

*PINE VALLEY BOROUGH  
MEETING MINUTES  
Tuesday, October 22, 2019 at 4:00 pm  
Mayor Michael Kennedy presiding  
Page 1 of 3*

**CALL TO ORDER** - Mayor Kennedy called the meeting to order at 4:00 pm with a Salute to the Flag.

**OPEN PUBLIC MEETINGS ACT** – Adequate notice of this meeting was given by emailing The Retrospect and Courier Post on January 4, 2019 and posting on the bulletin board at Borough Hall.

**ROLL CALL** – Recorded as present was Mayor Kennedy, Commissioner Clark and Commissioner Kennedy

**MATTERS REQUIRING OFFICIAL ACTION:**

**Minutes**

- Borough Meeting of Monday, September 16, 2019 - the motion to approve by Commissioner Clark was seconded by Commissioner Kennedy, with Mayor Kennedy, Commissioner Clark and Commissioner Kennedy in favor, none opposed.

**Ordinances – First Reading by Title and Introduction**

- 03-2019-AN ORDINANCE ADOPTING A FEE SCHEDULE FOR THE BOROUGH OF PINE VALLEY
  - The Motion to Introduce by Commissioner Kennedy, was seconded by Commissioner Clark with Mayor Kennedy, Commissioner Clark and Commissioner Kennedy in favor, none opposed and no abstentions.
  - Second Reading, Public Hearing and Adoption will be held on Monday, November 18, 2019, 4:00 pm in the Pine Valley Borough Hall, #1 Club Road, Pine Valley, NJ 08021.

**Resolutions**

- 051-2019 – AUTHORIZING ANNUAL APPROPRIATIONS FOR A PUBLIC EMPLOYEES AWARD PROGRAM

WHEREAS, N.J.S. 40A:9-18 authorizes local units to establish an awards program designed to promote efficiency and economy in governmental functions and to reward individual officers and employees for heroism, efficiency, meritorious suggestions, professional accomplishments, performance of duty and for services, and

WHEREAS, the Governing Body of the Borough of Pine Valley hereby authorize the establishment of a Public Employees Award Program and will designate an officer or officers to assist in the formulation and administration of this award program which may consist of an advisory committee, and

WHEREAS, the awards may be in the form of cash, medals, certificates, insignia, or other appropriated devices or tokens of appreciation as shall be provided for under the awards program.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Pine Valley hereby authorize the establishment of a Public Employees Award Program and authorizes an annual appropriation of general funds not to exceed \$2,500.00 to carry out any programs established hereunder.

- The approval of this resolution was requested by the Auditor.
- The motion to approve by Commissioner Clark, was seconded by Commissioner Kennedy, with Mayor Kennedy Commissioner Clark and Commissioner Kennedy in favor, none opposed and no abstentions.

- 052-2019-AMENDING RESOLUTION #045-2019 AWARDING NON-FAIR AND OPEN CONTRACT FOR SPECIALIZED LEGAL SERVICES

WHEREAS, by virtue of Resolution #045-2019, the Borough of Pine Valley entered into a contract with Chiesa, Shahinian & Giantomasi, PC (“CSG”), and

WHEREAS, the Borough of Pine Valley has determined that the need exists to further engage counsel for specialized legal services of a specific nature; and

WHEREAS, the Borough has received a proposal from Chiesa, Shahinian & Giantomasi, PC, (“CSG”) dated July 25, 2019 attached hereto and made a part hereof as Exhibit “A” (“Proposal”); and

WHEREAS, CSG provides legal services on a professional basis; and

*PINE VALLEY BOROUGH  
MEETING MINUTES  
Tuesday, October 22, 2019 at 4:00 pm  
Mayor Michael Kennedy presiding  
Page 2 of 3*

WHEREAS, the Borough has the need to acquire the professional services from CSG to be provided hereunder as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and

WHEREAS, it is not expected that the value of the services will exceed \$17,500 in one (1) year; and

WHEREAS, CSG has or will complete a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Pine Valley in the previous one (1) year and that the contract will prohibit CSG from making any reportable contributions through the term of the contract; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Borough Commissioners of the Borough of Pine Valley, County of Camden and State of New Jersey hereby authorizes and approves the Proposal with CSG, dated July 25, 2019 to provide professional services in the nature of specialized legal services upon the submission of a completed Business Entity Disclosure Certification. This appointment is made without competitive bidding as a professional service under the provisions of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5 because said appointment or engagement requires services performed by person or persons qualified to practice recognized professions, and it is not possible to obtain competitive bids, and according to other applicable statutes; and

BE IT FURTHER RESOLVED that the Mayor of the Borough of Pine Valley is hereby authorized to execute the Proposal with CSG; and

BE IT FURTHER RESOLVED that the Proposal and the Business Entity Certification be placed on file with the Resolution; and

BE IT FURTHER RESOLVED that the Clerk shall publish such notice, if any, as required under the law.

- The motion to approve by Commissioner Kennedy, was seconded by Commissioner Clark, with Mayor Kennedy Commissioner Clark and Commissioner Kennedy in favor, none opposed and no abstentions.
- 053-2019-FOR EMERGENCY APPROPRIATION FOR LEGAL SERVICES

WHEREAS, an emergency has arisen with respect to the need to engage counsel to provide specialized legal services, and no adequate provision was made in the 2019 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total amount of emergency appropriations created, including the appropriation to be created by this resolution is \$40,000.00, and three (3) percent of the total operations in the Budget for the year 2019 is \$15,330.00; and

WHEREAS, the foregoing appropriation together with prior appropriations exceeds three (3) percent of the total operating appropriations in the budget for 2019,

NOW, THEREFORE, BE IT RESOLVED (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with N.J.S.A. 40A:4-49, petition be made to the Director of the Division of Local Government Services for permission to exceed the statutory limitation of three (3) percent for the creation of an appropriation for the purpose set forth in the preamble in accordance with the following:

1. An emergency appropriation is hereby made for Legal Services – Other Expenses in the amount of \$40,000.00.
2. That said emergency appropriation shall be provided for in full in the 2020 budget, within CAPS, pursuant to N.J.S.A. 40A:4-53.3c(1).
3. That the statement required by the Local Finance Board has been filed with the Clerk and a copy transmitted to the Director of the Division of Local Government Services.
4. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

*PINE VALLEY BOROUGH  
MEETING MINUTES  
Tuesday, October 22, 2019 at 4:00 pm  
Mayor Michael Kennedy presiding  
Page 3 of 3*

- The motion to approve by Commissioner Clark, was seconded by Commissioner Kennedy, with Mayor Kennedy Commissioner Clark and Commissioner Kennedy in favor, none opposed and no abstentions.
- 054-2019-APPROVING PAYMENTS OF BILLS  
BE IT RESOLVED, by the Governing Body of the Borough of Pine Valley, that payment for the annexed bill list dated October 22, 2019 in the amounts indicated below is hereby approved:

Current Account	\$ 57,317.32
Payroll Account	<u>\$ 9,959.65</u>
TOTAL	\$ 67,276.97
- The motion to approve by Commissioner Kennedy, was seconded by Commissioner Clark, with Mayor Kennedy Commissioner Clark and Commissioner Kennedy in favor, none opposed and no abstentions.

**OFFICIAL REPORTS**

- **Finance Reports** – CFO Dean Ciminera said he has a draft of next year’s budget with the emergency appropriation plugged in. The draft was sent to /auditor Todd Saler for his review. Mr. Saler is out of the office today. Mayor Kennedy said the property owners will be apprised of the need of an accumulation adjustment that is in play at the moment, so they can react in the correct timeframe. There can be discussion of upcoming Shared Services on the phone with CFO.
- **Police Report** – Captain Rauer reported that the residents are leaving for the season and that the Club closes Sunday, November 3<sup>rd</sup>. Crump Cup attendance was 1,100. Last year the number for the Crump Cup was 800 as the time conflicted with the Eagles’ game. There were no incidents. One person was transported to the hospital not feeling well, but was released. The new police vehicle has not been received, but the current vehicle is running.
- **Pine Valley Board of Health Annual Report** - was submitted and discussed with the Board of Commissioners, thus fulfilling the requirement to meet once per year. This is pursuant to attendance at Camden County Healthy Summit to bring members up to date.

**MATTERS FOR DISCUSSION**

- **Best Practices Inventory** – CFO Ciminera commented on the Best Practices Inventory, saying what was formerly requested and what had changed. Some of the questions are not counted but serve as a survey. The Board of Commissioners reviewed the score of 39.5. Mayor Kennedy commented that the practices are good to adopt and good to make sure that the Borough is living up to the spirit of the point score. CFO Ciminera said that it is in range with what is desired.
- **Shares Services Agreement Worksheet** – this was previously discussed under the Finance Report section and what is currently expiring.
- **Quote for Records Storage and Shredding** – Mr. Mather said he is getting a yearly quote for shredding and storage for 2020.

**FLOOR OPEN TO THE PUBLIC** – Mayor Kennedy opened the meeting to the public, but not hearing any comments or questions, closed the meeting to the public.

**ANNOUNCEMENTS** – The next Borough Meeting of the Governing Body of the Borough of Pine Valley will be held on Monday, November 18, 2019 at 4 pm at the Borough Hall.

**MOTION TO ADJOURN** - The motion to adjourn at 4:31 pm by Commissioner Clark, was seconded by Commissioner Kennedy with all in favor, none opposed and no abstentions.

Respectfully submitted,

Dawn T. Amadio, RMC, Municipal Clerk