

**PINE VALLEY BOROUGH
MEETING MINUTES
Tuesday, August 18, 2020
Mayor Michael B. Kennedy Presiding**

CALL TO ORDER-FLAG SALUTE

OPEN PUBLIC MEETINGS ACT – Adequate notice of this meeting was given by emailing The Retrospect and Courier Post on January 6, 2020 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** – Regular Meeting of Tuesday, July 21, 2020 - the motion to approve by Commissioner Clark, was seconded by Commissioner Kennedy with all in favor, none opposed and no abstentions.

- **ORDINANCES** – First Reading by Title and Introduction
 - 2020-03 - 2020 SALARY ORDINANCE
 - First Reading – Mayor Kennedy read the Ordinance by title and mentioned that this was part of the auditor’s notes received from the CFO.
 - 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 is scheduled for Tuesday, September 15, 2020, 4 pm in the Pine Valley Borough Hall.

- **Resolutions**
 - 044-2020 - AUTHORIZING REQUEST TO MADE TO COUNTY CLERK FOR THE OFFICIAL NOVEMBER 3RD 2020 BALLOT TO INCLUDE A PROPOSITION FOR THE FORMATION OF CITIZEN’S COMMISSION TO IDENTIFY POSSIBLE SHARED SERVICES OR CONSOLIDATION OPPORTUNITIES FOR THE BOROUGH
WHEREAS, N.J.S.A. 40A:65-32 provides that a governing body of a municipality may adopt, at a regular meeting, a Resolution requesting the Clerk of that municipality to send a request to the Clerk of that municipality’s County to print upon the official ballots to be used at the next ensuing regular or general election a proposition authorizing the governing body of the municipality to create a Citizen’s Commission to identify possible shared services or consolidation opportunities for that municipality; and
WHEREAS, the Citizen’s Commission would consist of members of the governing body, appropriate municipal officials, and at least an equal number of residents of the municipality; and
WHEREAS, the governing body of the Borough of Pine Valley is desirous of exploring possible shared services or consolidation opportunities for the Borough; and
WHEREAS, N.J.S.A. 40A:65-32 further provides that the request be filed with the County Clerk no later than seventy-four (74) days prior to the next general election; and
WHEREAS, the next general election for the Borough is November 3rd 2020 and seventy-four (74) days prior thereto is August 21, 2020; and,
WHEREAS, N.J.S.A. 40A:65-32 further provides that the proposition shall be formulated and expressed in a Borough resolution in concise form.
NOW, THEREFORE BE IT RESOLVED, that the Pine Valley Borough Clerk is hereby authorized to submit to the Clerk of the County of Camden, prior to August 21, 2020, a request for the Clerk of the County of Camden to print upon the Borough’s official ballots for the November 3rd 2020 general election a proposition authorizing the creation of a Citizen’s Commission to identify possible shared services or consolidation opportunities for the Borough.

BE IT FURTHER RESOLVED, that the question to be placed on the ballot shall be as follows:
Public Question

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“Shall the Governing Body of the Borough of Pine Valley be authorized, pursuant to N.J.S.A. 40A:65-32, to appoint members to a Citizen’s Commission, comprised of members of the governing body, appropriate municipal officials, and at least an equal number of residents of the municipality, and provide resources as it deems necessary for the Citizen’s Commission to identify possible shared services or consolidation opportunities for the Borough.”

Explanatory Statement

This public question asks whether the Borough’s governing body is authorized to form and appoint members to a Citizen’s Commission, comprised of members of the Borough’s governing body, appropriate municipal officials, and at least an equal number of Borough residents, which would be asked to identify possible shared services or consolidation opportunities for the Borough.

A “yes” vote will authorize the governing body of the Borough to form and appoint members to a Citizen’s Commission and provide resources as it deems necessary for the Citizen’s Commission to identify possible shared services or consolidation opportunities for the Borough.

A “no” vote means that the governing body of the Borough is not authorized to form and appoint members to a Citizen’s Commission.

- Mayor Kennedy discussed with each person regarding next steps from legal counsel in order to look at all option for the benefit of the Borough’s tax payers. The voter public question on the November 3rd ballot regarding exploratory processes for what Pine Valley may need to do such as mergers and/or shared services. No time line has been discussed for the exploration and reporting will be decided and should be open and thoughtful as they look at the future of the Borough. As this becomes public information Mayor Kennedy will reach out to the contiguous municipalities of Pine Hill and Clementon to discuss and collect information.
- The Motion to adopt by Commissioner Clark, was seconded by Commissioner Kennedy, with all in favor, none opposed and no abstentions

- **045-2020 – TO CERTIFY THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 required the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorized the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Findings and Questioned Costs” or “Findings and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Findings and Questioned Costs” or “Findings and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

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WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

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

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

- The Report of the Audit was distributed to the Governing Body. The CFO and Auditor reviewed the Financial Statements, with nothing material, just items of administrative process with no surprises. As in the past, the reporting is held up due to pension foot note requirements. CFO Ciminera discussed item #3 that the Recycling grant money should be spent down. Captain Rauer mentioned that he was making progress spending the Body Armor Grant money by getting vests ordered. There was discussion of purchasing recycling containers.
- The Motion to adopt by Commissioner Kennedy, was seconded by Commissioner Clark, with all in favor, none opposed and no abstentions

- **#046-2020 - APPROVING PAYMENT OF BILLS**

BE IT RESOLVED, by the Governing Body of the Borough of Pine Valley, that payment for the annexed bill list dated August 18, 2020 in the amounts indicated below is hereby approved:

Current Account	\$125,457.13
Payroll Account	\$ 6,241.16
TOTAL	\$131,698.29

- Mayor Kennedy highlighted some of the items on the bill list.
- The Motion to adopt by Commissioner Clark, was seconded by Commissioner Kennedy, with all in favor, none opposed and no abstentions

OFFICIAL REPORTS

- Finance – CFO Ciminera reported that the Borough is completely liquid with the balances in the General Fund. Main distribution was County Taxes. The Tax Anticipation note is payable in January. There was discussion if it was in the budget to distribute the requested employee deferments in September. The Tax Bills have been reviewed and will be distributed to residents. Mayor Kennedy will draft a letter to include. On the next agenda Mayor Kennedy would like a list of Shared Services for renewal in 2021. A meeting with the Auditor is forthcoming.
- Police – Captain Rauer reported that there was a small fire by the high tension wired due to accumulation of brush. The Pine Hill Fire Department did respond. There was no damage as it was on dirt and the landscape was cleared of brush. All members of the Police Department are healthy. Firearms qualifications are on hold as the ranges are closed. The police vehicle was serviced at the required mileage. There is Uncertainty about the Crump Cup and the club closing is extended all due to COVID-19.

MATTERS FOR DISCUSSION

- **Purchase of Land** – this matter is on hold.

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- **Generator** – There was discussion of a recent power outage and the frequency of power outages and the need to purchase a generator. There was discussion of quotes and pricing that had been received. Mayor Kennedy asked to keep the matter on the Agenda.
- **Records** – Mr. Mather reported that the records are boxed and there are 44 permanent boxes to be archived offsite. From this point there will only be annual destruction requirements.
- **Rescinding of Resolutions 018-2020 and 019-2020 authorizing contracts with Pine Valley Golf Club** - there was discussion of what each resolution entailed and whether more discussion would be required. The governing body concurred that 018-2020 should be rescinded and 019-2020 would be looked at more carefully and put on the next agenda.
- **#047-2020 - RESCINDING RESOLUTION #018-2020 - AUTHORIZING THE PROPER OFFICIALS TO SIGN A CONTRACT WITH PINE VALLEY GOLF CLUB FOR THE REMOVAL OF TRASH AND RECYCLING FOR THE YEAR 2020**
WHEREAS, by virtue of Resolution 018-2020 the Borough of Pine Valley authorized a contract with the Pine Valley Golf Club for the removal of trash and recycling for the year 2020; and
WHEREAS, subsequent to the approval of said resolution, the provider opted to suspend availability of said service;
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Pine Valley, County of Camden, State of New Jersey to rescind Resolution 018-2020.
- The Motion to adopt by Commissioner Kennedy, was seconded by Commissioner Clark, with all in favor, none opposed and no abstentions

FLOOR OPEN TO THE PUBLIC – Mayor Kennedy opened the floor to the Public for comments or questions on any item appearing on the Agenda, or any other issues they may have. Hearing none, he closed the meeting to the public.

ANNOUNCEMENTS – the next meeting for the Borough of Pine Valley will be held Tuesday, September 15, 2020, 4 pm in the Borough Hall.

MOTION TO ADJOURN – motion by Commissioner Clark at 4:43 pm, was seconded by Commissioner Kennedy with all in favor, none opposed and no abstentions.

Respectfully Submitted,

Dawn T. Amadio, RMC
Municipal Clerk