

**MINUTES
BOROUGH OF MAGNOLIA
438 W. EVESHAM AVENUE
MAGNOLIA, NJ 08049
REGULAR MEETING
JUNE 1, 2022**

MEETING CALLED TO ORDER

Mayor BettyAnn Cowling-Carson called the meeting to order at 7:01 p.m.

“OPEN PUBLIC MEETINGS LAW” ANNOUNCEMENT

This meeting is being conducted in full compliance with the “Open Public Meetings Law” and notices were sent to the Courier-Post and The Central Record. In addition, the notice was posted on the bulletin board located at Borough Hall.

FLAG SALUTE

ROLL CALL

Councilwoman Paula Bonamassa, Councilman Anthony DePrince, Councilwoman Mary Martz, Councilman Steven Whalen, Councilwoman Shelley Wilson, and Mayor BettyAnn Cowling-Carson

Absent: Councilwoman Shawn Parker

OTHER OFFICIALS PRESENT

Dan Long, Solicitor; Mark Basehore, Engineer; Police Chief Paris; Linda Neff, Finance Clerk, Payroll Administrator; Colleen Dawson, CTC; Paul Sexton, DPW Provisional Supervisor; and Krystal Arana, Deputy Municipal Clerk

Absent: Fire Chief Wolf; and Harry Wozunk, CPWM, CRP

APPROVAL OF PREVIOUS MEETING MINUTES: February 2, 2022 & February 17, 2022

Motion to Approve Previous Meeting Minutes:

Motion: Councilwoman Wilson Second: Councilwoman Bonamassa

Roll Call: Councilwoman Bonamassa, Councilman DePrince, Councilwoman Martz, Councilman Whalen, Councilwoman Wilson, and Mayor Cowling-Carson

FIREMEN’S ASSOC. – MEMBERSHIP APPLICATION

- Michael Miller

Motion to Approve Firemen’s Assoc. Membership Application:

Motion: Councilman DePrince Second: Councilman Whalen

Roll Call: Councilwoman Bonamassa, Councilman DePrince, Councilwoman Martz, Councilman Whalen, Councilwoman Wilson, and Mayor Cowling-Carson

ORDINANCES ON SECOND READING

5-2022 Authorizing Miscellaneous Road Improvements and Acquisition of Various Equipment in the Sum of \$400,000.00 through the Issuance of General Obligation Bonds or Bond Anticipation Notes

OPEN PUBLIC COMMENT

None

CLOSE PUBLIC COMMENT

Motion to Adopt Ordinance 5-2022 on Second Reading:

Motion: Councilwoman Martz Second: Councilman Whalen

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Roll Call: Councilwoman Bonamassa, Councilman DePrince, Councilwoman Martz, Councilman Whalen, Councilwoman Wilson, and Mayor Cowling-Carson

BE IT ORDAINED, by the Mayor and Council of the Borough of Magnolia, County of Camden, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Borough of Magnolia, County of Camden, New Jersey ("Borough").

Section 2. It is hereby found, determined, and declared as follows:

- (a) the estimated amount to be raised by the Borough from all sources for the purposes stated in Section 7 hereof is \$400,000.00; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$380,000.00; and
- (c) a down payment in the amount of \$20,000.00 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$380,000.00, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$20,000.00, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Borough in an amount not to exceed \$380,000.00 to finance the costs of the purposes described in Section 7 hereof is hereby authorized; said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Borough in an amount not to exceed \$380,000.00 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part, or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance, which may be used for the payment of interest on such obligations, accounting, engineering, legal fees, and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2- 20, shall not exceed the sum of \$60,000.00.

Section 7. The improvements hereby authorized, and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said

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<u>Purpose / Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligation</u>	<u>Period of Usefulness</u>
Various Road Improvements	\$ 175,000.00	\$ 8,750.00	\$ 166,250.00	10 Years
Site Remediation	100,000.00	5,000.00	95,000.00	10 Years
Various Public Safety Emergency Equipment	50,000.00	2,500.00	47,500.00	10 Years
Various Public Buildings and Grounds Improvements	50,000.00	2,500.00	47,500.00	10 Years
Various Parks and Recreation Equipment	25,000.00	1,250.00	23,750.00	10 Years
	<u>\$ 400,000.00</u>	<u>\$ 20,000.00</u>	<u>\$ 380,000.00</u>	

purpose; the maximum amount of obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

Section 8. The average period of useful life of the purposes for the financing of which the Bond Ordinance authorizes the issuance of bonds or bond anticipation notes authorized for such purposes, is not less than 5 years.

Section 9. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$380,000.00 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. The full faith and credit of the Borough are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Borough shall levy ad valorem taxes on all taxable real property without limitations as to rate or amount for the payment thereof.

Section 11. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 12. The Borough hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.

Section 13. The Borough hereby covenants as follows:

- (a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes is exempt from the gross income of the owners

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- thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code; and
- (b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder; and
 - (c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes; and
 - (d) it shall timely file with the Philadelphia, Pennsylvania Service Center of the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and
 - (e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 14. The improvements authorized hereby are not current expenses and are improvements that the Borough may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 15. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

Section 16. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

ORDINANCES ON FIRST READING

6-2022 Amending Borough Code Title 3 Revenue and Finance, Chapter 137, Article VIII – Community Center Fees

Motion to Adopt Ordinance 6-2022 on First Reading:

Motion: Councilwoman Wilson Second: Councilwoman Martz

Roll Call: Councilwoman Bonamassa, Councilman DePrince, Councilwoman Martz, Councilman Whalen, Councilwoman Wilson, and Mayor Cowling-Carson

WHEREAS, the Mayor and Council of the Borough of Magnolia believe it is in the best interest of the residents of their municipality to amend certain provisions of Title 3 “Revenue and Finance” – Chapter 137 – Article VIII “Community Center Fees;” and

WHEREAS, the Governing Body of the Borough of Magnolia wishes to amend the beforementioned municipal code to reflect the following:

ARTICLE VIII. COMMUNITY CENTER FEES

3.137-13. Community Center Fees:

- A. Security deposit... \$200.00.
 - (1) Rental fee, in addition to security deposit: Resident... \$250.00.
 - (2) Rental fee, in addition to security deposit: Nonresident... \$550.00.
- B. \$200.00 security deposit to be returned after the use and inspection of the Community Center.
 - (1) Community Center must be left in a clean state and in good repair by the renter; same condition at the end of the rental as on arrival.

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NOW, THEREFORE, BE IT ORDAINED, by Mayor and Council of the Borough of Magnolia, County of Camden, State of New Jersey, that Title 3 “Revenue and Finance” – Chapter 137 – Article VIII “Community Center Fees,” of the Code of the Borough of Magnolia, shall be hereby amended to reflect the above.

BE IT FURTHER ORDAINED, all ordinances, or parts of ordinances, inconsistent with this ordinance, are hereby repealed to such inconsistencies.

BE IT FURTHER ORDAINED, all ordinances, or parts of ordinances, consistent with this ordinance, shall remain in full force and effect.

BE IT FINALLY ORDAINED, that this ordinance shall take effect after adoption and publication according to law.

RESOLUTIONS

2022-103 Authorizing Service Agreement – Primepoint, LLC – Payroll System and Services

Motion to Adopt Resolution 2022-103:

Motion: Councilman Whalen Second: Councilwoman Martz

Roll Call: Councilwoman Bonamassa, Councilman DePrince, Councilwoman Martz, Councilman Whalen, Councilwoman Wilson, and Mayor Cowling-Carson

2022-104 Acknowledging Resignation – Construction Department – Linda Alexander

Motion to Adopt Resolution 2022-104:

Motion: Councilwoman Martz Second: Councilwoman Wilson

Roll Call: Councilwoman Bonamassa, Councilman DePrince, Councilwoman Martz, Councilman Whalen, Councilwoman Wilson, and Mayor Cowling-Carson

2022-105 Acknowledging Termination – Public Works Department – Eric Wilson, Jr.

Motion to Adopt Resolution 2022-105:

Motion: Councilwoman Bonamassa Second: Councilwoman Wilson

Roll Call: Councilwoman Bonamassa, Councilman DePrince, Councilwoman Martz, Councilman Whalen, Councilwoman Wilson, and Mayor Cowling-Carson

2022-106 Authorizing the Payment of Bills: \$542,219.65

Motion to Adopt Resolution 2022-106:

Motion: Councilman Whalen Second: Councilwoman Martz

Roll Call: Councilwoman Bonamassa, Councilman DePrince, Councilwoman Martz, Councilman Whalen, Councilwoman Wilson, and Mayor Cowling-Carson

Councilwoman Shawn Parker arrived at 7:06 p.m.

BUSINESS LICENSE(S)

None

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COMMITTEE REPORTS

PUBLIC SAFETY

Councilman DePrince

Emergency Operation Plan underway; forwarded sample resolution to Deputy Municipal Clerk.

FINANCE, ADMINISTRATION & TECHNOLOGY

Councilman Whalen

Expressed gratitude to Colleen Dawson for updating the voicemail system. Modernizing payroll system to Primepoint; beginning in August of this year. Extending appointment of Chief Financial Officer until September 2022. Tax Collector gave a brief update on in rem foreclosures; will be published next week and residents have 45 days to respond. Linda Neff is excited to resume courses for obtaining her Chief Financial Officer certification; sees the extension of the Chief Financial Officer's extension as a continuous learning opportunity.

PUBLIC WORKS & MUNICIPAL FACILITIES/GROUNDS

Councilwoman Bonamassa

Elaborated on report which is on file in the Municipal Clerk's Office. Will work on obtaining quotes for the pump station and sewer lines at Borough Hall per Councilman Whalen's request. Thanked the Department of Public Works by highlighting numerous of achievements including line painting, street sign replacements, shed repair, and maintenance of shrubbery at the train station, ball fields, and park. Mentioned Magnolia passed all fire inspections. Paul Sexton gave update on borough hall improvement (catwalk). Due to finish by the end of the week and Multi-Temp Mechanical due to be back to finish maintenance on air conditioning system.

PLANNING/ZONING, CODES, LICENSING & STREET LIGHTING

Councilwoman Martz

Gave briefing on Planning Board meeting that was held on Wednesday, May 25, 2022. Discussed ModWash; coming back for plan review. Numerous work orders issued for high grass. Upcoming inspection scheduled for Coventry Place on June 17, 2022, and numerous other inspections scheduled or to be scheduled; Inspector is still waiting on a response from Amber Court Apartments and Forest Gate Complex. In addition, there was no one available to meet the Inspector at Magnolia Garden Village last Friday, May 27th for inspection.

PUBLIC EVENTS & RECREATION

Councilwoman Parker

The Memorial Day Parade which occurred on Monday, May 30th, had a great turnout. The Laughing Fox completed a catering permit which is required by the Division of Alcoholic Beverage Control; Deputy Municipal Clerk to pass resolution at next meeting allowing The Laughing Fox to serve alcohol at the Independence Day Festival on Sunday, June 3rd. Senior Services reached out to inquire about holding a senior dance in the fall.

**COMMUNITY/ECONOMIC DEVELOPMENT, INFRASTRUCTURE & COMPLIANCE,
& COMMUNITY CENTER**

Councilwoman Wilson – No Report

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MAYOR

Mayor Cowling-Carson – No Report

ENGINEER

Mark R. Basehore

Reiterated on report which is on file in the Municipal Clerk's Office. Albertson Park supply chain issues. Deputy Municipal Clerk to expect sample resolution allowing Engineer to submit application to NJDOT for the year 2023 for additional funds related to potential road projects. Site visit on Thursday, June 2nd at 10:15 a.m. for gazebo regarding the submission of an Open Space application. Informed Council that Magnolia was not chosen for "Safe Routes to School" funding. Council preparing to submit again the next time funding becomes available in 4 years from now.

SOLICITOR

Dan Long – No Report

OLD BUSINESS – None

NEW BUSINESS – None

PROCLAMATIONS

Honoring the Heroism of Jack Hoban & Daniel Kirkbride

Michael Giannantonio gave an overview of what occurred on December 7, 2021 and presented both, Jack and Daniel, with a CPR pin and a plaque. Councilman DePrince read a Proclamation on behalf of Council and gave a copy to both as memorabilia. Paul Dare expressed his sincerest gratitude.

PUBLIC COMMENT

A number of residents appeared with concerns about living conditions at Coventry Place Apartment Complex, 309 Brooke Avenue. Andrew Martins, Apt. A12, requested update since first appearing to speak about concerns at the meeting held on May 4th. Expressed the need for an ordinance addressing rent control. Katherine Rossbach, Apt. A12, received a call from the "Leasing Office," who acknowledged issues and asked if they could enter her apartment; she replied they could not enter without her present. Katherine only knows of one other person who received a similar call. Spoke on behalf of a woman who lives in Apt. B34 and does not feel comfortable with public speaking; presented photos to be forwarded to Code Enforcement, which shows construction amongst other things. Apt. B34 currently being remodeled. Councilwoman Martz asked if she had been relocated to another apartment while remodeling is occurring. Resident in Apt. B34 explained that she was told, per policy, she would have to reapply. Debbie Simone, Technical Assistant to the Construction Official & Zoning Officer, confirmed inspection scheduled for June 17th. Debbie Simone also stated there are numerous apartments not allowing the inspector in as a result of concerns related to COVID; sends report to the state so they have something to compare when they perform inspections. Andrew Martins, Apt. A12, specified a Facebook page for disgruntled residents at the apartment complex. A few other residents, including Kathy Lingo and Patrick Chizek, briefly commented regarding their specific issues. Debbie

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Simone suggested collecting as much proof as possible to support their case against the increase in rent. Attorney corresponding with managers/owners regarding a date to meet in order to discuss concerns raised by numerous residents at Coventry on multiple occasions.

RESOLUTION

2022-107 Authorizing Executive Session

Motion to Adopt Resolution 2022-107:

Motion: Councilman Whalen Second: Councilwoman Martz

Roll Call: Councilwoman Bonamassa, Councilman DePrince, Councilwoman Martz, Councilwoman Parker, Councilman Whalen, Councilwoman Wilson, and Mayor Cowling-Carson

Open Executive Session 8:12 p.m.

Motion: Councilman Whalen Second: Councilwoman Martz

Close Executive Session: 8:26 p.m.

Motion: Councilman Whalen Second: Councilman DePrince

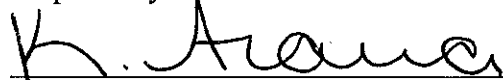
ADJOURNMENT

Motion to Adjourn Meeting: 8:41 p.m.

Motion: Councilman Whalen Second: Councilwoman Parker

Roll Call: Councilwoman Bonamassa, Councilman DePrince, Councilwoman Martz, Councilwoman Parker, Councilman Whalen, Councilwoman Wilson, and Mayor Cowling-Carson

Prepared by:



Krystel M. Arana
Deputy Municipal Clerk