

BOROUGH OF LAUREL SPRINGS
REGULAR MEETING OF MAYOR AND COUNCIL
MONDAY, NOVEMBER 11, 2019
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 8, 2019 and posting on the Borough Website and bulletin board in the Borough Hall.

ROLL CALL recorded as present: Letts, Mochel, DelPidio and Redstreak with DiGregorio and Cruz absent.

APPROVAL OF MINUTES –

- Work Session Meeting of Monday, October 28th, 2019- The motion to approve by Councilman Redstreak was seconded by Councilman DelPidio, with Letts, Mochel, DelPidio and Redstreak in favor, none opposed and none abstaining.

ORDINANCES – First Reading by Title:

- **#840-2019- AN ORDINANCE ADOPTING ANNUAL FEE SCHEDULE FOR THE BOROUGH OF LAUREL SPRINGS FOR YEAR 2020**
 - The motion to introduce by Councilman Redstreak was seconded by Councilwoman Mochel, with Letts, DelPidio, Mochel and Redstreak in favor, none opposed and no abstentions.
 - The Second Reading, Public Hearing and Adoption are scheduled for Monday, December 9, 2019 at 7 pm in the Laurel Springs Recreation Center, 820 Grand Avenue, Laurel Springs NJ 08021.
- **#841-2019- AN ORDINANCE REGULATING THE SALARIES OF THE POLICE OFFICERS AND EMPLOYEES OF THE BOROUGH OF LAUREL SPRINGS, COUNTY OF CAMDEN, STATE OF NEW JERSEY, FOR THE YEAR 2020**
 - The motion to introduce by Councilman Redstreak was seconded by Councilwoman Mochel, with Letts, DelPidio, Mochel and Redstreak in favor, none opposed and no abstentions.
 - The Second Reading, Public Hearing and Adoption are scheduled for Monday, December 9, 2019 at 7 pm in the Laurel Springs Recreation Center, 820 Grand Avenue, Laurel Springs NJ 08021.

RESOLUTIONS

- **#088-2019-INSERTION OF AN ITEM OF REVENUE- DRUNK DRIVING ENFORCEMENT 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 2019 in the sum of \$2,500.00, which is now available as a revenue from the NJ Drunk Driving Enforcement Grant.**

BE IT FURTHER RESOLVED that a like sum of \$2,500.00 is hereby appropriated under the title “Drunk Driving Enforcement Fund– Other Expenses,” pursuant to the provisions of the statute.
- The motion to approve by Councilman Redstreak was seconded by Councilwoman Mochel, with Letts, DelPidio, Mochel and Redstreak in favor, none opposed and none abstaining.

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- **#089-2019-AUTHORIZING SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF LAUREL SPRINGS AND THE COUNTY OF CAMDEN FOR HISTORIC PRESERVATION GRANT FOR WHITMAN STAFFORD FARMHOUSE**

WHEREAS, the Borough of Laurel Springs has received a grant from the County of Camden in the amount of \$25,000 for repairs to Whitman Stafford Farmhouse; and

WHEREAS, the County of Camden Board of Chosen Freeholders passed a resolution authorizing the execution of any necessary contractual documents to implement the recommendation of the Camden County Open Space Preservation Trust Fund Advisory Committee with respect to Round 19 –Historic Preservation funding; and

WHEREAS, the Borough shall negotiate with contractors for said installation, and provide the County with all invoices from said contractors, and copies of all cancelled checks for said restoration as they relate to the work plan; and

WHEREAS, the Borough of Laurel Springs may use any funds provided by the County only for the purpose of restoring the subject property in accordance with the work plan;

WHEREAS, any balance from the original appropriation of funds which remains after all work identified in the work plan has been completed, shall remain with the County

NOW THEREFORE, BE IT RESOLVED that the Borough of Laurel Springs agrees to the terms and conditions of this shared services agreement which is consistent with the requirements of the Open Space Preservation Trust Fund.

- The motion to approve by Councilman Redstreak was seconded by Councilwoman Mochel, with Letts, DelPidio, Mochel and Redstreak in favor, none opposed and none abstaining.

- **#090-2019- RESOLUTION CALLING FOR STUDY COMMISSION TO REVIEW THE OPEN PUBLIC RECORDS ACT**

WHEREAS, the Borough of Laurel Springs strongly believes in and supports open transparent government, and that citizens and residents have the right to be informed about the workings of government in order to best participate in a democracy; and

WHEREAS, on January 8, 2002 then Acting Governor DiFrancesco signed into law the Open Public Records Act (OPRA) which mandates that government records shall be available, with limited exceptions, for public access and simplifying the procedures for requesting such specific records; and

WHEREAS, the intent of the law was to provide the public with easy access to government records with an uncomplicated process for obtaining the records and eliminating bureaucratic red tape; and

WHEREAS, over the course of 18 years OPRA has been a positive light, but it has also been fraught with abuse and misuse, and has become an unanticipated financial cost to the taxpayers of New Jersey; and

WHEREAS, the Borough of Laurel Springs has labored under a well-intended law that has spiraled out of control, due to the volume and nature of requests, the cost to taxpayers in responding to the requests, and the potential liability in having to pay disproportionate prevailing party attorney's fees should the requests turn into litigated matters, as well as the liability in determining which documents shall be released, with or without redaction, while attempting to maintain individual privacy; and

WHEREAS, it is not only the volume of OPRA requests that challenge our resources, but it is also the cost associated with reviewing, retrieving, and processing the OPRA request(s) by public entity personnel and counsel and possibly defending our action(s) before the Government Records Council or in Superior Court; and

WHEREAS, the Borough of Laurel Springs received and responded to approximately 146 OPRA requests in 2017, 225 OPRA requests in 2018, and to date has received and responded to 189 OPRA requests as of September 1, 2019; and

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WHEREAS, due to the often conflicting case law and Government Record Council decisions, as well as the unique characteristics of OPRA request, the Borough of Laurel Springs must often times rely on the municipal attorney to review certain OPRA requests once or twice per year; and

WHEREAS, as an example of a costly and disruptive request an organization, that seemingly repackaged and sold the data, asked for copies of public records for building permit report or log dating back as many years as you have on file, requesting that the report or log would contain the physical addresses, issue dates, type/category of work, description of work, contractor, and other items for all building permits in electronic copy (so no cost would be incurred) in Excel or CSV format preferred; and

WHEREAS, with limited exceptions OPRA has not been amended to address the clear and apparent advancement in technology that has changed the way government records are created, stored, and/or transmitted; the various interpretive decisions; privacy concerns; abuse for commercial gain; and/or the ever increasing cost to taxpayers; and

WHEREAS, as the current law approaches its twentieth (20th) anniversary it has outgrown its original intended use and has become ripe for comprehensive review and reform;

NOW, THEREFORE BE IT RESOLVED that the governing body of the Borough of Laurel Springs appeals to the legislature to form a Commission comprised of Mayors, Municipal Clerks, Municipal Managers, Attorneys, Police Chiefs, open government advocates, privacy experts, members of the media, citizens and other appropriate stakeholders, to review and examine the effects of OPRA on local government and the needs to be fulfilled by the law, and use the Commission's findings to perform a comprehensive reform of OPRA; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Assembly people Morality and Mosquera and Senator Madden, Assembly Speaker Craig Coughlin, Senate President Stephen Sweeney, Senator Weinberg, Executive Director of the Government Records Council, the Governor of the State of New Jersey, the Municipal Clerks Association of New Jersey and New Jersey State League of Municipalities.

- The motion to approve by Councilman Redstreak was seconded by Councilwoman Mochel, with Letts, DelPidio, Mochel and Redstreak in favor, none opposed and none abstaining.

• **#091-2019-APPROVING BUDGET TRANSFERS #1**

APPROVING BUDGET TRANSFERS #1

WHEREAS, N.J.S.A. 40A:4-58 provides that a municipal governing body may make Budget Transfers during the last two months of the fiscal year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Laurel Springs, that the following **2019 Budget Transfers (#1)** be approved:

GENERAL FUND

<u>Account #</u>		<u>From</u>	<u>To</u>
1-20-100-101	Administration - SW		\$10,000.00
1-20-120-103	Municipal Clerk - SW		1,000.00
1-20-120-209	Municipal Clerk - OE	\$1,000.00	
1-20-145-207	Tax Collection - OE		500.00
1-20-150-205	Tax Assessment - OE		1,000.00
1-20-170-205	Economic Development - OE	10,000.00	
1-21-180-207	Planning Board - OE		500.00
1-23-225-210	Disability Insurance - OE	500.00	
	Unemployment Insurance -		
1-23-230-210	OE	1,500.00	
1-25-240-101	Police Department - SW	3,000.00	

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1-25-265-207	Uniform Fire Safety Act - OE		300.00
1-25-265-301	Fire Hydrant Service - OE	300.00	
1-27-350-101	Board of Health - SW		500.00
1-28-370-102	Parks Commission - SW		300.00
1-31-430-201	Electricity - OE	3,000.00	
1-31-430-203	Natural Gas - OE	3,800.00	
1-31-430-205	Gasoline & Diesel - OE	3,000.00	
1-32-465-204	Solid Waste Disposal - OE		15,000.00
1-36-472-202	Police & Fire Retirement - OE		1,100.00
1-36-473-202	Social Security Taxes - OE	5,700.00	
1-43-490-207	Municipal Court - OE		1,600.00

TOTAL GENERAL FUND	\$31,800.00	\$31,800.00
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- The motion to approve by Councilman Redstreak was seconded by Councilwoman Mochel, with Letts, DelPidio, Mochel and Redstreak in favor, none opposed and none abstaining.
- RESOLVED TO PAY \$363,357.63 FROM CURRENT AND \$27,332.48 FROM TRUST/CAPITAL ACCOUNTS.
- The motion to approve by Councilman Redstreak was seconded by Councilwoman Mochel, with Letts, DelPidio, Mochel and Redstreak in favor, none opposed and none abstaining.

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

- DIRECTOR OF PUBLIC WORKS, BOARDS, SERVICES/PRESIDENT OF COUNCIL – Councilman Redstreak commented that Ordinance Review met on October 24th and it has been very productive rewriting the Zoning Code. With regard to the Sewer Utility, there were a few stoppages on a lateral on Lakeview and it looks like the cost will be \$8,900. Quotes are being collected from Contractors, and one came in at \$15,000 and this second one at \$8,900 which was \$8,900. Lindenwold videoed the problem. Public Works is currently picking up leaves and bulk. There will be a Hay Bale Roundup following Thanksgiving. They have prepared the equipment for snow removal. Borough Administrator Cheeseman identified a dilemma with recycling, saying the Borough will continue to advertise and spread the word that more stringent adherence to the Recycling policies have to be followed or the Borough will be fined. He also provided copies of the Counties latest flyer on Recycling.
- DIRECTOR OF PUBLIC BUILDINGS & GROUNDS – Borough Administrator Cheeseman also reported on a problem with telephone poles adjacent and involved in the Cord Mansion Project, which may be resolved by Atlantic City Electric. Their Government Representative will be contacted.
- DIRECTOR OF MUNICIPAL COURT – the Municipal Court Report for August and September was presented by Councilwoman DiGregorio.
- DIRECTOR OF ADMINISTRATION AND FINANCE – the CFO's Report dated October 31, 2019 was presented by Councilman Letts.
- DIRECTOR OF RECREATION- Councilman DelPidio gave a synopsis of the recent Recreation Commission meeting and upcoming events. He is gathering information about the pros and cons and required permitting and procedures of having a Beer Garden at Laurel Springs Day in 2021. History of problems with Beer Gardens of the past were discussed and Mayor Barbera commented that he would not be in favor and nor was Councilman Redstreak who commented that we need to think of everybody the Borough is responsible for and how big a responsibility it is. He said we may have insurance for the event, but if something happens you have to live with it, to which Councilman DelPidio responded "all good points". Mrs. Walsh was prompted to add some historical perspective to problems with the beer garden at St.

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Lawrence Church Carnival. Mayor Barbera said despite his background in the brewery industry, he could not be in favor of the public venue. Councilman DelPidio lastly commented that Rec Commissioner Paul Bobby will be stepping down and there was positive comment on the work of the Town Watch to which Mr. Bobby has given his attention.

- DIRECTOR OF PUBLIC SAFETY – POLICE AND FIRE – Councilwoman Mochel presented the Police and Fire Reports for the month of October, 2019.
- MAYOR’S REPORT – Mayor Barbera gave the report of his activities from the date of the last Regular Council Meeting in October, a copy of which is on file and available for review.

OLD BUSINESS – None

NEW BUSINESS/CORRESPONDENCE –

- Laurel Springs Board of Education change in meeting date to Wednesday, November 13, 2019

COMMENTS FROM THE PUBLIC – None

ANNOUNCEMENTS

- Whitman Stafford Committee-Tuesday, November 12th @7pm @Farmhouse
- Town Watch-Wednesday, November 13th @7pm @Recreation Center
- School Board-Wednesday, November 13th @7pm @Laurel Springs School
- Combined Land Use Board-Thursday-November 21st @Recreation Center
- Work Session Meeting, Monday, November 25th @7pm @Recreation Center

ADJOURNMENT –There being no further business a motion was made by Councilman Redstreak, which was seconded by Councilwoman Mochel to adjourn at 7:45 p.m.

Respectfully submitted

Dawn T. Amadio, RMC, Municipal Clerk