye by roll call 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.

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

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” The Borough Clerk announced this is the first reading and introduction; the public hearing for this ordinance will be on October 12, 2021 at 7:00 p.m. Councilman Tolomeo made the motion to introduce ORDINANCE 2021:19, with Councilman Gilligan making a second with all Council voting aye by roll call vote.

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

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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:

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- 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;

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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.

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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.

RESOLUTIONS:

RESOLUTIONS 2021:128 THROUGH 2021-132 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. Council did not alter the consent agenda.

RESOLUTION 2021:128

ACCEPTING 2021 DWI TASK FORCE GRANT WITH THE NEW JERSEY DEPARTMENT OF HIGHWAY AND TRAFFIC SAFETY IN THE AMOUNT OF \$46,750.00

WHEREAS, the Borough of Stratford Police Department has applied to the New Jersey Department of Highway and Traffic Safety for the 2021 DWI Task Force Grant in the amount of \$46,750.00; and

WHEREAS, the Borough of Stratford Police Department would receive said grant in the amount of \$46,750.00;

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council to accept the 2021 DWI Task Force Grant in the amount of \$46,750.00 from New Jersey Department of Highway and Traffic Safety.

RESOLUTION 2021:129

CHAPTER 159 – PEDESTRIAN SAFETY AND EDUCATION GRANT (\$16,775.00)

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 sixteen thousand seven hundred, seventy-five dollars and no cents (\$16,775.00) Pedestrian Safety and Education Grant which item is now available pursuant to the provision of statute; and

BE IT FURTHER RESOLVED, that a like sum of sixteen thousand seven hundred, seventy-five dollars and no cents (\$16,775.00) be and the same is hereby appropriated under the caption of:

PEDESTRIAN SAFETY AND EDUCATION GRANT

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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.

RESOLUTION 2021:130
CHAPTER 159 – CLEAN COMMUNITIES GRANT (\$14,140.52)

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 fourteen thousand one hundred, forty dollars and fifty-two cents (\$14,140.52) Clean Communities Grant which item is now available pursuant to the provision of statute; and

BE IT FURTHER RESOLVED, that a like sum of fourteen thousand one hundred, forty dollars and fifty-two cents (\$14,140.52) be and the same is hereby appropriated under the caption of:

CLEAN COMMUNITIES 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.

RESOLUTION 2021:131
CHAPTER 159 – ALCOHOL EDUCATION AND REHAB GRANT (\$5,907.17)

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 five thousand, seven dollars and seventeen cents (\$5,907.17) Alcohol Education and Rehab Grant which item is now available pursuant to the provision of statute; and

BE IT FURTHER RESOLVED, that a like sum of five thousand, seven dollars and seventeen cents (\$5,907.17) be and the same is hereby appropriated under the caption of:

ALCOHOL EDUCATION AND REHAB GRANT

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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.

RESOLUTION 2021:132

RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, NJSA 10:4-12

WHEREAS, the Governing Body of the Borough of Stratford is subject to certain requirements of the *Open Public Meetings Act*, NJSA 10:4-6 et seq., and

WHEREAS, the *Open Public Meetings Act*, NJSA 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Governing Body of the Borough of Stratford to discuss in a session not open to the public certain matters relating to the item or items authorized by NJSA 10:4-12b and designated below:

_____ (1) ***Matters required by Law to be Confidential***: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

_____ (2) ***Matters Where the Release of Information Would Impair the Right to Receive Funds***: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

_____ (3) ***Matters Involving Individual Privacy***: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including, but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

_____ (4) ***Matters Relating to Collective Bargaining Agreements***: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

_____ (5) ***Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds***: Any matter involving the purchase, lease, or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

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_____ (6) ***Matters Relating to Public Safety and Property:*** Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

_____ **X** _____ (7) ***Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:*** The topic of discussion is related to Attorney/Client Privilege. Re: Camden County Vs. Stratford Borough

_____ (8) ***Matters Relating to the Employment Relationship:*** Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

_____ (9) ***Matters Relating to the Potential Imposition of a Penalty:*** Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Stratford, assembled via electronic video conference in public session on September 14, 2021 that an Executive Session closed to the public shall be held on September 14, 2021 at approximately 7:00 p.m. for the discussion of matters relating to the specified items designated above. It is anticipated that the deliberations conducted in Closed Session may be disclosed to the public upon the determination of the Governing Body that public interest will no longer be served by such confidentiality.

Councilman Kelly made the motion to adopt the Consent Agenda of resolutions as submitted, with Councilwoman Lomanno making the second and all Council voting aye by roll call vote.

APPOINTMENTS BY MAYOR WITH NO CONFIRMATION OF COUNCIL NEEDED: The Borough Clerk read the following Mayoral appointments into the record.

Violet Marly	Park Commission	Unexpired Term ending 12/31/2023
William D'Amborsio	Park Commission	Unexpired Term ending 12/31/2022

APPROVAL OF BILLS:

Animal checks	1924	through	1926		
Manual checks	20025	through	20030		
Payroll checks	54669	through	54797	and	
Automated checks	35620	through	35695		
Various electronic transfers and potential interim payments to Atlantic City Electric, Constellation Energy, PSE&G, and South Jersey Gas					

Councilwoman Hall motioned to approve the payment of the bills. Councilwoman Lomanno seconded the motion, with all members present voted in favor in a Roll Call Vote.

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COUNCIL COMMENTS:

- Councilwoman Hall – Councilwoman Hall thanked the local organizations and local school which helped get recreation teams up and running again after a break due to Covid restrictions.
- Councilman Gandy –
- Councilman Gilligan – Councilman Gilligan wished Councilman Gandy and Happy Birthday.
- Councilwoman Lomanno – Nothing at this time.
- Councilman Tolomeo – Nothing at this time.
- Councilman Kelly – Councilman Kelly thanks the first responders, police, fire, armed forces for what they did on September 11, 2001. Nothing wrong with remembering them every day. We are lucky to have what we have here I Stratford.

GOOD AND WELFARE:

Councilwoman Hall motioned to open the meeting to the public for Good and Welfare. Councilman Kelly seconded the motion, which passed with all members present voting in favor in a voice vote.

John Gentless – 111 Union Ave – Mr. Gentless asked about the fencing around the gas station next to the Quaker Store and if they were removing the tanks. Mr. Keenan stated there have been no permits issued and the borough doesn't know what they are planning to do. Mr. Gentless asked if there were any businesses coming into the location. Mr. Keenan stated there is nothing at this time.

There were no further comments

Councilman Gilligan made a motion to close the public portion, with Councilwoman Hall making a second, and all Council voting aye.

EXECUTIVE SESSION: Motion was made by Councilman Tolomeo, seconded by Councilwoman Lomanno, with all Council voting aye to enter into Executive Session.

Council entered Executive Session at 7:28 p.m. Council returned from Executive Session at 8:37 p.m. Motion was made by Councilwoman Hall, seconded by Councilman Gilligan, with all Council voting aye to come out of Executive Session.

ADJOURN:

Councilwoman Hall motioned to adjourn the meeting at approx. 8:41 PM. Councilman Kelly seconded the motion and all members present voted in favor in a voice vote.

Minutes respectfully submitted by:

Bill Bray, RMC
Borough Clerk