

STRATFORD BOROUGH COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY, MARCH 12, 2019  
7:00 P.M.

**CALL TO ORDER:** Mayor Keenan called the meeting to order at 7:00 P.M.

**STATEMENT OF ADVERTISEMENT:** The Mayor read the following statement:

Notice of this meeting has been provided to the Courier Post and The Retrospect and is posted on the Borough Hall Bulletin Board stating the time and the place of the meeting.

**PLEDGE OF ALLEGIANCE:** Mayor Keenan led the Pledge and said an opening prayer.

**ROLL CALL:**

MAYOR JOSH KEENAN - PRESENT  
COUNCIL PRESIDENT TINA LOMANNO - PRESENT  
TOM COLLINS, COUNCILMAN - PRESENT  
PATRICK GILLIGAN, COUNCILMAN - PRESENT  
PATRICK GREEN, COUNCILMAN- PRESENT  
LINDA HALL, COUNCILWOMAN- PRESENT  
FRANK HARTMAN, COUNCILMAN – PRESENT  
STUART PLATT, SOLICITOR - PRESENT  
RON MORELLO, POLICE CHIEF - PRESENT  
MICHAELA BOSLER, ACTING BOROUGH CLERK - PRESENT

**PUBLIC PORTION FOR AGENDA ITEMS ONLY:**

Hartman motioned to open the public portion on agenda items only. Lomanno seconded the motion, which passed with all members present voting in favor in a voice vote.

John Gentless – 111 Union Ave. – In regards to Ordinance 2019:05 – asked for clarification of the ordinance. In regards to Resolution 2019:84 – questioned the matters for executive session.

Gilligan motioned to close the public portion for agenda items. Collins seconded the motion, which passed with all members present voting in favor in a voice vote.

**REPORTS:**

**ORDINANCE & PROPERTY** Councilman Patrick Green read the Code Enforcement report as follows:

Complaints: 18  
Complaints Resolved: 14  
Follow Ups: 23  
Summons Issued: 2

*Submitted by Stephen Gagliardi, Code Enforcement Officer*

**FINANCE & REVENUE** Councilman Patrick Gilligan read his report as follows:

Balance as of 2-1-19 – \$876,854.48  
Total Receipts - \$3,497,813.40  
Total Disbursements - \$2,229,544.74  
Balance as of 2-28-19 – \$2,145,123.14  
Total in other Funds - \$2,266,709.51

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POLICE

Councilwoman Lomanno read the report as follows:

28 Adult arrests,  
0 Juvenile arrests,  
0 assaults to police,  
9 Simple assaults Complaints,  
0 Criminal Mischief Complaints,  
9 Harassment complaints,  
97 Other investigations and complaints,  
0 burglaries,  
0 robberies,  
6 thefts in the amount of \$925.00,  
\$3,045.00 in stolen property recovered,  
0 motor vehicle thefts,  
9 D.W.I. arrests,  
6 Narcotics arrests,  
401 Traffic summonses issued,  
24 Motor vehicle accidents,  
5 injuries from accidents including 1 pedestrian  
26 Alarm activations,  
  
68 Total crime reports taken  
640 total calls for police service  
*Submitted by Ron Morello, Chief of Police*

Councilwoman Lomanno read a letter sent to Chief Morello from a resident thanking Officer Dan Camburn for his help with a situation and rest of the Police Department for their hard work.

EMERGENCY SERVICES

Councilman Frank Hartman read portions of the following reports:

Fire Department

The Stratford Fire Department responded to 32 Alarms 2 Drills in the month February 2019. The following list is a breakdown of the same:

	MONTH	YEAR TO DATE
Dwelling Fires	0	0
Building Fires	2	3
Investigations	4	14
Out of Town Assists	10	24
Alarm Systems	8	15
Assist Ambulance, Police, Public	3	7
Car Fires	0	0
Wires, Trees Down	1	3
Rescues & M.V.A.'s	14	14
Brush Fires	0	0
Drills	2	4

Total man hours on the above alarm drills was 398  
*Submitted by Stephen Gagliardi, Deputy Chief*

Ambulance Association

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The Stratford Ambulance Association **Paid Crew** responded to **100 Alarms** in the month of **February 2019**, the following is a breakdown of the same:

	<b>Paid</b>	
	<u>Month</u>	<u>Y.T.D.</u>
1. Assault	1	2
2. Bleeding	1	4
3. Cardiac	11	19
4. CVA	2	6
5. Diabetic	0	1
6. Fall	16	28
7. Fire Call	4	6
8. Haz-Mat	0	0
9. Maternity	0	0
10. Medical Emergency	24	53
11. Medical Alarm	1	2
12. MVA	8	15
13. Overdose	0	2
14. Ped/MVA	0	0
15. Psych. Emergency	6	10
16. Respiratory	11	29
17. Seizures	4	5
18. Sick Person	4	11
19. Special Assignment	0	0
20. Unconscious Person	7	10

Year to Date Calls

**Paid: 203**

*Submitted by Lois Tadley, Chief-Stratford Ambulance*

The Stratford Ambulance Association **Volunteer Crew** responded to **12 Alarms** in the month of **February 2019**, the following is a breakdown of the same:

	<b>Volunteer</b>	
	<u>Month</u>	<u>Y.T.D.</u>
1. Assault	0	0
2. Bleeding	0	0
3. Cardiac	0	1
4. CVA	0	0
5. Diabetic	0	0
6. Fall	0	3
7. Fire Call	0	2
8. Haz-Mat	0	0
9. Maternity	0	0
10. Medical Emergency	2	5
11. Medical Alarm	0	0
12. MVA	5	7
13. Overdose	0	0
14. Ped/MVA	0	0
15. Psych. Emergency	0	1
16. Respiratory	4	5
17. Seizures	0	1
18. Sick Person	1	1
19. Special Assignment	0	0
20. Unconscious Person	0	0

Year to Date Calls

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Volunteer: 26

Submitted by Lois Tadley, Chief-Stratford Ambulance

**PUBLIC WORKS & LIGHTING** Councilman Tom Collins read the reports as follows:

Sewer Utility

- Call outs for emergency service: 7
- Performed preemptive checks and required maintenance of all manholes and pump stations
- Sewer line maintenance performed: N/A
- Work requests performed:
  - Installed new light at the lower end of the basement staircase in the Borough Hall
  - Replaced bulbs in the lights at the Senior Center
  - Removed snow from Borough building and property sidewalks
  - Installed 6 wall file holders in the clerk's office
  - Multiple repairs to the Justice Center
    - Installation of paper towel dispensers
    - Installation of soap dispensers
    - Changed air filters in HVAC system
    - Insulation of copper piping in the outside boiler room
    - Repair of water damaged ceiling in upstairs
    - Replacement of light bulbs inside and outside
    - Replacement of smoke detector batteries
    - Replacement of ceiling tiles in court room
    - Replacement of runner door mats
    - Replacement of back door light
    - Reinstall the motion sensor light in the rear parking lot
- Regular maintenance activities performed include:
  - Weekly trash pickup and cleanup at Yellin School, Parkview School and Vassar Ave. ball fields
  - Clearing of debris from storm drains after rain
  - Bi-weekly town wide metal/appliance collection

Public Works

- Cleaning of storm drains
- Picked up 2 tons of asphalt, ran whole town to fix potholes
- Chipper out two times for the month
- Plowing and salting of multiple snow and ice storms
- Maintenance of trucks, plow and other equipment
- Received bucket truck on 2/11, started trimming street trees and removal of totem poles

**PUBLIC EVENTS**

Councilwoman Hall announced the SAO Opening Day on April 6<sup>th</sup>. The Easter Egg Hunt will be on April 20<sup>th</sup> at noon on Mancini Field. Asked residents to support the Fire Department during their Easter Flower Sale. The Town Wide Yard Sale will be May 4<sup>th</sup>. Miss Stratford and Little Miss Stratford pageant dates are still to be determined but are planned for May.

**OLD BUSINESS:**

- ORDINANCE 2019:02 – AMEND CHAPTER 10.44 OF THE BOROUGH CODE ENTITLED “TRAFFIC SCHEDULES”

Hartman motioned to open the public hearing on ordinance 2019:02. Hall seconded the motion, which passed with all members present voting in favor in a Voice Vote.

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There were no comments from the public.

Collins motioned to close the public hearing on ordinance 2019:02. Green seconded the motion, which passed with all members present voting in favor in a Voice Vote.

Hartman motioned to adopt Ordinance 2019:02. Green seconded the motion, which passed with all members present voting in favor in a Roll Call Vote.

- ORDINANCE 2019:03 – AMEND CHAPTER 10 OF THE BOROUGH CODE ENTITLED “VEHICLES IN TRAFFIC” Gilligan motioned to open the public hearing on ordinance 2019:03. Lomanno seconded the motion, which passed with all members present voting in favor in a Voice Vote.

There were no comments from the public.

Green motioned to close the public hearing on ordinance 2019:03. Hall seconded the motion, which passed with all members present voting in favor in a Voice Vote.

Green motioned to adopt Ordinance 2019:03. Lomanno seconded the motion, which passed with all members present voting in favor in a Roll Call Vote.

- ORDINANCE 2019:04 – SPECIAL EMERGENCY APPROPRIATION FOR REDEVELOPMENT AND REVISION AND CODIFICATION OF ORDINANCES Hartman motioned to open the public hearing on ordinance 2019:04. Lomanno seconded the motion, which passed with all members present voting in favor in a Voice Vote.

There were no comments from the public.

Collins motioned to close the public hearing on ordinance 2019:04. Hall seconded the motion, which passed with all members present voting in favor in a Voice Vote.

Lomanno motioned to adopt Ordinance 2019:04. Green seconded the motion, which passed with all members present voting in favor in a Roll Call Vote.

**NEW BUSINESS:**

- ORDINANCE 2019:05 – AN ORDINANCE OF THE BOROUGH OF STRATFORD, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, REPEALING AND REPLACING CHAPTER 16.32, ENTITLED “PERFORMANCE GUARANTEES,”; AMENDING CHAPTER 16.28, ENTITLED “SITE PLAN REVIEW,”; AND AMENDING CHAPTER 16.24, ENTITLED “SUBDIVISION REVIEW,”; OF TITLE 16, ENTITLED “LAND DEVELOPMENT CODE,” OF THE CODE OF THE BOROUGH OF STRATFORD

This is the first reading and introduction, the public hearing for this ordinance will be on May 14, 2019 at 7:00 p.m..

WHEREAS, Title 16 of the Code of the Borough of Stratford, entitled “Land Development Code,” guides the use and development of land within the Borough of Stratford in accordance with and pursuant to New Jersey Municipal Land Use Law (“MLUL”) and is cited as the “Land Use Procedures and Development Review Ordinance of the Borough of Stratford”; and

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WHEREAS, Chapter 16.32 of the Code of the Borough of Stratford, entitled "Performance Guarantees," outlines the furnishing of performance and maintenance guaranties, along with notification requirements, inspection requirements, and the acceptance or rejection of required improvements; and

WHEREAS, Chapter 16.28 of the Code of the Borough of Stratford, entitled "Site Plan Review," encourages adequate provision for traffic and circulation, the provision of recreation and open space when required, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of good design, the general purpose of guiding the development of the borough, and to best promote the health, safety, order, convenience and general welfare as well as efficiency and economy in the process of development and the maintenance of established property values; and

WHEREAS, Chapter 16.24 of the Code of the Borough of Stratford, entitled "Subdivision Review," insures that land subdivision in the Borough shall adhere to the provisions of the zoning ordinance, the revised statutes of the State of New Jersey, the resolutions of the County of Camden, the provisions of this title and all other applicable regulations and to exercise the powers granted to the Borough in the MLUL; and

WHEREAS, the New Jersey legislature has recently amended N.J.S.A. 40:55D-53 so as to modify performance guaranties, maintenance guaranties and municipal inspection protocols under the MLUL, and to introduce the availability of guaranties for safety and stabilization and certificates of occupancy; and

WHEREAS, the Mayor and Borough Council have reviewed the existing provisions pertaining to performance guaranties, maintenance guaranties, and inspection regulations in Chapters 16.32, 16.28, and 16.24, determining it in the best interests of the residents of the Borough of Stratford to repeal and replace Chapter 16.32 and amend Chapters 16.28 and 16.24 in accordance with N.J.S.A. 40:55D-53; and  
NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Stratford that the Code of the Borough of Stratford is hereby amended, revised and/or supplemented as follows:

SECTION 1. Chapter 16.32 of the Code of the Borough of Stratford, entitled "Performance Guarantees," is hereby repealed and replaced with a new Chapter 16.32, entitled "Performance, Maintenance, Safety and Stabilization, and Temporary Certificate of Occupancy Guarantees," as follows:  
"CHAPTER 16.32 PERFORMANCE, MAINTENANCE, SAFETY AND STABILIZATION, AND TEMPORARY CERTIFICATE OF OCCUPANCY GUARANTEES  
16.32.010 - Required.

The planning board shall be empowered to require that the applicant furnish a performance bond for off-site and on-site improvements shown on its site plan for the purpose of guaranteeing the completion of said improvements as required in this Chapter. An estimate of improvement cost shall be prepared by the Borough Engineer in order to determine the amount of the performance guaranty, which shall be reviewed and have the approval of the Borough Solicitor as to both form and amount prior to the issuance of any permits. Posting of the performance guaranty shall be in accordance with the provisions of this Chapter.

16.32.020 – Recording of Final Subdivision of Plats and Final Site Plan Approval.

A. Before recording of final subdivision plats or as a condition of final site plan approval, the approving authority may require and shall accept in accordance with the standards adopted by this Chapter for the purpose of assuring the installation and maintenance of on-tract improvements:

(1) The furnishing of a performance guarantee in favor of the Borough in an amount not to exceed 120% of the cost of installation of the following improvements that are to be dedicated to a public entity, and that have not yet been installed, as shown on the approved plans or plat: streets, pavement, gutters, curbs, sidewalks, street lighting, street trees, surveyor's monuments, water mains, sanitary sewers, community septic systems, drainage structures, public improvements of open space, and any grading necessitated by the preceding improvements.

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(2) In the case where an approved phase or section of a development is privately-owned, the perimeter buffer landscaping guarantee shall be required by the Borough as a condition of permit approval. At the developer's option, a separate performance guarantee may be posted for the privately-owned perimeter buffer landscaping. The following forms shall be acceptable:

- (a) A cash value equal to 120% of the total perimeter buffer landscaping cost;
- (b) An irrevocable performance bond in the amount of 120% of the perimeter buffer landscaping cost.

The projected cost of the perimeter buffer landscaping shall be provided by the applicant and based on an approved landscape plan and plantings within the required landscape buffer.

(3) The cost of the performance guarantee shall be determined by the Borough Engineer, who shall prepare an itemized cost estimate of the improvements covered by the performance guarantee, which itemized cost estimate shall be appended to each performance guarantee posted by the obligor. Said itemization shall be the basis for determining the amount of performance guaranty and maintenance guaranty required by the approving authority. The Borough Engineer shall forward his estimate of the cost of improvements to the developer within 30 days of the date of receipt of a request sent by certified mail for said estimate.

(4) Prior to the release of a performance guarantee, the furnishing of a maintenance guarantee in an amount not to exceed 15% of the cost of the installation of the improvements which are being released.

(5) Upon the inspection and issuance of final approval of the following private site improvements by the Borough Engineer, the furnishing of maintenance guarantee not to exceed 15% of the cost of installation of the following private site improvements: stormwater management basins, in-flow and water quality structures within the basins, and the out-flow pipes and structures of the stormwater management system.

(6) The term of the maintenance guarantee shall be for a period not to exceed two years and shall automatically expire at the end of the established term.

B. In the event that other governmental agencies or public utilities automatically will own the utilities to be installed or the improvements are covered by a performance or maintenance guaranty, to another governmental agency, no performance or maintenance guaranty, as the case may be, shall be required for such utilities or improvements.

C. (1) Upon the request of a holder of a permit, the construction official may issue a temporary certificate of occupancy for a building or structure or part thereof before the entire work covered by the permit shall have been complete, provided such portion or portions may be occupied safely prior to full completion of the building or structure with respect to public safety and welfare. Further, no temporary or final certificate of occupancy shall be granted until all required utilities, including but not limited to water, sewer, electric and gas are installed and in service.

(2) Temporary certificate of occupancy guarantee. In the event that a developer shall seek a temporary certificate of occupancy for a development, unit, lot, building, or phase of development, as a condition of the issuance thereof, the developer shall furnish a separate guarantee, referred to herein as a temporary certificate of occupancy guarantee, in an amount equal to 120% of the cost of installation of only those improvements or items which remain to be completed or installed under the terms of the temporary certificate of occupancy and which are required to be installed or completed as a condition precedent to the issuance of the permanent certificate of occupancy for the development, unit, lot, building or phase of development and which are not covered by an existing performance guarantee. Upon posting of a temporary certificate of occupancy guarantee, all sums remaining under a performance guarantee, which relate to the development, unit, lot, building, or phase of development for which the temporary certificate of occupancy is sought, shall be released. The scope and amount of the temporary certificate of occupancy guarantee shall be determined by the Borough engineer. At no time may the Borough hold more than one guarantee or bond of this

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type. The temporary certificate of occupancy guarantee shall be released by the Borough engineer upon the issuance of a permanent certificate of occupancy with regard to the development, unit, lot, building, or phase as to which the temporary certificate of occupancy relates. The projected cost of the temporary certificate of occupancy guarantee shall be provided by the applicant. It shall include items such as, but not limited to, sidewalks and street trees at the subject property, roadways (including surface course) from the property to the fully improved roadway; water and sewer infrastructure from the property to the main, stormwater conveyance to serve the property, stormwater management structures/basins for the current project phase. When uncompleted community facilities, such as recreation, are to be included in the temporary certificate of occupancy guarantee, it shall be required to the point of 50% occupancy. Each of these items shall apply for residential and non-residential projects requiring a temporary certificate of occupancy.

D. In addition to a performance guarantee required pursuant to this Chapter, a developer shall furnish to the Borough of Stratford a separate guarantee, referred to herein as a "safety and stabilization guarantee". The amount of a safety and stabilization guarantee for a development with bonded improvements in an amount not exceeding \$100,000 shall be \$5,000. The amount of a safety and stabilization guarantee for a development with bonded improvements exceeding \$100,000 shall be calculated as a percentage of the bonded improvement costs of the development or phase of development as follows: \$5,000 for the first \$100,000 of bonded improvement costs, plus two and a half percent (2½%) of bonded improvement costs in excess of \$100,000 up to \$1,000,000, plus one percent (1%) of bonded improvement costs in excess of \$1,000,000. The safety and stabilization guarantee shall be available to the Borough solely for the purpose of returning property that has been disturbed to a safe and stable condition or otherwise implementing measures to protect the public from access to an unsafe or unstable condition, only in the circumstance that: (i) site disturbance has commenced and, hereafter, all work on the development has ceased for a period of at least 60 consecutive days following such commencement for reasons other than force majeure, and (ii) work has not recommenced within 30 days following the provision of written notice by the Borough to the developer of the Borough's intent to claim payment under the guarantee. The Borough shall not provide notice of its intent to claim payment until a period of at least 60 days has elapsed during which all work on the development has ceased for reasons other than force majeure. The Borough shall provide written notice to a developer by certified mail or other form of delivery providing evidence of receipt. In the event that the developer has made a cash deposit with the Borough as part of the performance guarantee, then any partial reduction granted in the performance guarantee shall be applied to the cash deposit in the same proportion as the original cash deposit bears to the full amount of the performance guarantee, provided that if the safety and stabilization guarantee is included as a line item of the performance guarantee, the Borough may retain cash equal to the amount of the remaining safety and stabilization guarantee.

16.32.030 – Guaranty reduction upon completion of improvements.

The amount of any performance guaranty may be reduced by the Borough Council, by resolution, when portions of the bonded improvements have been certified by the Borough Engineer to have been completed. The time allowed for installation of the improvements for which the performance guaranty has been provided may be established by the Borough by resolution.

16.32.040 – Completion of improvements by Borough; liability.

If the required bonded improvements are not completed or corrected in accordance with the performance guaranty, the obligor and surety, if any, shall be liable thereon to the Borough for the reasonable cost of the improvements not completed or corrected, and the Borough may, either prior to or after the receipt of the proceeds thereof, complete such improvements.

16.32.050 – Notification of completion of improvements; inspection and report.

When all of the bonded improvements have been completed, the obligor shall notify the Borough Council, in writing, by certified mail addressed in care of the Borough Clerk, of the completion of said improvements and shall send a copy thereof to the Borough Engineer. Thereupon the Borough Engineer shall inspect all of the bonded improvements and shall file a detailed report, in writing, with the Borough Council, indicating either approval,

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partial approval or rejection of the bonded improvements with a statement of reasons for any rejection. If partial approval is indicated, the cost of the bonded improvements rejected shall be set forth.

16.32.060 – Inspection fees.

A. The obligor shall reimburse the Borough for reasonable inspection fees paid the Borough Engineer for the foregoing inspection of improvements.

B. The developer shall post the inspection fees in escrow in an amount:

- (1) not to exceed, except for extraordinary circumstances, the greater of \$500 or 5% of the cost of bonded improvements that are subject to a performance guarantee; and
- (2) not to exceed 5% of the cost of private site improvements that are not subject to a performance guarantee.

C. If the Borough determines that the amount in escrow for the payment of inspection fees, is insufficient to cover the cost of additional required inspections, the Borough may require the developer to deposit additional funds in escrow provided that the Borough delivers to the developer a written inspection escrow deposit request, signed by the Borough Engineer, which: informs the developer of the need for additional inspections, details the items or undertakings that require inspection, estimates the time required for those inspections, and estimates the cost of performing those inspections.”

SECTION 2. Paragraph D and Paragraph F, of Section 16.24.040, entitled “Final approval of major subdivisions,” of Chapter 16.24, entitled “Subdivision Review,” of the Code of the Borough of Stratford, are hereby amended to read as follows:

“D. An application for the final approval of a major subdivision plat shall not be complete and will not be accepted for review or consideration unless the developer has installed the improvements shown on the preliminary plat or the planning board shall require the posting of adequate guarantee(s) to assure the installation of the required improvements. Posting of any guarantee shall be in accordance with the provisions of Chapter 16.32 of this title. Said guarantees shall have been reviewed and have the approval of the Borough Solicitor as to both form and amount. The time limit on the installation of the required improvements under a performance guarantee shall not exceed twelve (12) months from the date of posting.”

“F. If the final plan is approved by the planning board the final plat shall be signed by the Borough Clerk, Borough Engineer, planning board chairman, and planning board secretary and returned to the developer for the securing of certification of the county recording officer. Final approval of a major subdivision shall expire ninety-five (95) days from the date of the signing of the plat unless within such period the plat shall have been duly filed by developer with the county recording officer. The planning board may, for good cause shown, extend the period for recording for an additional period not to exceed one hundred ninety (190) days from the date of the signing of the plat. The signatures of the chairman and secretary of the planning board shall not be affixed until the developer has posted the guarantee(s) required pursuant to Chapter 41 of C.291, P.L. 1975 and Chapter 16.32 of this title.”

SECTION 3. Paragraph C, of Section 16.28.060, entitled “General regulation,” of Chapter 16.28, entitled “Site Plan Review,” of the Code of the Borough of Stratford, is hereby amended to read as follows:

“C. Performance bonds. The planning board shall be empowered to require that the applicant furnish a performance bond for any off-site and on-site improvements shown on his or her site plan for the purpose of guaranteeing the completion of said improvements in accordance with the provisions of Chapter 16.32 of this title. An estimate of improvement cost shall be prepared by the Borough Engineer in order to determine the amount of the performance guaranty, which shall be reviewed and have the approval of the Borough Solicitor as to both form and amount prior to the issuance of any permits.”

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SECTION 4. Except as set forth in Sections 1 through 3 above, the balance of the Code of the Borough of Stratford shall not be affected by this Ordinance.

SECTION 5. All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 6. 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 7. This Ordinance shall be referred to the Borough Planning Board for review, which shall be based on whether the proposal is substantially consistent with the Master Plan. The Planning Board has a period of thirty-five (35) days after referral to report on the proposed Ordinance.

SECTION 8. This Ordinance shall take effect immediately upon posting, publication, final passage in the manner prescribed by law.

Gilligan motioned to approve the introduction of Ordinance 2019:05. Green seconded the motion and all members present voting in favor in a Roll Call Vote.

○ ORDINANCE 2019:06 – AMENDING ORDINANCE 2018:05 ESTABLISHING SALARIES

This is the first reading and introduction, the public hearing for this ordinance will be on April 9, 2019 at 7:00 p.m..

WHEREAS, it has become necessary to amend certain salaries set forth in ordinance 2018:05

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the Borough of Stratford, County of Camden, and State of New Jersey that Ordinance 2018:05 is amended to include the salary range for the following positions as follows:

Section 1:

Account Clerk	Part Time \$15.00 – \$25.00 per hour
Municipal Administrator	\$70,000.00-\$75,000.00

Section 2. All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

Section 3. 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 4. This Ordinance shall take effect immediately upon posting, publication and final passage in the manner prescribed by law.

Hartman motioned to table the introduction of Ordinance 2019:06. Green seconded the motion with Green and Hartman in favor, and Lomanno, Collins, Gilligan and Hall opposed. Motion did not carry.

Lomanno motioned to approve the introduction of Ordinance 2019:06. Collins seconded the motion with Lomanno, Collins, Gilligan, and Hall in favor, and Green and Hartman opposed. Motion carried.

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- ORDINANCE 2019:07 – AN ORDINANCE AMENDING CHAPTER 2.08, ENTITLED “BOROUGH OFFICERS,” OF THE CODE OF THE BOROUGH OF STRATFORD

This is the first reading and introduction, the public hearing for this ordinance will be on April 9, 2019 at 7:00 p.m..

WHEREAS, the Borough of Stratford is a municipal corporation organized and operating under the laws of the State of New Jersey; and

WHEREAS, Chapter 2.08, entitled “Borough Officers,” of the Code of the Borough of Stratford, establishes and ratifies various positions and offices of the Borough and outlines the qualifications to hold such positions and offices and designates their duties; and

WHEREAS, pursuant to N.J.S.A. 40A:9-136 the governing body of any municipality, by ordinance, may create the office of municipal administrator and delegate to him or her all or a portion of the executive responsibilities of the municipality; and

WHEREAS, pursuant to N.J.S.A. 40:48-2 the Mayor and Borough Council may make, amend, repeal and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the Borough and its inhabitants; and

WHEREAS, the Mayor and Borough Council deem it in the best interest of the Borough to Amend Chapter 2.08 by creating the office of Municipal Administrator and delegating to that office a portion of the executive responsibilities of the Borough as outlined herein; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Stratford that the Code of the Borough of Stratford is hereby amended, revised and/or supplemented as follows:

SECTION 1. Chapter 2.08 of the Code of the Borough of Stratford, entitled “Borough Officers,” is hereby amended, revised, and/or supplement to read as follows:

CHAPTER 2.08 - BOROUGH OFFICERS

2.08.010 to 2.08.110

[No Changes]

2.08.120 – Municipal administrator.

A. Position established.

The office of Municipal Administrator in and for the Borough of Stratford is hereby established pursuant to N.J.S.A. 40A:9-136 et seq.

B. Appointment; removal from office; Acting Administrator.

1. The Municipal Administrator shall be appointed by the Mayor with the advice and consent of the Council.
2. The Municipal Administrator shall serve at the pleasure of the governing body and may be removed by a two-thirds vote of the governing body. The resolution of removal shall become effective three months after its adoption by the governing body. The governing body may provide that the resolution shall have immediate effect; provided, however, that the governing body shall cause to be paid to the administrator forthwith any unpaid

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balance of his or her salary and the Municipal Administrator's salary for the next three calendar months following adoption of the resolution.

3. In the event of removal, resignation, absence or disability of the Administrator, the Mayor shall appoint an Acting Administrator to serve for 90 days or until an Administrator is appointed pursuant to Subsection A above, whichever is sooner.

C. Compensation; restriction of employment.

1. The Municipal Administrator shall be paid a salary fixed and adopted by the Council in the annual Salary Ordinance. The Administrator shall receive no additional compensation for other positions whose titles he or she may hold but shall be reimbursed for all necessary expenses incurred in the performance of his or her office, subject to approval by the governing body.
2. The Municipal Administrator shall devote full time to the interests of the Borough and shall not hold any other outside employment.
3. Unless otherwise provided, no Acting Administrator shall be paid more than his or her regular salary while serving in that capacity, but he or she shall be reimbursed for all necessary expenses incurred in the performance of the office. If the governing body, by resolution, increases the compensation of the Acting Administrator during his or her tenure, such increased compensation shall not exceed the minimum salary provided in the Salary Ordinance for the position of Administrator.

D. Qualifications; residency requirement.

1. The Municipal Administrator shall be appointed on the basis of his or her executive and administrative qualifications. Previous experience in local government is essential, and possession of a master's degree in public administration, business administration or municipal management shall be preferred.
2. The Municipal Administrator need not be a resident of the Borough of Stratford or the State of New Jersey at the time of his or her appointment but may thereafter reside outside of the Borough only with approval of the governing body.

E. General responsibilities.

1. Chief administrative officer. The Municipal Administrator shall be the chief administrative officer of the Borough of Stratford and shall direct and supervise the administration of all departments and officers of the Borough government, following consultation with, and subject to the approval of, the governing body. The authority of the Mayor and Council to supervise the administration of all departments shall be transmitted through the Municipal Administrator where not prohibited by state statute, and all subordinate employees of the Borough shall be responsible to said authority.
2. The Municipal Administrator shall be required in all instances to consult and confer with, and obtain the consent of, the Mayor or the members of the Council who serve as Chairman or co-Chairman of a particular department prior to instituting or undertaking any action with respect to said department, and the Municipal Administrator shall implement all decisions and orders as directed by the Mayor and Council.

SECTION 2. Except as set forth in Section 1 above, the balance of the Code of the Borough of Stratford shall not be affected by this Ordinance.

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SECTION 3. All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 4. 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 5. This Ordinance shall take effect immediately upon posting, publication, and final passage in the manner prescribed by law.

Hartman motioned to table the introduction of Ordinance 2019:07. A second to the motion was not made. Motion did not carry.

Lomanno motioned to approve the introduction of Ordinance 2019:07. Collins seconded the motion with Lomanno, Collins, Gilligan, Green, and Hall in favor, and Hartman opposed. Motion carried.

Lomanno motioned to add Resolution 2019:84 into the consent agenda. Gilligan seconded the motion, which passed with all members present voting in favor in a Roll Call Vote.

**RESOLUTIONS 2019:76 THROUGH 2019:84 WILL BE DONE AS A CONSENT AGENDA**

The Clerk stated that Council can at this time request to remove any of the resolutions from the consent agenda and they can be voted on separately. There were no requests to remove any of the resolutions from the consent agenda and the Clerk read the resolutions by title.

○ **RES. 2019:76 – APPROVING RAFFLE LICENSE RL680 FOR STRATFORD ATHLETIC ORGANIZATION**

WHEREAS, The Stratford Athletic Organization has applied for and received an identification number 483-5-30128 allowing Stratford Athletic Organization the ability to apply for a raffle license requesting proper approval; and

WHEREAS, The Stratford Athletic Organization has properly completed the raffle license application and at least 7 days have elapsed between the time the application was filed and the time that the application was submitted to the Governing Body for approval and for the Governing Body to issue their Findings and Determination; and

WHEREAS, the application, Findings and Determination form and a check payable to the Legalized Games of Chance Control Commission (LGCCC) in the amount of \$20.00 will be forwarded to the LGCCC within three days of the Governing Body's action; and

WHEREAS, that 15 days will elapse between the time the municipality forwards the application to the LGCCC and the date the license is issued to the applicant; and

WHEREAS, the Borough Clerk has reported that the legal preliminaries have been strictly complied with; and

WHEREAS, the issuing of such licenses is contingent on the LGCCC not returning the application for any reason;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council be and is hereby authorized to issue a Raffle license numbered RL680 to the Stratford Athletic Organization for the raffle taking place on April 6, 2019.

○ **RES. 2019:77 – AUTHORIZE SHARED SERVICE AGREEMENT FOR MECHANICAL REPAIRS AND MAINTENANCE OF MUNICIPAL VEHICLES AND PUBLIC WORKS EQUIPMENT WITH THE BOROUGH OF MAGNOLIA**

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WHEREAS, the Borough of Stratford is in need of services in the form of mechanical repairs and maintenance of municipal vehicles and public works equipment; and

WHEREAS, the Borough of Magnolia has the facility and capability to perform mechanical repairs and maintenance of municipal vehicles and public works equipment; and

NOW THEREFORE BE IT RESOLVED by Mayor and Council to authorize the execution of the Shared Service Agreement between the Borough of Stratford and the Borough of Magnolia for the service of mechanical repairs and maintenance of municipal vehicles and public works equipment for the year 2019 contingent on agreement being approved by the Borough Solicitor.

○ RES. 2019:78 – APPROVE SPECIAL EVENT LICENSE FOR 6<sup>TH</sup> ANNUAL 5K RUN/WALK

WHEREAS, the St. John Paul II has applied to the Borough of Stratford for a Special Events permit; and

WHEREAS, the Special Event License will be for their 5K run to be held on March 24, 2019; and

WHEREAS, the various municipal departments have reviewed the application prior to presenting to the Governing Body; and

NOW, THEREFORE, BE IT RESOLVED, by Council to approve the Special Event License with the above condition for St. John Paull II.

○ RES. 2019:79 – AUTHORIZATION FOR BACH ENGINEERING TO REPLACE ADDITIONAL CONCRETE APRON AND CURB WORK ASSOCIATED WITH THE NJ AMERICAN WATER PAVING SCHEDULE

WHEREAS, Winding Way Rd. and Coolidge Ave. are being resurfaced; and

WHEREAS, the Borough Engineer, Bach Associates, presented information concerning aprons that were not initially scheduled to be replaced; and

WHEREAS, Mr. Steven Bach from Bach Associates has stated that the aprons and curbs should be replaced to coincide with the New Jersey American Water paving schedule; and

WHEREAS, Mr. Bach recommends replacing the aprons and curbs along the section of Winding Way from Longwood Drive to Green Valley Rd. prior to New Jersey American Water resurfacing this section of Winding Way Rd.; and

WHEREAS, the additional expenditures will not be beyond the amount bonded for the project and will not exceed the 20% threshold for change orders per public contract law;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Stratford, County of Camden, State of New Jersey that the additional work recommended by Bach Associates is hereby authorized.

○ RES. 2019:80 – RESOLUTION FOR EMERGENCY APPROPRIATION FOR REPAIR OF STORM DRAIN CAUSING STREET SUBSIDENCE ON TEMPLE AVENUE (\$30,000.00)

WHEREAS, an emergency has arisen with respect to emergency repair of approximately 800 feet of storm drain causing street subsidence on Temple Avenue and, the 2019 budget has not been introduced and there is no

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adequate funding for the purpose mentioned above, and NJS 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$30,000.00; and

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for emergency repair of approximately 800 feet of storm drain causing street subsidence on Temple Avenue and in the amount of \$30,000.00
2. That said emergency appropriation shall be provided for in full in the 2019 budget General Capital Fund.

○ RES. 2019:81 – APPROVE SPECIAL EVENT LICENSE FOR JOHN PAUL II CARNIVAL

WHEREAS, John Paul II School has applied to the Borough of Stratford an application for a Special Event License; and

WHEREAS, the Special Event License will be for their carnival to be held on Tuesday, May 7, 2019 through Saturday May 11, 2019; and

WHEREAS, the various municipal departments have reviewed the application prior to presenting to the Governing Body; and

WHEREAS, the following conditions are being made of the applications which all must be satisfied in compliance with the Borough of Stratford Ordinance 2009:28;

Hours of operation: 6:00 PM - 10:00 PM  
Event: John Paul II Carnival – 5/7/19 – 5/11/19

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council to approve the Special Event License with the above conditions for the John Paul II Carnival.

○ RES. 2019:82 – APPROVING ATLANTIC CONSTRUCTION GROUP, LLC FOR REPAIR OF STORM DRAIN ON TEMPLE AVENUE (\$30,000.00)

WHEREAS, the Borough is in need of emergency repair of approximately 800 feet of storm drain on Temple Avenue that is causing street subsidence; and

WHEREAS, the repair services are necessary to promote the public health, safety and welfare in the Borough of Stratford.

WHEREAS, the Borough obtained three (3) quotes for the services, the lowest of which was \$30,000.00 from Atlantic Construction Group, LLC, 476 Fislerville Road, South Harrison Twp., NJ; and

WHEREAS, the monetary amount for the repair services is considered an emergency appropriation as per Resolution 2019:80, thus exempting them from formal bidding under the Local Public Contracts Law; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stratford, County of Camden and State of New Jersey that the repair services to be performed by Atlantic Construction Group, LLC in the amount of \$30,000.00 is approved.

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○ RES. 2019:83 – AUTHORIZING RENEWAL AGREEMENT WITH CLEANING SERVICE – JAN-PRO CLEANING SYSTEMS

WHEREAS, the Borough of Stratford would like to renew the annual agreement for cleaning services with Jan-Pro Cleaning Systems of Haddon Heights, New Jersey; and

WHEREAS, the agreement automatically renews each year; and

WHEREAS, the Borough of Stratford can terminate the agreement if there are performance issues with thirty (30) days' notice; and

WHEREAS, the cleaning services are necessary to promote the public health, safety and welfare in the Borough of Stratford; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Stratford, County of Camden, and State of New Jersey to renew the annual agreement for cleaning services with Jan-Pro Cleaning Services of Haddon Heights, New Jersey in the amount of \$14,976.00 per year.

○ RES. 2019:84 – A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, NJSA 10:4-12

WHEREAS, the Governing Body of the Borough of Stratford is subject to certain requirements of the Open Public Meetings Act, NJSA 10:4-6 et seq., and

WHEREAS, the Open Public Meetings Act, NJSA 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Governing Body of the Borough of Stratford to discuss in a session not open to the public certain matters relating to the item or items authorized by NJSA 10:4-12b and designated below:

\_\_\_\_\_ (1) Matters required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

\_\_\_\_\_ (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

\_\_\_\_\_ (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including, but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

\_\_\_\_\_ (4) Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

\_\_\_\_\_ (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease, or acquisition of real property with public funds, the setting of

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banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

\_\_\_\_\_ (6) Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

  X   (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: The topic of discussion is related to Attorney/Client Privilege. These items are for #7 of the Executive Session Resolution for matter relating to litigation, negotiations, and the Attorney-Client Privilege.

\_\_\_\_\_ (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

\_\_\_\_\_ (9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Stratford, assembled in public session on March 12, 2019 that an Executive Session closed to the public shall be held on March 12, 2019 at approximately 7:00 p.m. in the Justice Facility, 315 Union Avenue, Stratford, NJ for the discussion of matters relating to the specified items designated above. It is anticipated that the deliberations conducted in Closed Session may be disclosed to the public upon the determination of the Governing Body that public interest will no longer be served by such confidentiality.

Collins motioned to approve the consent agenda. Green seconded the motion and all members present voted in favor in a Roll Call Vote.

**APPROVAL OF BILLS:**

Animal checks	1798	through	1804	
Manual checks	19886	through	19889	
Payroll checks	50190	through	50193	and
Payroll check	50276			
Automated checks	32857	through	32946	
Various electronic transfers and potential interim payments to Atlantic City Electric, Line Systems, Monmouth Telephone, House Medics, and DDS Services				

Hartman motioned to approve the payment of the bills. Lomanno seconded the motion. All members present voted in favor in a Roll Call Vote.

**COUNCIL COMMENTS:**

- Councilman Green – None
- Councilman Gilligan – None
- Councilwoman Lomanno – None

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- Councilman Hartman – Spoke with the owner of the Colby Avenue and the Veteran’s Home project is still in the works. Expressed his disappointment with the Councilmembers who opposed the former Clerk’s reappointment.
- Councilwoman Hall – None
- Councilman Collins – None

**GOOD AND WELFARE:**

Gilligan motioned to open the meeting to the public for Good and Welfare. Hall seconded the motion, which passed with all members present voting in favor in a voice vote.

- Bill Genhart – 10 Knoll Rd. – Expressed his disappointment that the former Clerk did not get reappointed. Concerned about the money that was spent on his education.
- Mike Mangano – Union Ave. – Complained about trash at Veteran’s Park. Suggested the addition of a stop sign at Grand and Oxford. Expressed his disappointment regarding the former Clerk’s dismissal.
- Donna Tomkinson – 112 Wellington Ave. – Expressed concerns about the tension between Council at this time. Asked Council to work together again.
- Mike Tolomeo – 39 Saratoga Rd. – Questioned when personnel matters are discussed. Questioned why there are no executive session minutes posted on the website. Commented about the lack of notification for road construction.
- John Dudley – 13 N. Atlantic Ave. – Asked about current redevelopment litigations that the Borough is involved in. Questioned what budget line the Solicitor’s litigation fees come out of. Expressed concerns about the monetary amount of the Solicitor’s contract. The Solicitor compared the legal fees of 2017 and 2018, and explained specific events from last year that caused the increase.
- Tom Speer – 8 College Circle – Questioned procedures of adopting ordinances. Concerned about the education expenses spent on the former Clerk and the Acting Clerk. Asked if the Christian Academy redevelopment is still taking place.
- Rosie Simpkins – Yale Ave. – Concerned about lawsuits involving the Borough. Spoke highly of Mr. Angeli’s character.

Councilman Hartman left at 8:01 p.m.

Collins motioned to close the Good and Welfare portion of the meeting. Lomanno seconded the motion and all members present voted in favor in a voice vote

**EXECUTIVE SESSION:**

Hall motioned to go into executive session. Collins seconded the motion and all members present voting in favor in a voice vote.

Lomanno motioned to close executive session. Gilligan seconded the motion and all members present voting in favor in a voice vote.

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No action was taken in Executive session.

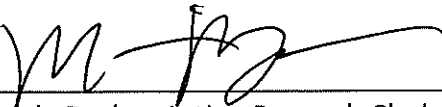
All members that were present before the executive session, with the exception of Councilman Green, were present upon return to open session.

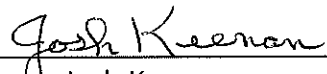
No members of the public were in attendance after the executive session.

**ADJOURN:**

Lomanno motioned to adjourn the meeting at 9:28 p.m.. Gilligan seconded the motion and all members present voted in favor in a voice vote.

Minutes respectfully submitted by:

  
\_\_\_\_\_  
Michaela Bosler, Acting Borough Clerk

  
\_\_\_\_\_  
Mayor Josh Keenan