

BOROUGH OF LAUREL SPRINGS
REGULAR MEETING OF MAYOR AND COUNCIL
MONDAY, AUGUST 10, 2020
MAYOR THOMAS A. BARBERA PRESIDING

SALUTE TO THE FLAG AND MOMENT OF SILENCE was led by Mayor Barbera

OPEN PUBLIC MEETINGS LAW – Mayor Barbera stated that adequate notice of this meeting was given by emailing the Retrospect and the Courier-Post on January 7, 2020 and posting on the Borough Website and bulletin board in the Borough Hall.

ROLL CALL recorded as present: Cruz, DiGregorio, DelPidio, DiMarco, Riondino and Redstreak, none absent

APPROVAL OF MINUTES

- Regular Meeting of Monday, July 13, 2020 - The motion to approve by Councilman Redstreak was seconded by Councilwoman DiGregorio with Cruz, DiGregorio, DiMarco, Riondino and Redstreak in favor, none opposed and DelPidio abstaining.

RESOLUTIONS

- #071-2020 - INSERTION OF AN ITEM OF REVENUE NJ SAFE & SECURE COMMUNITIES GRANT
WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services 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 an equal amount;
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Laurel Springs do hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$25,000.00, which is now available as a revenue from a NJ Safe & Secure Communities Grant.
BE IT FURTHER RESOLVED, that a like sum of \$25,000.00 is hereby appropriated under the title "Safe & Secure Communities Grant – Salaries & Wages," pursuant to the provisions of the statute.
- The motion to approve by Councilman Redstreak was seconded by Councilman Cruz, with Cruz, DiGregorio, DelPidio, DiMarco, Riondino and Redstreak in favor, none opposed and none abstaining.
- #072-2020 - REGARDING THE ANNUAL AUDIT
WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and
WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6 and a copy has been received by each member of the governing body; and
WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and
WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Questioned costs: or Findings and Recommendations; and
WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Questioned Costs" or "Findings and Recommendations; as evidenced by the group affidavit form of the governing body attached hereto; and
WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and
WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and
WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

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R.S. 52:27BB-52 – A local officer or member of local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office.”

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Laurel Springs in the County of Camden and State of New Jersey has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

- The Report of the Audit and Audit Report were distributed to Council. Mayor Barbera read the deficiencies statement, which concluded there were none.
- The motion to approve by Councilman Redstreak was seconded by Councilwoman DiMarco, with Cruz, DiGregorio, DelPidio, DiMarco, Riondino and Redstreak in favor, none opposed and none abstaining.
- 073-2020-AWARDING CONTRACT FOR ELECTRIC ENERGY GENERATION SERVICES UNDER THE SOUTH JERSEY POWER COOPERATIVE BID A-30/2020
WHEREAS, the County of Camden, on behalf of the South Jersey Power Cooperative (SJPC) publicly advertised Bid A-30/2020 for the procurement of electric energy services, and subsequently approved and awarded bids to the lowest responsible bidders; and
WHEREAS, Constellation NewEnergy, Inc. was the lowest responsible bidder for electric generation service for Groups 2, 3, and 4 for a term of 24 months; and
WHEREAS, there is a need to authorize and award a contract to Constellation NewEnergy, Inc., for Groups 2, 3 and 4 for the needs of the County of Camden and participating members of the SJPC as described above for a period of 24 months commencing with the September, 2020 meter reading as appropriate for each participating members; and
WHEREAS, each Participating Government Entity is required to encumber funds in accordance with the law and award a contract for its need to the appropriate electric generation service supplier in accordance with the terms of the bid;
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Laurel Springs authorizes the award of the aforementioned contract directly with Constellation NewEnergy, Inc., 1310 Point Street, Baltimore, MD 21231 in accordance with applicable law
- The motion to approve by Councilman Redstreak was seconded by Councilman Cruz, with Cruz, DiGregorio, DelPidio, DiMarco, Riondino and Redstreak in favor, none opposed and none abstaining.
- 074-2020-OF THE BOROUGH COUNCIL OF THE BOROUGH OF LAUREL SPRINGS, COUNTY OF CAMDEN, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$15,000 OF SPECIAL EMERGENCY NOTES OF THE BOROUGH OF LAUREL SPRINGS; MAKING CERTAIN COVENANTS TO MAINTAIN THE EXEMPTION OF THE INTEREST ON SAID NOTES FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH FURTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE NOTES

BACKGROUND

WHEREAS, the Local Budget Law, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Budget Law") authorizes, inter alia, municipalities to adopt ordinances authorizing special emergency appropriations for, among other things, the preparation and execution of the revaluation of real property; and

WHEREAS, the Borough Council of the Borough of Laurel Springs, County of Camden, New Jersey ("Borough") has duly and finally adopted ordinance 804-2016 ("Ordinance") appropriating the sum of \$75,000 to pay such costs as further described in the Ordinance ("Project"); and

WHEREAS, Section 55 of the Local Budget Law, N.J.S.A. 40A:4-55, authorizes the Borough to issue special emergency notes to finance the costs of the Project; and

WHEREAS, the Borough has heretofore issued its special emergency notes in the principal amount of \$30,000 to temporarily finance the costs of the Project ("Prior Note"); and

WHEREAS, the Prior Note matures on September 22, 2020; and

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WHEREAS, it is the desire of the Borough to issue its special emergency notes in the principal amount of up to \$15,000, as further described in Exhibit "A", the proceeds of which, together with other available funds in the amount of \$15,000, will be used to repay the principal of the Prior Note at maturity; and

WHEREAS, pursuant to the Local Budget Law and the ordinance, it is the intent of the Borough Council to hereby authorize, approve and direct the issuance and sale of such special emergency notes, to ratify and confirm certain actions heretofore taken by or on behalf of the Borough, and to make certain related determinations and authorizations in connection with such issuance and sale.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF LAUREL SPRINGS, COUNTY OF CAMDEN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), PURSUANT TO LOCAL BUDGET LAW, AS FOLLOWS:

Section 1. Pursuant to the Local Budget Law, the issuance of special emergency notes of the Borough, to be designated, substantially, "Borough of Laurel Springs, County of Camden, New Jersey, Special Emergency Notes of 2020, Series A" ("Notes"), in an aggregate principal amount of up to \$15,000, is hereby authorized, approved, ratified and confirmed.

Section 2. The Chief Financial Officer, with the assistance of the law firm of Parker McCay P.A., Bond Counsel, is hereby authorized and directed to award and sell the Notes at a public or private sale at a price of not less than par, and to deliver the same to the purchaser thereof upon receipt of the payment of the purchase price thereof.

Section 3. At the next meeting of the Borough Council after the sale of the Notes, the Chief Financial Officer is hereby authorized and directed to report, in writing, to the Borough Council, the principal amount, rate of interest and the name of the purchaser of the Notes.

Section 4. The Notes shall be dated the date of delivery thereof and mature no later than one year from said date. The Notes will not be subject to redemption prior to maturity. The Notes may be renewed from time to time, but shall be paid and mature in accordance with the provisions of Section 55(b) of the Local Budget Law, N.J.S.A. 40A:4-55(b).

Section 5. The Notes shall be issued in bearer form in denominations of \$15,000 or greater in \$1,000 increments. The Notes shall be executed in the name of the Borough by the manual or facsimile signatures of the Mayor and Chief Financial Officer, and shall be under the corporate seal of the Borough affixed, imprinted, or reproduced thereon, and attested by the manual or facsimile signature of the Borough Clerk or Deputy Borough Clerk.

Section 6. The Notes are ultimately payable from ad valorem taxes that shall be levied upon all taxable real property in the Borough without limitation as to rate or amount.

Section 7. The Borough hereby covenants that it will not make any use of the proceeds of the Notes or do or suffer any other action that would cause: (i) the Notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Regulations promulgated thereunder; (ii) the interest on the Notes to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Notes to be treated as an item of tax preference under Section 57(a)(5) of the Code.

Section 8. The Borough hereby covenants as follows: (i) it shall timely file, or cause to be filed, with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 9. The Borough hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Notes.

Section 10. The Borough hereby designates the Notes as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the Borough hereby represents that it reasonably anticipates that the amount of tax-exempt obligations to be issued by the Borough during the period from January 1, 2020 to December 31, 2020, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Notes.

For purposes of this Section 10, the following obligations are not taken into account in determining the aggregate principal amount of tax-exempt obligations issued by the Borough: (i) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section 145 of the

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Code); and (ii) any obligation issued to refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)(c) of the Code.

Section 11. All actions heretofore taken and documents prepared or executed by or on behalf of the Borough by the Mayor, Chief Financial Officer, Borough Clerk, other Borough officials or by the Borough's professional advisors, in connection with the issuance and sale of the Notes are hereby ratified, confirmed, approved and adopted.

Section 12. The Mayor, Chief Financial Officer and Borough Clerk are hereby authorized and directed to determine all matters and execute all documents and instruments in connection with the Notes not determined or otherwise directed to be executed by the Local Budget Law or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer or Borough Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 13. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 14. This Resolution shall take effect immediately upon adoption this 10th day of August, 2020.

Exhibit "A"

Ordinance Number	Amount of Notes Authorized	Notes Outstanding	Notes to be Issued
804-2016	\$75,000	\$30,000	\$15,000

- The motion to approve by Councilman Redstreak was seconded by Councilman Cruz, with Cruz, DiGregorio, DelPidio, DiMarco, Riondino and Redstreak in favor, none opposed and none abstaining.

▪ #075-2020 - FOR RENEWAL OF MERCANTILE LICENSE

WHEREAS, Mayor and Council of the Borough of Laurel Springs have passed an ordinance establishing Chapter 169 of the code of the Borough of Laurel Springs, known as "Mercantile License"; and

WHEREAS, a license is required to operate or conduct any business establishment in the Borough of Laurel Springs; and

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Laurel Springs that the proper investigation has been made and the following applicants have complied with the general laws and statutes of the state and the ordinance of the Borough of Laurel Springs.

BE IT FURTHER RESOLVED, that approval has been granted by Mayor and Council for RENEWALS OF "MERCANTILE LICENSE" for:

- J & R Rebuilders – 330 Washington Avenue
- Bella Vita – 809 West Atlantic Avenue

- The motion to approve by Councilman Redstreak was seconded by Councilman Cruz, with Cruz, DiGregorio, DelPidio, DiMarco, Riondino and Redstreak in favor, none opposed and none abstaining.

▪ 076-2020-AMENDING APPOINTMENTS FOR THE YEAR 2020

WHEREAS, Resolution #014-2020 designated the appointments for the year 2020; and

WHEREAS, it is necessary to amend the appointment list to reflect changes in the Municipal Committees and Employees;

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Laurel Springs, County of Camden, and State of New Jersey do hereby amend the Appointments for the year 2020 as follows:

POSITION	TERM	NAME	SERVICES
Public Works Employee-Part time	when needed	Matt Thatcher	Public Works

- The motion to approve by Councilman Redstreak was seconded by Councilman Cruz, with Cruz, DiGregorio, DelPidio, DiMarco, Riondino and Redstreak in favor, none opposed and none abstaining.

• RESOLVED TO PAY \$639,220.86 FROM CURRENT ACCOUNT AND \$48,143.36 FROM TRUST AND CAPITAL ACCOUNTS

- The motion to approve by Councilman Redstreak was seconded by Councilman Cruz, with Cruz, DiGregorio, DelPidio, DiMarco, Riondino and Redstreak in favor, none opposed and none abstaining.

COMMITTEE REPORTS – all reports are on file and available for review.

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- DIRECTOR OF PUBLIC WORKS, BOARDS, SERVICES/PRESIDENT OF COUNCIL – Councilman Redstreak said all is going well with Public Works. The Department lost two employees to the Camden Metro Police Academy. There was no formal report from the Sewer Utility, and that Ordinance Review was going well.
- DIRECTOR OF PUBLIC BUILDINGS & GROUNDS – Councilman Cruz reported that Public Works was performing a monthly building check. Regarding the Cord Mansion Project, the tile work in the bathrooms and sheet rock is being worked on and the electrical is almost done.
- DIRECTOR OF MUNICIPAL COURT – Councilwoman DiGregorio said that still no report as Municipal Court is still backed up after reopening after COVID19 closure.
- DIRECTOR OF RECREATION – Councilman DelPidio said there has been no activity, thus nothing to report.
- DIRECTOR OF ADMINISTRATION AND FINANCE – Councilman Riondino reviewed the CFO report submitted for the month ending June 31, 2020 and commented that the Audit Report had no conditions attached, which was particularly good.
- DIRECTOR OF COMMUNITY ENGAGEMENT- Councilwoman DiMarco reviewed the report dated August 10, 2020.
- DIRECTOR OF PUBLIC SAFETY- POLICE AND FIRE- Mayor Barbera gave a report of his activities since the last Council Meeting and reviewed the Fire Report for the month of July, 2020, and Sergeant Mazziotta read the Police Report for the month of July, 2020.

OLD BUSINESS - none

NEW BUSINESS/CORRESPONDENCE

- A notice was received from Sterling High School of a Special Meeting on Tuesday, August 11, 2020 at 6 pm.
- Frequent Power outages on Mount Vernon – Councilwoman DiGregorio mentioned that she had a report from residents of this frequent problem, to which Borough Administrator Cheeseman responded that he had made the same observation and had the opportunity to address the 300 block of Mount Vernon with Atlantic City Electric's Government Rep, who offered a pretty receptive timeline in the next couple of months to address the issue. So, he is hopeful.

COMMENTS FROM THE PUBLIC - none

- Jessica Hazen – 237 Mount Vernon Avenue – she has two pigmy goats and is responding to a letter she received. She is more than willing to register. Mayor Barbera read aloud a letter she submitted. Borough Solicitor Botcheos questioned where she lived because her documentation listing them as service animals had a different address. She responded that she lived at 237 Mount Vernon Avenue in Laurel Springs, and that she has lived there about three- and one-half years. She acquired the goats in June 2020. Solicitor Botcheos gave her guidance on what documentation would be required to meet the legal criteria, to which she agreed she would pursue.
- William McConney – 233 Mount Vernon Avenue – attended as a neighbor to voice support for the presence of the support animals.

ANNOUNCEMENTS

- Laurel Springs Board of Education, Wednesday, August 19th @7pm @Laurel Springs School.
- Combined Land Use Meeting, Thursday, August 20th @7 pm @Recreation Center
- No Work Session Meetings in May, June, July, August or October
- JIF Safety meeting, Tuesday, September 1st, 12:30 pm in the Fire Department Training Room
- Recreation Commission, Wednesday, September 2nd, @7pm @ Recreation Center
- Labor Day, Monday, September 7th – Borough Offices closed
- Whitman Stafford Committee, Tuesday, September 8th, @7pm @Farmhouse
- Regular Meeting of Mayor and Council, Monday, September 14th @7pm @Recreation Center

ADJOURNMENT –There being no further business a motion was made by Councilman Redstreak to adjourn at 7:30 pm.

Respectfully submitted

Dawn T. Amadio, RMC, Municipal Clerk