

COMMISSIONER WORK SESSION OF MARCH 15, 2021

The Commissioner Work Session of March 15, 2021 meeting was called to order at 6:33 p.m. The meeting was held via GoToMeeting. The announcement of Public Meetings was read by the Administrator. In attendance were Mayor Rochford, Commissioner Kasko and Commissioner Bianco Bezich, the Borough Administrator, Borough Solicitor, and Borough Clerk.

The Administrator opened the public comment portion of the meeting.

John Kawczynski, E. Summit Avenue, stated that at March 9th Commissioner Meeting the Commissioners were asked how the lease with Verizon for the cell tower at Mountwell Park was signed. In the meantime, he has reviewed the emails between the Borough and Cellco/Verizon and would like to ask additional questions. He then noted that Verizon approached the Borough in 2015 with regards to this cell tower. The lease terms provided by Verizon in the beginning became the lease, and he would like to know why this was not actively negotiated. Commissioner Kasko noted that the location for the tower is actually on the Department of Public Works (DPW) property, not Mountwell Park. Discussions were then held regarding the property, as well as the fact that Green Acres agreed to combine the DPW lots in 2017. Mr. Kawczynski then asked why no bid was required for the use of this public property. The Administrator replied that Verizon approached the Borough. If we were looking to have a tower put on a portion of public property ourselves, then we would have gone out to bid. Mr. Kawczynski pointed out that Verizon made an offer and not negotiations were done; Verizon asked if this needed to go out to bid, per one of their emails, and they were told no. He commented that there are three other competitors in town, and suggested that maybe someone else could have provided more than Verizon was offering. At this point we do not know if we got top dollar for this use. Commissioner Kasko stated that he was not under the impression that we could have gone out to bid for this use at that time. When asked, the Borough Solicitor indicated that as this involved federal radio wave regulations, he would have to look into this before giving a legal opinion. Mr. Kawczynski pointed out that the Borough is moments away from putting this tower up and we need to pause this process to get answers before moving forward. Mayor Rochford asked if the Borough went out to bid for this use, would Mr. Kawczynski be okay with that. Mr. Kawczynski replied that he would not, and that he would continue to work against this plan. He then talked about the deed restriction and the issues he has with no one stating that the reason for the 2017 sub-division being for this tower. He did not believe that the sub-division was done properly. The Administrator stated that the sub-division was done to correct the issue that DPW was erroneously included in the restricted block and lot. Mr. Kawczynski asked the Commissioners to cancel the lease and direct Verizon to start this process over again. He stated that the Borough did not go out to bid when they should have, and the Borough, in communications with the Planning Board and the State Green Acres Department, provided a material omission by failing to disclose the cell tower project.

Jeff Hammon, Avondale Avenue, asked for an update on the tree that fell at Kings Highway and Chews Landing, taking out the traffic light there. He expressed his concerns about this tree being in the Borough's tree inventory and how many more trees in this condition are in that inventory. Mayor Rochford replied that he would have to check

with the Shade Tree Commission (STC). The Administrator further replied that she was on the scene with the Borough's tree expert, who stated that this was a somewhat younger tree and he was unsure as to why it came down. Mr. Hammon reiterated that he would like to know what condition this tree was listed as in the Borough inventory. Mayor Rochford stated that he would check with the STC, but that the Borough was also looking to having an updated inventory done. He further noted that this is a time consuming, expensive endeavor.

As there were no further questions, the Commissioners moved into the agenda items for the meeting.

The first item discussed was the requests received for the use of public property.

1. Girl Scouts – an email request from the Girl Scouts to hold another Cookie Saturday in Kings Court was mentioned. It was noted that the actually General Event Permit Application has not been received. The Commissioners agreed to hold off discussing until the application was received.
2. Conservancy Musical Arts/Music Together – the Administrator advised that this group would like to offer in-person classes in one of our parks for children (birth through 4 years old) with an attending caregiver beginning in the last week in April. The classes would be for 8-12 children at a time and everyone would be seated 6 feet apart and the adults would be wearing masks; blankets and instruments would not be provided. The organization would provide liability insurance coverage. The classes are typically 45 minutes in length and would start at 10:00 a.m. and be held on Tuesdays and Thursdays. Mayor Rochford suggested Tatem Gardens for this group. The Commissioners approved the request and agreed to the use of Tatem Gardens.
3. South Jersey Chapter of the Philadelphia Area Disc Alliance (Frisbee Group) The Administrator advised that we have not heard back from the group with answers to our questions. She also reviewed the concerns expressed by the Recreation Director regarding the fact that this is typically when these fields are allowed to rest. After a brief discussion about the use of these fields Mayor Rochford questioned if the Borough should be charging outside groups for the use of our fields. Commissioner Bianco Bezich suggested getting a schedule of when all of the Borough fields are used and by whom, then determine what would be appropriate for such a policy. The Commissioners agreed to say no for the time being to this request.
4. The Administrator then reviewed the most recent Executive Order from the Governor that increases indoor use to 25 people and asked the Commissioner if they wanted to open up the auditorium again for use local organization use. She noted that the 65 Club was using it before we shut it back down and they now are asking if they could use their building for chess club and tai chi (with 6 people or less). The Commissioners reviewed the uses for the various buildings, along with the Executive Order and expressed a number of concerns. It was agreed that the Administrator would work on a written policy regarding mandatory cleanings between uses before getting back to the 65 Club.
5. September Car Show – The Commissioners agreed that they needed more information from the Ankokas Car Club before they could make any decisions.
6. Indian King Skirmish – Commissioner Bianco Bezich indicated that she is hearing that PfH is already advertising it for June, although it has not been discussed. Mayor

Rochford stated that he would reach out to that group to find out where they stand on this event.

7. AM Realty – the Administrator asked the Commissioners if they would be attending this ribbon cutting on March 26th. The Commissioners agreed that this would be worked out.
8. Mayor Rochford then suggested a “Pet-palooza”/pet-dog parade in the spring. He was asked to do something like this by several people and he feels that it would be a great positive event. He suggested that we organize something for a day in April or May to have people bring their pets up to the highway and allow adoption agencies space, as well as do other promotional things. He felt that the group organizing the restaurant week would be perfect for setting something like this up. This is one way to get people up into the downtown. The Commissioners discussed the idea, as well as concerns with regards to the pandemic. After further discussion it was determined that this would be a great idea for later in the year, but the COVID concerns are just too high right now.
9. Memorial Day parade – Commissioner Kasko asked if we would be having this parade this year. Mayor Rochford stated that he would have to reach out to American Legion Post #38.
10. July 4th Parade – Commissioner Bianco Bezich indicated that she has been asking Celebrations to have a meeting to discuss this event for 2021.

The Administrator then reviewed a request from Community Investment Strategies, Inc. (CIS), the Borough's Affordable Housing Developer, regarding proposed legislation that would increase the cost for the Elizabeth Place project up to 30%. The cost increase would likely increase the amount of money that the Borough would need to put towards the project. Whether or not projects that are already started would be grandfathered was discussed. Mayor Rochford noted that this would affect the Bancroft project as well. After an update on the current status of the Elizabeth Place (Snowden lot affordable housing project) by the Administrator, Commissioner Bianco Bezich asked the Commissioners about the letter to the Department of Community Affairs (DCA) requesting a final award letter on the grant awarded to the Borough. The Commissioners agreed to send the letter. The Commissioners were then asked if they wished to address the legislation as requested by CIS. After a brief discussion it was agreed to send a letter to the sponsors of the bill expressing their opposition.

Next, the Commissioners discussed the Borough's participation in the County's Recycling Cooperative Request for Proposal (RFP). The Administrator advised that the County's recycling contract will be ending in 2022, so they are starting their process for going out to RFP for single stream recycling and asking the municipalities if they will continue with their participation. She noted that due to the global changes in recycling it is a certainty that the costs will jump drastically for the next contract. Currently we are paying \$5-\$6 per ton of recycling and that number is expected to jump to \$84-\$85 per ton. She asked the Commissioners if they would like to remain in this cooperative and cautioned that if it is decided to not stay in, then we would not be able to re-join at a later date. The Commissioners agreed to notify the County of our intention to remain in the cooperative. Mayor Rochford suggest that we at least check and see what other options there are.

A need to further amend the recently adopted Stormwater ordinance was then reviewed by the Administrator. She noted that when we amended this ordinance it was brought to our attention that we included a line which stated that groundwater recharge requirements were not applicable for projects within the "urban redevelopment area." This could have exempted Bancroft if the Cooper River had not been classified as a Class 1. This was not the intention when developing the amendments to that ordinance to comply with the new state guidelines. At the Public Hearing on that ordinance the elimination of this line from the ordinance was reviewed, however, it was determined at that time that it would be done as an amendment to the ordinance rather than postponing the adoption. After a brief discussion the Commissioner agreed to discuss this again at the next work session.

The Commissioners then agreed that the contingency letter for the Bancroft redevelopment project and Judge Famular's decision regarding the amendments to the Bancroft Redevelopment Plan would be discussed in closed session at the end of the meeting.

The March 23, 2021 Commissioner Meeting agenda was reviewed. No changes were made at this time.

Commissioner Bianco Bezich reviewed a list of proposed list of 2021 events from the Partnership for Haddonfield, LLC (PfH). She noted that the Rotary Club is looking at modifying their annual concert and looking at various options for the offering of food. Mayor Rochford asked if the PfH has taken a hard look at the current discount program for gift certificates and who is benefitting from that program. Commissioner Bianco Bezich replied that they have and have modified the program so that the discounted certificates must be used within a specified period of days. She also stated that this program needs to be changed periodically so that they are not always doing the same thing; this program needs to benefit everyone. Commissioner Bianco Bezich then commented on the Mayor's previous suggestion of a "pet-apolooza" and asked if there would be an insurance issue because of inviting dogs to a public area. The Borough Solicitor replied that if the event is managed through the Borough, then it would be covered.

The Commissioner agreed that board vacancies would be discussed in closed session.

Commissioner Kasko asked for further information regarding CIS's plan for the Elizabeth Place project. He asked if there was still time to reduce the density at this site. Commissioner Bianco Bezich replied that technically there is not and explained that we have been able to request extensions and make changes due to the pandemic. At this point if we cannot guarantee we have a willing seller for a specific off-site property, then we cannot guarantee that Fair Share Housing Corporation (FSHC) will allow another extension. We have far exceeded the ordered deadlines. Additionally, in the current housing market the houses are not on the market for long and those in our price range require too much time to evaluate for appropriateness. Lastly, to make amendments to the site plan now would increase the cost for CIS significantly. The Commissioners then reviewed the Elizabeth Place project in more detail.

Mayor Rochford made a motion to go into closed session to discuss legal matters, Bancroft litigation, stormwater builder's remedy lawsuit, board appointments at 8:45 p.m. Commissioner Bianco Bezich seconded the motion, which was then approved unanimously.

The Commissioners returned from closed session at 10:11 where the motion had included adjourning the meeting.

Respectfully Submitted,

Deanna Bennett, RMC
Borough Clerk