

Borough of Pine Hill
Council Meeting
March 20, 2017
Pine Hill Borough Hall
7:30 P.M.

Mayor Green called the meeting to order.

Deputy Clerk, Patricia Hendricks delivered the Sunshine Law and the awareness for the town.

Roll Call: Patricia Hendricks, Deputy Clerk

Councilman Warrington-absent, Councilwoman McCullen-present, Councilman Knott-present, Councilman Jaxel-present, Councilman Robb-present, Councilman Burke-present, Mayor Green-present, Mr. Greer-present, Mrs. Hendricks-present, Mr. Patterson-present, Mr. Angelastro-present, Mr. Cardis-absent

Approval of Minutes: January 23, 2017

Motion to Approve: Councilwoman McCullen, 2nd Councilman Burke
All in Favor: 5 yes votes

Approval of Bills: March 2017

Mayor Green reported that the approval of the February bill list would exclude the Fed Ex bill.

Motion to Approve: Councilman Robb, 2nd Councilman Jaxel
Roll Call: 4 yes votes Councilman Burke Abstained

Committee Reports: February 2017

Motion to Approve: Councilwoman McCullen, 2nd Councilman Knott
All in Favor: 5 yes votes

Mayor Green asked Council if there were any matters to be discussed. Council had no matters to be discussed.

ORDINANCE NUMBER 2017-952

BOROUGH OF PINE HILL
COUNTY OF CAMDEN

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and

the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Pine Hill in the County of Camden finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.0% increase in the budget for said year, amounting to \$214,912.83 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Pine Hill, in the County of Camden, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Borough of Pine Hill shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$250,731.64, and that the CY 2017 municipal budget for the Borough of Pine Hill be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five days after such adoption.

INTRODUCED: 3/6/17 ROLL CALL VOTE: 6 yes ADOPTED: 3/20/17 ROLL CALL VOTE: 5 yes

BOROUGH OF PINE HILL

BY: _____
CHRISTOPHER GREEN, MAYOR

ATTEST:

THOMAS CARDIS, BOROUGH CLERK

Public Hearing

Mayor Green read the Ordinance

Mayor Green opened the floor to the public.

Motion to close the floor to the public: Councilman Burke, 2nd Councilwoman McCullen

All in Favor: 5 yes votes

Motion to move Ordinance #2017-952: Councilman Robb, 2nd Councilman Burke

Roll Call: 5 yes votes

ORDINANCE NUMBER 2017-953

BOROUGH OF PINE HILL
COUNTY OF CAMDEN

ORDINANCE OF THE BOROUGH OF PINE HILL AMENDING, REVISING
AND/OR SUPPLEMENTING CHAPTER 10 OF THE
CODE OF THE BOROUGH OF PINE HILL, CAPTIONED
“BUILDINGS AND HOUSING”

WHEREAS, the Borough of Pine Hill adopted Ordinance 2015-935 on December 7, 2015 captioned “An Ordinance of the Borough of Pine Hill Governing the Maintenance of Vacant and Abandoned Properties, Establishing Registrations Requirements and Levying a Registration Fee on Owners of Vacant Property”; and

WHEREAS, said Ordinance has now been codified as part of Chapter 10 of the Borough Code captioned “Buildings and Housing”; and

WHEREAS, it has now been determined necessary to amend Chapter 10 to revise the Fee Schedule, the Registration Time Period and to include a new Section 10-21 to be captioned “Defaulted Mortgage Property”.

WHEREAS, the Mayor and Borough Council of the Borough of Pine Hill recognizes there are a large number of properties located throughout the State of New Jersey and within the Borough that are encumbered by defaulted mortgages and/or which are subject to foreclosure actions or have been foreclosed upon (hereinafter the “Defaulted Mortgage Properties”); and

WHEREAS, the Governing Body further recognizes that Defaulted Mortgage Properties have a tendency to become neglected and can contain unsecured, accessible structures which can have a negative impact on community value, create conditions that invite criminal activity, foster an unsafe and unhealthy environment for residents, create nuisances and lead to a great decrease in neighborhood and community aesthetics; and

WHEREAS, often times, the foreclosing party and/or owners of Defaulted Mortgage Properties are located out of state or no longer reside at the property and have left no local contact information, thereby making it difficult to provide notice the proper party of any violations of the Borough Code relating to maintaining the requisite level of maintenance and security on such structures and/or properties; and

WHEREAS, it is the purpose and intent of the Mayor and Borough Council to establish a process to address the deterioration, crime and decline in value of Borough neighborhoods caused by the conditions associated with Defaulted Mortgage Properties and to identify, regulate, limit and reduce the number of these properties located within the Borough; and

WHEREAS, it is the further intent of the Mayor and Borough Council to establish a registration requirement as a mechanism to protect neighborhoods from the negative impact and conditions that occur as a result of vacancy, absentee ownership, lack of adequate maintenance and security and to provide a method to expeditiously identify multiple parties and their contact person(s) for each property responsible for this protection; and

WHEREAS, the Mayor and Borough Council of the Borough of Pine Hill have determined it to be in the best interest of residents of the Borough to provide for the registration of Defaulted Mortgage Properties located within the Borough; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Pine Hill, County of Camden and State of New Jersey, that it hereby amends Chapter 10 of the Code of the Borough of Pine Hill captioned "Buildings and Housing" as follows:

SECTION 1.

A. Section 10-20.1 shall be amended as to the definition of “Vacant Property” as follows:

Vacant Property – Vacant property shall mean any building used or to be used as a residence or a commercial use not legally occupied or which substantially all lawful construction operations or residential or commercial occupancy has ceased, and which is in such condition that it cannot legally be occupied without repair or rehabilitation, including but not limited to any property meeting the definition of abandoned property in N.J.S.A. 55:19-80; provided, however, that any property where all building systems are in working order, where the building and grounds are maintained in good order, or where the building is in a habitable condition and where the building is being actively marketed by its owner for sale or rental, shall not be deemed a vacant property for purposes of this Chapter.

B. Section 10-20.2, Paragraph (d) shall be amended to read as follows:

“The registration shall remain valid for a six month time period from the date of registration. The owner shall be required to renew the registration semi-annually every six months as long as the building remains a vacant property and shall pay a registration or renewal fee in the amount prescribed in Section 10-20.5 of this Chapter for each vacant property registered”.

SECTION 10-20.5 shall be amended to read as follows:

“The semi-annual renewal shall be completed every six months”.

The “Fee Schedule” shall be amended to read as follows:

The registration fee for each building shall be \$600.00 for the initial registration and for each subsequent renewal.

SECTION 2.

Chapter 10 of the Code of the Borough of Pine Hill entitled “Buildings and Housing” is hereby amended, revised and supplemented to add a new Section 10-21 entitled “Defaulted Mortgage Properties” which shall read as follows:

Defaulted Mortgage Properties

Public nuisance declared.

All registrable property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the Borough of Pine Hill.

Applicability.

The requirements of this Section shall be considered cumulative to and not superseding or subordinate to any other law or provision regarding the registration of vacant, deteriorated and/or abandoned property, it being the express intent of the Borough that the requirements of this Section shall be a further remedy available to the Borough in addition to any other applicable laws relating to same.

Definitions.

As used in this Section, the following terms shall have the meanings indicated notwithstanding any meaning to the contrary elsewhere in this Chapter:

ACCESSIBLE PROPERTY and/or ACCESSIBLE STRUCTURE

A property that is accessible through a compromised/breached gate, fence, wall, etc., or a structure that is unsecured and/or breached in such a way as to allow access to the interior space by unauthorized persons.

ARM'S LENGTH TRANSACTION

The sale of real property to an independent third-party purchaser, who is unrelated to the transferor, for fair market value as determined by an independent appraiser not hired or retained by the transferor.

APPLICABLE LAWS

The Code of the Borough of Pine Hill, as it may be amended from time to time, and any and all ordinances and/or resolutions adopted by the Borough which govern property maintenance and are not codified therein, together with all other laws, rules and regulations of the County of Camden and/or State of New Jersey applicable to construction, maintenance and/or use of real property, including but not limited to

State and/or County Construction, Building and Fire Codes.

DETERIORATED PROPERTY

Property located within the Borough of Pine Hill upon which is found any one or more of the following conditions:

- a) Properties that have broken or severely damaged windows, doors, walls or roofs which create hazardous conditions and/or encourage trespassing; or
- b) Properties whose maintenance is not in conformance with the maintenance of other neighboring properties; or
- c) Properties cited under the property maintenance provisions of the Pine Hill Borough Code and/or as a public nuisance pursuant to applicable laws; or
- d) Properties that endanger the public's health, safety, or welfare because the properties or improvements thereon are so dilapidated, deteriorated and/or so violative of basic property maintenance requirements that they violate minimum health and safety standards.

ENFORCING OFFICER

Any Police Officer, Construction Code Official, Zoning Inspector, Code Enforcement Officer, Fire Inspector or Building Inspector or other person authorized by the Borough and/or the State of New Jersey to enforce the applicable laws.

DEFAULT

The event, action and/or inaction, and the continuing situation arising therefrom, where a mortgagor, owner and/or borrower has not complied with any one or more terms of the mortgage encumbering the mortgagor's property as said property is identified in the mortgage, has not paid current all real property taxes and/or applicable municipal charges, or has otherwise failed to comply with the provisions of a loan or other agreement wherein the borrower has used the borrower's real property as collateral therefor. For the purpose of this definition, the term "mortgage" shall also mean and/or refer to the promissory note executed with the mortgage and/or such other valid

written evidence of the debt as recognized by law.

EVIDENCE OF VACANCY

As used in this Section, "Evidence of Vacancy" shall mean any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that a property is vacant, including but not limited to overgrown and/or dead vegetation; past due utility notices and/or disconnected utilities; accumulation of trash junk or debris; abandoned vehicles, auto parts or automotive materials; the absence of furnishings and/or personal items consistent with habitation or occupancy; the presence of an unsanitary, stagnant swimming pool; the accumulation of newspapers, circulars, flyers and/or mail; statements by neighbors, passers-by, delivery agents or government agents as to suspected vacancy; or the presence of boards over doors, windows or other openings in violation of applicable laws.

FORECLOSURE

The legal process by which a mortgagee or other creditor terminates a property owner's ownership of and/or equitable right of redemption in real property in order to obtain legal and equitable title to the real property which was pledged as security for a debt.

This definition shall include, but is not limited to, public notice of default, recording of a lis pendens, filing of a foreclosure complaint in the Superior Court of New Jersey, delivery and recording of a deed-in-lieu of foreclosure, sale of the real property to the foreclosing mortgagee or creditor, entry of a judgment of foreclosure and/or all other processes, activities and actions, by whatever name, associated with the foreclosure process. For purposes of this Section, the foreclosure process shall not be deemed concluded until the property that is obtained by the mortgagee, creditor and/or their designee by deed or judgment of foreclosure or any other means is sold to a non-related bona fide third-party purchaser in an arm's-length transaction.

LOCAL PROPERTY MANAGEMENT COMPANY

A property management company located within 20 driving miles of any municipal

border of the Borough or a non-local property manager approved by the Borough Administrator upon the Administrator's review and consideration of reasonably reliable credentials.

MORTGAGEE

The creditor identified in the mortgage documents as the lender and/or financing institution which lent money to a property owner thereunder and encumbered the property owner's real property as collateral therefor, including but not limited to any trustees, mortgage service companies, and/or any agent, servant, or employee thereof, and/or any successor in interest or assignee of the said mortgagee's rights, interests or obligations under the mortgage agreement, which assignment and/or transfer was made, in part, for the purpose of substituting one mortgagee for another.

OWNER

Any person, firm, corporation or their legal entity who, individually or jointly with one or more others, holds the legal or beneficial title to any real property located within the Borough.

PROPERTY MANAGEMENT COMPANY

A property manager, property maintenance company or similar entity responsible for the maintenance and security of registrable property and who has the authority to make decisions concerning maintenance of said property and/or the abatement of nuisance conditions at the property, including without limitation the authority to make expenditures in connection therewith.

REAL PROPERTY

Any improved residential or commercial land located within the Borough limits, together with the buildings, fixtures, equipment and leasehold improvements thereon and/or affixed thereto, or any part or portion thereof, which is identified by a property parcel and/or tax identification numbering system. For purposes of this Chapter, all developed lots are considered improved land.

REGISTRABLE PROPERTY

Any and all real property located within the Borough, whether vacant or occupied, that satisfies any one or more of the following criteria: (i) is encumbered by a mortgage in default, (ii) is subject to an ongoing foreclosure action by a mortgagee or other creditor, (iii) is subject to an application for a judgment of foreclosure by a mortgagee or other creditor, (iv) is pending and/or scheduled for tax sale for unpaid property taxes and/or other municipal charges, (v) has been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgagee or other creditor involved in the foreclosure and/or (vi) was transferred under a deed in lieu of foreclosure to the mortgagee or other foreclosing creditor. The designation of a “defaulted mortgage/foreclosure property” as “registrable” shall remain in place until such time as the property is sold to an unrelated bona fide third-party purchaser in an arm’s-length transaction or the foreclosure action has been dismissed and any default on the mortgage and/or delinquencies in unpaid property taxes or other municipal charges has been cured.

RENTAL PROPERTY

A property that contains a single-family rental dwelling unit or multi-family rental dwelling units for use by residential tenants, including but not limited to mobile homes, mobile home spaces, townhomes, condominium unit(s) and/or apartments. A rental dwelling unit includes property that is provided to an individual or entity for residential purposes upon payment of rent or any other consideration in lieu of rent, regardless of the nature of the relationship between lessor and lessee.

SEMI-ANNUAL REGISTRATION

The 6 month period of registration commencing from the date of the first action that required registration, as determined by the Borough and/or its designee, and including every subsequent 6 month registration period thereafter. The date of the initial registration may be different than the date of the first action that required registration.

TRANSFeree

The person, mortgagee, trustee and/or entity to which legal title of real property is transferred as a result of a judgment of foreclosure, sheriff's sale after foreclosure, deed in lieu of foreclosure, non-arm's length sale or transfer and/or any other type of non-arm's-length transaction.

UNAUTHORIZED PERSON

Any person who does not have the permission of the property owner and/or property management company, as the case may be, to use, reside in, live in or otherwise occupy, on a temporary or permanent basis, any real property.

VACANT

As used in this Section, the term "vacant" shall mean any parcel of land situated within the Borough that contains any building or structure that is not lawfully occupied or inhabited by human beings, as evidenced by the conditions set forth in the definition of "Evidence of Vacancy" above, and/or which is occupied without a valid, unexpired certificate of occupancy or other written authorization for occupancy as may be required by applicable laws.

Establishment of a Registry

- a) Any Mortgagee who holds a mortgage on real property located within the Borough shall perform an inspection of the property to determine vacancy or occupancy immediately upon default by the mortgagor. The Mortgagee shall, within ten (10) days of the inspection, register the property with the Registrar on designated forms or in such other manner as directed, and shall indicate thereon whether the property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied.
- b) Registration pursuant to this section shall contain the name, direct mailing address, a direct contact name, including the direct dial telephone number and direct e-mail address thereof, and a valid telephone number and e-mail address for the Mortgagee and the Mortgagee's servicer, if any, as well as the name and twenty-four (24) hour contact

telephone/cellular phone number of the local property management company responsible for the property.

- c) Mortgagees who have existing registrable property on the effective date of this Ordinance have 30 calendar days from the effective date hereof to register the property as required herein and to indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is vacant or occupied.
- d) If the mortgage on the Registrable Property is sold or transferred, other than via an arm's-length transaction, the new Mortgagee and/or transferee shall be subject to all of the requirements of this Section and, within 5 business days of such sale or transfer, the new Mortgagee shall register the property as required herein.
- e) If a Mortgagee who obtains title to a Registrable Property as a result of a foreclosure process subsequently sells or transfers the property, other than via an arm's-length transaction, the said transferee shall be subject to all the requirements of this Section and, within 5 business days of the transfer, the transferee shall register the property as required herein.
- f) As long as the property constitutes a Registrable Property as defined herein it shall be the responsibility of the registered mortgagee, independently or by and through a local property management company to inspect the property monthly. If an inspection shows a change in the property's occupancy status the Mortgagee shall, within ten (10) days of that inspection, update the occupancy status of the property with the Registrar.
- g) Every property registration required by this Section shall be accompanied by a non-refundable semi-annual registration fee in the amount of \$600.00. Notwithstanding anything else herein to the contrary, every semi-annual registration shall terminate upon the sale or other transfer of a Registrable Property such that the purchaser and/or transferee thereof, other than an unrelated third-party purchaser in an arm's-length transaction, shall pay a new semi-annual registration fee at the time of the new purchaser/transferee's registration of the Registrable Property as otherwise required in this

Section. Any previous unpaid semi-annual registration fees are the responsibility of the new Mortgagee or transferee and are due and payable with the initial registration filed by same.

- h) All registration fees must be paid directly by and/or from the mortgagee, transferee or other non-arm's-length purchaser of a Registrable Property and cannot be paid by a third-party on behalf thereof without the express written consent of the Borough.
- i) Properties subject to this Section shall remain subject hereto, including without limitation the semi-annual registration requirement, inspection, security and maintenance standards of this Section, for as long as the property meets the definition of a Registrable Property.
- j) Until the mortgage or lien on a property registered under this Section is satisfied or legally discharged, the Mortgagee's intent to no longer pursue foreclosure as evidenced by any action in further thereof, including without limitation the filing of a dismissal of lis pendens, entry of a Court Order vacating a Final Judgment of foreclosure and/or the dismissal or withdrawal of pending foreclosure proceedings, whether voluntary or otherwise, shall not exempt any Mortgagee from the obligation to comply with all of the requirements of this Section for any period of time during which a property meets the definition of a Registrable Property.
- k) Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the date such change occurs.
- l) Failure of the Mortgagee to properly register a Registrable Property, or to fail to modify the registration as required herein to reflect a change of circumstances, shall be deemed a violation of this Section and the Mortgagee shall be subject to enforcement hereunder, including any monetary penalties set forth in of this Chapter.
- m) Pursuant to any administrative or judicial finding and/or determination that any property is in violation of this Section, the Borough may take any and all necessary action to ensure

compliance with the applicable laws and may place a lien on the property for the cost of any work performed to bring the property into compliance with all applicable laws.

Maintenance requirements

Each and every property registered pursuant to the requirements of this Section shall be maintained by the Mortgagee to the following standards and/or conditions:

- a) The property shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspaper circulars, flyers, notices (except those required by federal, state or local laws and/or court orders), discarded personal items, including but not limited to furniture, clothing and large or small appliances, printed material or any other items that give the appearance that the property is vacant.
- b) The property shall be maintained free of graffiti or similar markings which shall be removed or painted over with an exterior grade paint that matches the color of the exterior of the structure.
- c) The front, side, and rear yards of the property, including landscaping, shall be maintained in accordance with all applicable laws.
- d) The Mortgagee shall perform yard maintenance, including but not limited to property and appropriate maintenance of grass, ground coverings, bushes, shrubs, hedges or similar plantings so as to prevent overgrowth thereof, including removal of all such trimmings, together with maintenance of decorative rock or bark, artificial turf/sod and/or such other items of hardscape designed specifically for residential installation. Any overgrowth of weeds, grass, ground coverings, bushes, shrubs, hedges and/or similar plantings and/or any accumulation of gravel, broken concrete, asphalt or similar material shall not be considered proper yard maintenance as required hereunder.
- e) The Mortgagee shall perform standard and/or routine year-round maintenance including, but not limited to, maintaining, repairing and winterizing existing irrigation systems, pools and spas. Pools and spas shall be maintained so the water remains free and clear of

pollutants and debris and complies with all applicable Department of Health regulations and any other applicable laws.

- f) The Mortgagee shall further comply with any property maintenance requirements set forth in all other applicable laws.

Security Requirements

All registrable properties shall be maintained in a secure manner so as not to be accessible to unauthorized persons, in accordance with the following minimum standards:

- a) A “secure manner” shall include, but not be limited to the closure and locking of windows, doors, gates and other openings of such size that may allow any unauthorized person to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may allow any unauthorized person to access the interior of the property or structure must be repaired. Broken windows shall be secured by re-glazing of the window.
- b) If a property is registrable, and the property has become vacant or deteriorated, a local property manager shall be designated by the Mortgagee or Owner to perform the work necessary to bring the property into compliance with all applicable laws, and the property manager must perform regular inspections to verify continued compliance with the requirements of this Section and any other applicable codes.

Inspections for Violations

Compliance with the registration, maintenance and security requirements of this Section does not relieve any person, legal entity or agent thereof from any other obligations set forth in any applicable laws which may apply to the property and/or govern the use thereof.

Additional Authority

- a) Regardless of whether a Registrable Property has been properly registered as required in this Section, if the Enforcing Officer has reason to believe that a Registrable Property is posing a serious threat to the public health, safety and welfare, the Enforcing Officer may temporarily secure the property at the expense of the Mortgagee or Owner, and/or may

issue such Notices of Violation and/or Summonses as may be necessary to ensure the conditions of the property are addressed as soon as possible.

- b) In addition to any other powers, the Enforcing Officer may implement additional maintenance and/or security measures, including but not limited to securing any and all doors, windows or other openings, employment of an on-site security guard and/or other similar measures as may be reasonable required to help prevent further decline of the property.
- c) If the Enforcing Officer finds that the condition of a Registrable Property is posing a serious threat to the public health, safety and welfare, then the Borough, upon notice to the Mortgagee and/or Owner, may abate the violations and charge the costs of such abatement to the Mortgagee and/or Owner.
- d) If the Mortgagee or Owner does not reimburse the Borough for the cost of temporarily securing the property and/or the costs associated with any abatement undertaken by the Borough as permitted herein, within thirty (30) days of the date the Borough sent the Mortgagee or Owner the invoice therefor, then the Borough may assess a lien against the property in the manner provided by applicable laws for such costs, along with the Borough's administrative costs associated with same. In addition to filing a lien, the Borough can pursue reimbursement from the Mortgagee or Owner and/or seek and enforce such other penalties as may be contemplated herein.

Opposing, Obstructing Enforcement Officer; Penalty

Whoever opposes, obstructs or resists any Enforcing Officer in the discharge of his/her duties as provided in this Section shall be punishable as provided by the applicable laws which action shall be cognizable in the Municipal Court of the Borough or such other Court of competent jurisdiction as may be applicable.

Immunity of Enforcement Officer

Every Enforcing Officer and such other persons authorized by the Borough to implement and/or enforce the provisions of this Section shall be immune from prosecution, whether civil or

criminal, for his/her reasonable, good faith entry upon real property while in the discharge of the duties imposed by this Section.

Enforcement and Penalties

A. Violations.

It shall be a violation of this Section and shall be unlawful for any Mortgagee and/or Owner to:

- 1) fail to register a Registrable Property;
- 2) fail to properly maintain and/or secure any Registrable Property in accordance with the requirements of this Section; or
- 3) maintain any Registrable Property in a manner which results in a violation of any other applicable laws.

B. Enforcement.

The requirements of this Ordinance may be enforced as follows:

- 1) By an action for injunctive relief, civil penalties, or both, through a court of competent jurisdiction;
- 2) By revocation or temporary suspension of necessary permits and/or certificates of occupancy and/or licenses related to occupancy and/or use of real property;
- 3) by the nuisance abatement process and/or property maintenance enforcement process established in the Code of the Borough of Pine Hill;
- 4) By issuance of a citation or Notice of Violation in accordance with any applicable laws; and
- 5) By any other process as may be permitted by law or in equity.

C. All such remedies cognizable in and/or subject to the jurisdiction of the Pine Hill Borough Municipal Court shall be subject to a fine of up to \$1,000.00 for each offense.

D. Separate offenses. Each violation of this Section shall constitute a separate offense for each day that such violation continues or reoccurs. Each condition which exists in violation of this Section is a separate violation.

E. Use of one enforcement process or theory shall not preclude the Borough from seeking the same, different, or additional relief through other enforcement methods provided for herein at any time in the present or future.

F. Persons responsible for violations. The Owner, Mortgagee, Trustee or Servicer as those terms are defined in this Section, and their duly authorized officers, employees or agents employed in connection therewith who have assisted in the commission of a violation or failed to perform such actions as are required herein, shall be liable for and/or subject to being found guilty of such violation.

SECTION 3. Except to the extent set forth in Section 1 above, the balance of Chapter 220 of the Code of the Borough of Pine Hill shall not be affected by this Ordinance.

SECTION 4. All Ordinances or parts of Ordinances inconsistent with this Ordinance, are hereby repealed to the extent of such inconsistency only.

SECTION 5. 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 6. This Ordinance shall take effect after final adoption and publication as required by law.

Introduced: March 6, 2017

	WARRINGTON	MCCULLEN	KNOTT	JAXEL	ROBB	BURKE
YES	✓	✓	✓	✓	✓	✓
ABSTAIN						
NO						
ABSENT						

Public Hearing: March 20, 2017

	WARRINGTON	MCCULLEN	KNOTT	JAXEL	ROBB	BURKE
YES		✓	✓	✓	✓	✓
ABSTAIN						
NO						
ABSENT	✓					

BOROUGH OF PINE HILL:

BY: _____
CHRISTOPHER GREEN, MAYOR

ATTEST:

THOMAS CARDIS, BOROUGH CLERK

Public Hearing

Mayor Green read the Ordinance

Mayor Green opened the floor to the public.

Walt Davis – 1 Franklin Avenue

Mr. Davis commented on who was going to assist the Borough regarding Ordinance #2017-953.

Mr. Patterson explained the details with Ordinance #2017-953.

Motion to close the floor to the public: Councilwoman McCullen, 2nd Councilman Jaxel

All in Favor: 5 yes votes

Motion to move Ordinance #2017-953: Councilman Jaxel, 2nd Councilman Robb

Roll Call: 5 yes votes

ORDINANCE NUMBER 2017-954

BOROUGH OF PINE HILL
COUNTY OF CAMDEN

ORDINANCE OF THE BOROUGH OF PINE HILL REPEALING ORDINANCE
#2016-947 AND REPLACING IT WITH A NEW ORDINANCE CAPTIONED
“CRIMINAL BACKGROUND CHECKS”

WHEREAS, the Mayor and Borough council previously adopted Ordinance # 2016-947
captioned “Background Checks For Volunteer Sports Organizations”; and

WHEREAS, upon further review, it has been determined to replace Ordinance # 2016-947
with a new Ordinance and Chapter captioned “Criminal Background Checks”; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of
Pine Hill, County of Camden, and State of New Jersey as follows:

Section 1. As used in this Chapter, the following terms shall have the meanings indicated:

CRIMINAL HISTORY RECORD BACKGROUND CHECK - A determination of whether a person has a criminal record by cross-referencing that person's name and fingerprints with those on file with the Federal Bureau of Investigation, Identification Division and/or the New Jersey State Bureau of Identification in the Division of State Police.

NON-SPONSORED YOUTH PROGRAMS - Any youth programs not sponsored by the Borough of Pine Hill, but that utilize municipal facilities or have affiliation with a Borough-sponsored youth program and having contact with persons under the age of 18 years.

BOROUGH-SPONSORED YOUTH PROGRAMS - Any programs sponsored by the Borough of Pine Hill, including any and all leagues, boards and commissions falling within the purview of, or acting for or on behalf of, the Borough of Pine Hill and having contact with persons under the age of 18 years.

YOUTH PROGRAMS - Any programs that allow for participation in activities by those persons under 18 years of age. Activities may include, but are not limited to, sporting activities, passive recreation groups, clubs or camps and trips or other activities whereby some control and responsibility for children is assigned to some person acting for or on behalf of the Borough other than a parent or caregiver.

§ Non-sponsored youth programs; use of Borough of Pine Hill Borough facilities.

A. Prior to any club or organization, not defined as a Borough-sponsored youth program, being authorized to use Borough-owned facilities for functions participated in by children, all adults, those persons 18 years of age or older, in any way assisting in the function, including but not limited to coaches, assistant coaches, or similar positions, must provide the Pine Hill Borough Police chief with findings of a criminal background check obtained from the State Bureau of Identification in the New Jersey State Police.

B. The submission of background check findings must be based upon a check performed within three years of the start of use of the Borough-owned facility. In the case of coaches performing duties as employees of a school district, the policy of background checks adopted by the individual school district shall be used to establish eligibility for use of Borough-owned facilities. In all cases,

the background check must comply with the provisions of any applicable laws regarding same, but not less detailed than those performed by the Borough for individuals involved in administering Borough-sponsored youth programs. The cost of background checks for individuals not administering a Borough-sponsored program shall be borne by the individual or program with which they are participating.

§ Borough-sponsored youth programs.

A. All adults, those persons 18 years of age or older, including but not limited to coaches, assistant coaches, or similar positions involved in educating, directing or supervising youth, and in any way assisting in a Pine Hill Borough-sponsored function participated in by children, shall submit sufficient information on forms supplied by the Borough Police Department from the New Jersey State Police, for the purpose of obtaining a criminal history background check with the State Bureau of Identification in the New Jersey State Police. Applications for background checks shall be processed by the Pine Hill Borough Police Chief.

B. Based upon the Memorandum of Understanding executed between the Borough of Pine Hill and the New Jersey State Police, the individual applying for the background check shall authorize the Borough Police chief to be the recipient of the affirmative or negative response from the State Police based upon the findings of the background check. Individuals involved in a Borough-sponsored youth function, and who are required to undergo background checks based upon this Chapter, shall not be responsible for the costs involved with obtaining the criminal background check.

C. All league officers and/or those individuals in charge of each recreation program are required to ensure compliance with this Chapter for that league or program. The President or leader of each recreation program shall file an annual roster of individuals that are required to participate in the background check procedures of this Chapter. The roster shall be on forms supplied by the Borough of Pine Hill and shall contain a certification as to the accuracy and completeness of the roster and individual names. Any person who knowingly certifies a background check roster that excludes an individual required to be checked shall be in violation of this Chapter and laws regarding false swearing.

§ Issuance and display of identification card.

Individuals engaged in providing recreation activities, whether for Borough-Sponsored Youth Programs or Non-Sponsored Youth Programs, shall be issued identification cards with appropriate expirations based upon the date of their individual background check. Individuals issued identification cards are required to display their card while in performance of their duty involving youth programs.

§ Disqualification.

A. Upon receipt of a completed background check conducted by the State Bureau of Identification in the New Jersey State Police and/or the Federal Bureau of Investigation, Identification Division, the Borough Police Chief shall notify the applicant directly if the search result is negative (Search identifies a basis to disqualify the applicant.). The determination of the Police Chief is based upon §the procedure set forth in this Chapter. Details in the background check that result in a negative determination by the State Police are not afforded to any other Party and are only available to the applicant upon making a formal request to the State Bureau of Investigation.

B. In the event the criminal background check reveals any prior convictions for crimes or offenses which negatively impact the health, safety and welfare of children, said person shall not be qualified to participate in any official capacity in any function for persons under the age of 18 years held at any Borough-owned facilities. Such offenses shall include, but not be limited to:

(1) In New Jersey, any crime or disorderly persons offense:

(a) Involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:11-1 et seq., such as criminal homicide; N.J.S.A. 2C:12-1 et seq., such as assault, reckless endangerment, threats, stalking; N.J.S.A. 2C:13-1 et seq., such as kidnapping; N.J.S.A. 2C:14-1 et seq., such as sexual assault; or N.J.S.A. 2C:15-1 et seq., such as robbery;

(b) Against the family, children or incompetents, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:24-1 et seq., such as endangering the welfare of a child;

(c) Involving theft as set forth in Chapter 20 of Title 2C of the New Jersey Statutes;

(d) Involving any controlled dangerous substance or controlled substance analogue as set forth in Chapter 35 of Title 2C of the New Jersey Statutes except paragraph (4) of subsection a, of N.J.S.A. 2C:35-10.

(2) In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offenses described in Subsection B(1) of this section.

C. The list of crimes and violations contained in this section is for illustrative purposes only and shall not be construed as a limitation on those criminal activities or violations that would be grounds to disqualify a person from assisting with youth-related activities as indicated herein.

D. Refusal by individuals required to submit to background checks will result in an immediate dismissal of the individual from any Borough-sponsored activities requiring background checks. In addition, refusal to comply with this Chapter by any individual falling within the scope of requirements for non-sponsored youth programs will forfeit that individual's ability to participate with the respective program. Refusal of a non-Borough-sponsored youth program to subscribe to the requirements of this Chapter shall forfeit that program's ability to use municipal facilities.

§ Frequency of background checks.

A. All non-sponsored youth programs that have individuals subject to this Chapter shall supply background checks for all of its participants prior to the individual being able to participate at any function at a Borough-owned facility to the extent covered by this chapter. Thereafter, every three years, a new background check shall be submitted to the Borough Police Chief.

B. Borough-sponsored youth programs.

(1) All Borough-sponsored youth programs that have individuals subject to this Chapter shall direct those individuals to the Police Chief for background checks prior to the individual being able to participate at any function sponsored by the Borough of Pine Hill. Thereafter, every three years a new background check shall be submitted to the Police Chief.

(2) Individuals involved in Borough-sponsored youth programs who are required to undergo background checks shall be given an interim approval for participation only after submission to the Division of State Police for a background check. Interim approvals shall only be valid for the period of time that it takes to receive background checks results. Such interim approval shall not be valid for a period of time exceeding 45 days. Only one interim approval may be granted per individual.

§ Appeals of disqualification. Any person whose criminal background check disqualifies that person from employment or from volunteering may appeal his disqualification.

A. Appeal re: accuracy of record. A person may challenge the accuracy of the criminal history record. A challenge to the accuracy of the report shall be filed with the New Jersey State Police, Volunteer Review Operations. Forms to initiate a challenge shall be available from the Borough Police Chief.

B. Appeal alleging rehabilitation. A person may claim to be rehabilitated.

(1) No person may appeal a disqualification on the grounds of rehabilitation, if the person has been disqualified because that person has been convicted, adjudicated delinquent or acquitted by reason of insanity of aggravated sexual assault; aggravated criminal sexual conduct kidnapping pursuant to paragraph (2) of subsection c. of N.J.S.A. 2C:13-1; endangering the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of the child pursuant to subsection a. of N.J.S.A. 2C:24-4; endangering the welfare of a child pursuant to paragraph (4) of subsection b. of N.J.S.A. 2C:24-4; luring or enticing pursuant to N.J.S.A. 2C:13-6; criminal sexual conduct pursuant to N.J.S.A. 2C:14-3b; if the victim is a minor; kidnapping pursuant to N.J.S.A. 2C:13-2, or false imprisonment pursuant to N.J.S.A. 2C:13-3 if the victim is a minor and the offender is not the parent of the victim; knowingly promoting prostitution of a child pursuant to paragraph (3) or paragraph (4) of subsection b. of N.J.S.A. 2C::34-1; or an attempt to commit any of these enumerated offenses.

(2) Appeals Committee. An appeal based on rehabilitation shall be made to an Appeals Committee, which shall consist of the Borough Chief of Police, the Borough Administrator and Borough Council Recreation Director. Any such appeal must be made within 30 days of receipt of the notice of disqualification. The appealing party must provide all information necessary for the Appeals Committee to complete its review. All proceedings before the Appeals Committee shall be closed to the general public.

(3) Rehabilitation criteria. In determining whether a person has affirmatively demonstrated rehabilitation, the Appeals Committee shall consider the following factors:

(a) The nature and responsibility of the position which the convicted person would hold or has held, as the case may be;

- (b) The nature and seriousness of the offense;
- (c) The circumstances under which the offense occurred;
- (d) The date of the offense;
- (e) The age of the person when the offense was committed;
- (f) Whether the offense was an isolated or repeated incident;
- (g) Any social conditions which may have contributed to the offense; and
- (h) Any other evidence of rehabilitation, including good conduct in prison or the

community, counseling or psychiatric treatment received; acquisition of additional academic or vocational schooling; successful participation in correctional work-release programs, or the recommendation of those who have had the person under their supervision.

(4) If the Appeals Committee determines that the disqualified person has been successfully rehabilitated, it shall enter the person's name on the list of qualified employees and volunteers maintained by the Borough Police Chief or his designee.

§ Privacy.

A. Any and all criminal background checks obtained from the State Bureau of Identification in the New Jersey State Police or the Federal Bureau of Investigation shall be filed and maintained in a secured cabinet in the office of the Chief of Police for the Borough of Pine Hill who shall take custody and maintain such records which shall not be available to the public. The Pine Hill Borough Chief of Police shall take appropriate steps to safeguard such records. The records shall be exempt from public disclosure under the common law, the Open Public Records Act and the New Jersey Right to Know Law. In addition, the Pine Hill Borough Chief of Police shall not reveal the affirmative or negative response from the State police based upon the findings of the background check except as provided in this Chapter. Other than members of the Appeal Committee, no Pine Hill Borough official or employee shall have access to the criminal background checks other than individuals in the Pine Hill Borough Police Department Records Bureau, whose only access shall be to take custody and maintain the files as provided for in this section. The records shall only be retained for such period of time as is necessary to serve their intended and authorized purpose and thereafter destroyed. The Pine Hill Borough Chief of Police shall be the contact person for Pine Hill Borough for the VRO Program of the State Police.

B. Access to criminal history record information for non-criminal-justice purposes, including licensing and employment, is restricted to the members of the Appeals Committee, as authorized by federal or state law regarding obtaining and disseminating of criminal history record information obtained under this section.

C. The Appeals Committee shall limit its use of the criminal history record information solely to the individual for which it was obtained and the criminal history record information furnished shall not be disseminated to persons or organizations not authorized to receive the records.

§ Penalties.

A. Failure to comply with this Chapter may result in the Borough withholding funding for the youth service organization, prohibiting the use of facilities or withholding funding for facility maintenance.

B. Any person violating or failing to comply with the provisions of this Chapter, upon conviction, shall be subject to a fine of not less than \$250 and not more than \$2,500. Each continuing violation shall constitute a separate offense.

Section 2. All Ordinances or parts of Ordinances which are inconsistent with this Ordinance Amendment are repealed to the extent of such inconsistencies.

Section 3. If any Section, Subsection, Paragraph, Subparagraph, or Clause of this Ordinance shall be adjudicated invalid by a Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any Section, Subsection, Paragraph, Subparagraph, or Clause of this Ordinance.

Section 4. This Ordinance shall take effect immediately after final adoption and publication as required by law.

Introduced: March 6, 2017

	WARRINGTON	MCCULLEN	KNOTT	JAXEL	ROBB	BURKE
YES	✓	✓	✓	✓	✓	✓
ABSTAIN						
NO						
ABSENT						

Public Hearing: March 20, 2017

	WARRINGTON	MCCULLEN	KNOTT	JAXEL	ROBB	BURKE
YES		✓	✓	✓	✓	✓
ABSTAIN						
NO						
ABSENT	✓					

BOROUGH OF PINE HILL:

BY: _____
CHRISTOPHER GREEN, MAYOR

ATTEST:

THOMAS CARDIS, BOROUGH CLERK

Public Hearing

Mayor Green read the Ordinance

Mayor Green opened the floor to the public.

Motion to close the floor to the public: Councilman Jaxel, 2nd Councilman Burke

All in Favor: 5 yes votes

Motion to move Ordinance #2017-954: Councilman Knott, 2nd Councilman Burke

Roll Call: 5 yes votes

ORDINANCE NUMBER 2017-955

BOROUGH OF PINE HILL
COUNTY OF CAMDEN

ORDINANCE OF THE BOROUGH OF PINE HILL AUTHORIZING
THE PRIVATE SALE OF CERTAIN BOROUGH OWNED PROPERTY
PURSUANT TO N.J.S.A. 40A:12-13(b)

WHEREAS, N.J.S.A. 40A:12-13(b) authorizes the private sale of real property no longer needed for public use to contiguous land owners where said property is unable to be developed separately pursuant to Municipal Zoning Ordinances; and

WHEREAS, the Governing Body of the Borough of Pine Hill has determined that certain parcels of municipally owned land are not necessary for public use, said lands being identified on Schedule "A" attached hereto; and

WHEREAS, the Governing Body of the Borough of Pine Hill has determined that said property would be a better value as a privately owned tax ratable.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Pine Hill, County of Camden, and State of New Jersey, as follows:

SECTION 1. The properties listed on Schedule "A" attached hereto shall be advertised for private sale to contiguous land owners only pursuant to the requirements of N.J.S.A. 40A:12-13(b).

SECTION 2. Notice of said private sale to contiguous property owners shall be published in the newspaper circulating in the Municipality by one insertion within five (5) of the days of the adoption of this Ordinance. That a Notice of Sale shall be posted on the Borough Bulletin Board with a copy of same mailed to all contiguous property owners immediately following the date of the adoption of this Ordinance.

SECTION 3. A. The Borough shall accept offers/bids from contiguous property owners for a period of twenty (20) days from the date of the newspaper advertisement on March 23, 2017. All bids must be received in a sealed envelope addressed to the Borough of Pine Hill, 45 W. 7th Avenue, Pine Hill, NJ 08021, Attention: Borough Clerk, by 10 A.M. on April 12, 2017. The Borough Council reserves the right to reject any and all bids received, or to withdraw this offer to sell at any time prior to Notice of sale, without cause, and upon advertisement of same.

B. Said properties are being offered for sale to the contiguous property owners as undersized properties unable to be separately developed with the condition that the Borough is issuing no representations or warranties as to the permissibility or advisability of the property's use or of any limiting or environmental conditions.

C. The successful bidder shall consolidate the property purchased with other contiguous lot or lots owned by the bidder so as to be part of a reconfigured lot in conformance with zoning requirements. No variances shall be requested and/or permitted for this property as a separate parcel prior to consolidation. There shall be no further subdivision of the consolidated property unless the subdivision satisfies the Borough zoning requirements as a separate buildable lot.

D. The Borough reserves the right at any time prior to confirmation of the sale by the Governing Body to reject any and all bids.

E. The successful bidder shall be required to pay all conveyance expenses including transfer taxes, legal fees, and pro-rated advertising costs and to provide at its own expense, a title search and legal description to the Borough for the preparation of the Deed of Conveyance.

F. The minimum purchase price for each lot and all other conditions of sale are described in Schedule "A" attached hereto.

G. A Bargain and Sale Deed will be the document of conveyance and no warranties or representations as to title are made by the Borough. If, however, the Borough is unable to convey marketable title, any deposit monies received pursuant to this bidding procedure will be returned.

H. The confirmation of the sale by the Governing Body will be a complete acceptance of the bid and thereafter, within thirty (30) days from said confirmation, the settlement must be completed by the successful bidder. In the event the successful bidder defaults and fails to complete the settlement within the time period allowed, the down payment shall be forfeited to the Borough.

I. A deposit not exceeding ten percent (10%) of the minimum bid price of the tract of land on which the bid is submitted shall be paid by the successful bidder in cash, cashier's check or certified check within 72 hours of notification from the Borough that said party is the successful bidder and. If payment is not made within that time period, the Borough has the right to accept the bid from the next highest bidder. If there is more than one bid in the same amount, the bidders will be notified that the award will be made by a coin flip by the Clerk.

J. The lots being offered for sale are subject to existing liens, encumbrances, judgments, zoning regulations, easements, Department of Environmental Protection Regulations and any other regulations which said facts would be revealed by a title report and an accurate survey which the Borough has not undertaken. The Borough makes no representations as to any previous use of the property and does not guarantee clear title to the property.

SECTION 4. All Ordinances or parts of Ordinances, are inconsistent with this amending Ordinance, are hereby repealed to the extent of such inconsistency only.

SECTION 5. Should any section, subsection, part, clause or phrase of this Amended Ordinance shall be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to that end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 6. This Ordinance shall take effect after final adoption and publication as required by law.

Introduced: March 6, 2017

	WARRINGTON	MCCULLEN	KNOTT	JAXEL	ROBB	BURKE
YES	✓	✓	✓	✓	✓	✓
ABSTAIN						
NO						
ABSENT						

Public Hearing: March 20, 2017

	WARRINGTON	MCCULLEN	KNOTT	JAXEL	ROBB	BURKE
YES		✓	✓	✓	✓	✓
ABSTAIN						
NO						
ABSENT	✓					

BOROUGH OF PINE HILL:

BY: _____
CHRISTOPHER GREEN, MAYOR

ATTEST:

THOMAS CARDIS, BOROUGH CLERK

Public Hearing

Mayor Green read the Ordinance

Mayor Green opened the floor to the public.

Motion to close the floor to the public: Councilman Jaxel, 2nd Councilman Burke

All in Favor: 5 yes votes

Motion to move Ordinance #2017-955: Councilman Knott, 2nd Councilman Burke

Roll Call: 5 yes votes

RESOLUTION NUMBER 2017-65

BOROUGH OF PINE HILL
COUNTY OF CAMDEN

RESOLUTION OF THE BOROUGH OF PINE HILL APPROVING
MEMORANDUM OF UNDERSTANDING WITH THE
NEW JERSEY DIVISION OF STATE POLICE

WHEREAS, the Borough of Pine Hill has determined to participate in the Volunteer Review Operation established pursuant to N.J.S.A. 15A:3A-1 et seq for the conducting of criminal history record checks for various youth serving organizations which provide recreation, social or other activities or services for persons under the age of 18; and

WHEREAS, in order to participate in this process, it is necessary for the Borough to execute a Memorandum of Understanding with the New Jersey Division of State Police, which Memorandum of Understanding is attached hereto and incorporated by reference herein.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Pine Hill, County of Camden, and State of New Jersey, that for the reasons set forth hereinabove, it hereby authorizes and approves the Memorandum of Understanding with the New Jersey Division of State Police and authorizes the appropriate Borough Officials to execute said Memorandum of Understanding on behalf of the Borough.

BE IT FURTHER RESOLVED that this Resolution will take effect immediately upon adoption.

BOROUGH OF PINE HILL

BY: _____
CHRISTOPHER J. GREEN, MAYOR

ATTEST:

THOMAS CARDIS, BOROUGH CLERK

	WARRINGTON	MCCULLEN	KNOTT	JAXEL	ROBB	BURKE
YES		✓	✓	✓	✓	✓
ABSTAIN						
NO						
ABSENT	✓					

CERTIFICATION

I, Thomas Cardis, Borough Clerk of the Borough of Pine Hill, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Mayor and Borough Council of the Borough of Pine Hill at a meeting of said Council held on the 20th day of March, 2017, at the Borough Municipal Building.

Thomas Cardis, Borough Clerk

Motion to move Resolution #2017-65: Councilwoman McCullen, 2nd Councilman Burke
Roll Call: 5 yes votes

RESOLUTION NUMBER 2017-66

BOROUGH OF PINE HILL
COUNTY OF CAMDEN

RESOLUTION CONSENTING TO THE APPOINTMENT OF ACME
UNIFORMS FOR INDUSTRY TO PROVIDE UNIFORMS AND
MAINTENANCE FOR THE BOROUGH'S PUBLIC WORKS EMPLOYEES
AND AUTHORIZING THE PROPER OFFICIALS
TO EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES

BE IT RESOLVED, that the Borough Council of the Borough of Pine Hill in the County of Camden, State of New Jersey consents to the appointment by the Mayor for Acme Uniforms For Industry to provide uniforms and maintenance for the Public Works employees. It is acknowledged that Acme Uniforms For Industry Inc. has not made a contribution in violation of Ordinance 2012-895 of the Borough of Pine Hill.

BE IT FURTHER RESOLVED that the compensation, terms and conditions of service provided shall be in accordance with those specified in a formal professional services agreement, and authorization is hereby provided to the proper Borough Officials to execute said agreement between Acme Uniforms For Industry and the Borough.

This Resolution was adopted at a meeting of the Borough Council on March 20, 2017, and shall take effect immediately.

BOROUGH OF PINE HILL

BY: _____
CHRISTOPHER J. GREEN, MAYOR

ATTEST:

THOMAS CARDIS, BOROUGH CLERK

	WARRINGTON	MCCULLEN	KNOTT	JAXEL	ROBB	BURKE
YES		✓	✓	✓	✓	✓
ABSTAIN						
NO	✓					
ABSENT						

CERTIFICATION

I, Thomas Cardis, Borough Clerk of the Borough of Pine Hill, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Mayor and Borough Council of the Borough of Pine Hill at a meeting of said Council held on the 20th day of March, 2017, at the Borough Municipal Building.

Thomas Cardis, Borough Clerk

Motion to move Resolution #2017-66: Councilman Robb, 2nd Councilman Burke
Roll Call: 5 yes votes

RESOLUTION NUMBER 2017-67

BOROUGH OF PINE HILL
COUNTY OF CAMDEN

RESOLUTION CONSENTING TO THE APPOINTMENT OF ELECTRONIC RECYCLERS
INTERNATIONAL, INC. FOR RECYCLING OF THE BOROUGH'S ELECTRONIC
WASTE AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE AN AGREEMENT
FOR PROFESSIONAL SERVICES

BE IT RESOLVED, that the Borough Council of the Borough of Pine Hill in the County of Camden, State of New Jersey consents to the appointment by the Mayor for Electronic Recyclers International, Inc. for recycling of the Borough's Electronic Waste. It is acknowledged that Electronic Recyclers International, Inc. has not made a contribution in violation of Ordinance 2012-895 of the Borough of Pine Hill.

BE IT FURTHER RESOLVED that the compensation, terms and conditions of service provided shall be in accordance with those specified in a formal professional services agreement, and authorization is hereby provided to the proper Borough Officials to execute said agreement between Electronic Recyclers International, Inc. and the Borough.

This Resolution was adopted at a meeting of the Borough Council on March 20, 2017, and shall take effect immediately.

BOROUGH OF PINE HILL

BY: _____
CHRISTOPHER J. GREEN, MAYOR

ATTEST:

THOMAS CARDIS, BOROUGH CLERK

	WARRINGTON	MCCULLEN	KNOTT	JAXEL	ROBB	BURKE
YES		✓	✓	✓	✓	✓
ABSTAIN						
NO						
ABSENT	✓					

CERTIFICATION

I, Thomas Cardis, Borough Clerk of the Borough of Pine Hill, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Mayor and Borough Council of the Borough of Pine Hill at a meeting of said Council held on the 20th day of March, 2017, at the Borough Municipal Building.

Thomas Cardis, Borough Clerk

Motion to move Resolution #2017-67: Councilman Knott, 2nd Councilwoman McCullen
Roll Call: 5 yes votes

RESOLUTION NUMBER 2017-68

BOROUGH OF PINE HILL
COUNTY OF CAMDEN

RESOLUTION CONSENTING TO THE APPOINTMENT OF ATLANTIC SWITCH AND
GENERATOR FOR PREVENTATIVE MAINTENANCE
AND GENERAL REPAIR OF THE BOROUGH'S EMERGENCY GENERATORS
AUTHORIZING THE PROPER OFFICIALS TO EXECUTE
AN AGREEMENT FOR PROFESSIONAL SERVICES

BE IT RESOLVED, that the Borough Council of the Borough of Pine Hill in the County of Camden, State of New Jersey consents to the appointment by the Mayor for Atlantic Switch and Generator to provide preventative maintenance and general repair of the Borough's emergency generators. It is acknowledged that Atlantic Switch and Generator has not made a contribution in violation of Ordinance 2012-895 of the Borough of Pine Hill.

BE IT FURTHER RESOLVED that the compensation, terms and conditions of service provided shall be in accordance with those specified in a formal professional services agreement, and

authorization is hereby provided to the proper Borough Officials to execute said agreement between Atlantic Switch and Generator and the Borough.

This Resolution was adopted at a meeting of the Borough Council on March 20, 2017, and shall take effect immediately.

BOROUGH OF PINE HILL

BY: _____
CHRISTOPHER J. GREEN, MAYOR

ATTEST:

THOMAS CARDIS, BOROUGH CLERK

	WARRINGTON	MCCULLEN	KNOTT	JAXEL	ROBB	BURKE
YES		✓	✓	✓	✓	✓
ABSTAIN						
NO						
ABSENT	✓					

CERTIFICATION

I, Thomas Cardis, Borough Clerk of the Borough of Pine Hill, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Mayor and Borough Council of the Borough of Pine Hill at a meeting of said Council held on the 20th day of March, 2017, at the Borough Municipal Building.

Thomas Cardis, Borough Clerk

Motion to move Resolution #2017-68: Councilman Robb, 2nd Councilman Burke
Roll Call: 5 yes votes

RESOLUTION NUMBER 2017-69

BOROUGH OF PINE HILL
COUNTY OF CAMDEN

RESOLUTION OF THE BOROUGH OF PINE HILL AUTHORIZING
A COOPERATIVE PRICING AGREEMENT WITH
T.M. FITZGERALD ASSOCIATES

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, T.M. Fitzgerald Associates has established a Cooperative Pricing Agreements pursuant to the statutory requirements and is identified as the "Lead Agency" for that Agreement; and

WHEREAS, T.M. Fitzgerald Associates has offered voluntary participation in this Cooperative Pricing System Agreement for the purchase of goods and services and non-commodity items to various municipalities, including Recycling Containers; and

WHEREAS, the Borough of Pine Hill has duly considered its participation in this Cooperative Pricing System Agreement for the purchase of Recycling Container.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Pine Hill, County of Camden, and State of New Jersey, as follows:

TITLE

This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Pine Hill.

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Borough of Pine Hill hereby authorizes entering into the Cooperative Pricing Agreement with the T.M. Fitzgerald Associates as the lead agency and authorizes the appropriate Borough Officials to execute said Agreement on behalf of the Borough for purchase of Recycling containers.

CONTRACTING UNIT

The Lead Agency is responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey in regard to this Agreement.

EFFECTIVE DATE

This Resolution will take effect immediately upon adoption and publication as required by law.

BOROUGH OF PINE HILL

BY: _____

CHRISTOPHER J. GREEN, MAYOR

ATTEST:

THOMAS CARDIS, BOROUGH CLERK

	WARRINGTON	MCCULLEN	KNOTT	JAXEL	ROBB	BURKE
YES		✓	✓	✓	✓	✓
ABSTAIN						
NO						
ABSENT	✓					

CERTIFICATION

I, Thomas Cardis, Borough Clerk of the Borough of Pine Hill, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by Borough of Pine Hill at a meeting of said Council held on the 20th day of March, 2017, at the Borough Municipal Building.

Thomas Cardis, Borough Clerk

Motion to move Resolution #2017-69: Councilman Knott, 2nd Councilman Burke
Roll Call: 5 yes votes

Mayor Green opened the floor to the public.

Karl Walko – President of CWA Local 1014

Mr. Walko expressed to Mayor and Council his concern in regards to a Borough relationship issue procedure relating to grievances.

Mike DiPiero – Borough Labor Attorney

Mr. DiPiero reported to Mayor and Council that the Borough has always followed the grievance procedure.

Walt Davis – 1 Franklin Avenue

Mr. Davis asked in regards to Resolution 2017-68.

Mayor Green explained.

Mr. Davis asked about Cross Keys Road and billboard area.

Mayor Green explained.

Motion to close the floor to the public: Councilman Burke, 2nd Councilman Knott
All in Favor: 5 yes votes

Council Reports:

Councilman Jaxel reported on their Municipal Alliance Meeting.

Councilman Knott reported on the Easter Event for April 8th.

Councilman Burke reported that the Environmental Commission will need a letter from the Mayor for Sustainable Jersey.

Mr. Patterson reported about the Public Land Sale.

RESOLUTION NUMBER 2017-70

BOROUGH OF PINE HILL
COUNTY OF CAMDEN

RESOLUTION AUTHORIZING A CLOSED SESSION OF THE
BOROUGH OF PINE HILL

WHEREAS, the Borough of Pine Hill (hereinafter the "Pine Hill") is subject to the Open Public Meetings Act, N.J.S.A.A. 10:4-1 et seq. ("Act") which requires that its meetings be open to the general public; and

WHEREAS, Section 10:4-12 of the Act permits Pine Hill to go into closed session, which is not open to the general public, for certain limited purposes enumerated in the Act; and

WHEREAS, Pine Hill hereby desires to adopt this Resolution to go into closed session at this time in order to: [*Check all that apply*]

_____ Discuss matters deemed confidential by express provision of Federal or State Law or Rule of Court;

_____ Discuss matters in which release of the information would impair a right to receive funds from the United States Government;

_____ Discuss matters the disclosure of which constitutes an unwarranted invasion of individual privacy, including but not limited to, information relative to an individual's personal or family circumstances and any material relating to medical, rehabilitation, custodial, or child protection issues;

_____ Discuss Collective Bargaining Agreements;

_____ Discuss any matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if disclosed;

_____ Discuss any tactics and techniques utilized in protecting the safety and property of the public if disclosure would impair such protection and/or any investigations or violations or possible violations of the law;

_____ Discuss any pending or anticipated litigation or contract negotiation (other than collective bargaining) in which Pine Hill is or may become a party and/or any matters falling within the attorney-client privilege; and/or

 X Discuss any matter involving the appointment, termination, terms and conditions of employment, evaluation of performance of, any specific prospective or current public officer or employee of Pine Hill;

Related to: Personnel

WHEREAS, Pine Hill believes that the matters discussed in closed session can be disclosed to the general public at such time when the Mayor and Borough Council have determined the matters discussed are no longer required to be maintained as confidential and adopt a further resolution to place the Closed Session Minutes into the Public Minutes Record Book.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Pine Hill hereby resolves to go into closed session for the reasons articulated above immediately after passage of this Resolution. This Resolution shall be kept on file for public inspection in accordance with statutory provisions.

Effective Date: This Resolution shall take effect immediately upon adoption.

BOROUGH OF PINE HILL

BY: _____
CHRISTOPHER J. GREEN, MAYOR

ATTEST:

THOMAS CARDIS, BOROUGH CLERK

	WARRINGTON	MCCULLEN	KNOTT	JAXEL	ROBB	BURKE
YES		✓	✓	✓	✓	✓
ABSTAIN						
NO						
ABSENT	✓					

CERTIFICATION

I, Thomas Cardis, Borough Clerk of the Borough of Pine Hill, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by Borough of Pine Hill at a meeting of said Council held on the 20th day of March, 2017, at the Borough Municipal Building.

Thomas Cardis, Borough Clerk

Mayor Green commented that let the record reflect that the Mayor will not be in the closed session due to a conflict.

Motion to move Resolution #2017-70: Councilman Jaxel, 2nd Councilwoman McCullen
Roll Call: 5 yes votes

Closed Session began at 8:00 pm.
Closed Session ended at 8:20 pm.

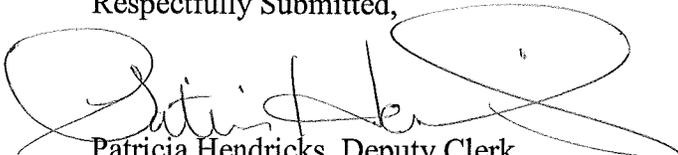
Roll call vote to return into open session
Roll Call: 5 yes votes

Mr. Patterson reported to let the record reflect advice will be made by the union and labor attorney.

Motion to adjourn: Councilman Jaxel, 2nd Councilman Knott
All in Favor: 5 yes votes

The meeting adjourned at 8:23 pm.

Respectfully Submitted,


Patricia Hendricks, Deputy Clerk