

Regular Meeting April 13, 2010

**REGULAR MEETING**  
**APRIL 13, 2010**  
**7:00 P.M.**

Mayor St. Amour called the meeting to order at 7:00pm read the following statement and requested Committeeman Kennedy to lead the flag salute.

IN COMPLIANCE WITH CHAPTER 231 OF THE PUBLIC LAWS OF 1975, NOTICE OF THIS MEETING WAS GIVEN BY WAY OF ANNUAL NOTICE PUBLISHED IN THE ATLANTIC CITY PRESS, ON JANUARY 8, 2010, THE EGG HARBOR AND HAMMONTON NEWS ON JANUARY 14, 2010 AND POSTED AT TOWNHALL.

**Roll Call:**

**Committee Present:** Anthony Gabris, Bernard Graebener, William Kennedy, Susan Polk, Mayor St. Amour

**Municipal Clerk:** Kimberly Johnson

**Chief Financial Officer:** Dawn Stollenwerk

**Solicitor:** Norman Zlotnick

**Approval of Committee Minutes:** Mayor entertained a motion to approve the minutes of the March 23, 2010, so moved by Ms. Polk seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Mayor requested Committee's consideration to add Ordinance #10-2010, Amending Chapter 19, Fire Department, under First Reading to the agenda. Mayor indicated this Ordinance had been previously introduced and was then forwarded to the Fire Departments for their input which has been received. Mr. Graebener so moved to add Ordinance #10-2010 to the agenda for a First Reading seconded by Ms. Polk. Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Mrs. Polk, Mayor St. Amour.

**Public Discussion Relating to Agenda Items:** Ms. Kathy Chasey questioned what amendment is being made to the Salary Ordinance and the amount. Mayor responded the amendment is specific to the Chief of Police and it is an increase of approximately \$1,800.00 which was based upon negotiations. Ms. Chasey questioned if changes were made to Ordinance #10-2010 from what was first introduced a few months prior and who is making the appointment. Mayor informed the changes were mostly minor language modifications, the appointment time was reduced from two years to one year, and the Governing Body will be appointing based upon recommendation of the Fire Companies. Mayor added the modifications were recommendations of the Fire Companies.

Mr. Ken Giavanelli, Giavanelli Excavating, Inc., the low bidder for the construction of the individual sewage disposal system and requested clarification as to why the bids are being rejected. Mayor disclosed the reason the Committee will be voting is because all the bids exceeded the amount allocated for this project and there may have been misunderstanding regarding the specifications. Mr. Giavanelli stated he gave a very fair bid price and pointed out he worked diligently and spent a lot of time and effort on this bid. Mayor thanked Mr. Giavanelli for his comments.

**First Reading: Ordinance 7-2010 / Amending 2010 Salary Ordinance:** Mayor entertained a motion to

read by title; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

*An Ordinance Amending the Salary Ordinance, Ordinance #1-2010, of the Township of Mullica, County of Atlantic, State of New Jersey*

Mayor entertained a motion to approve and set the hearing date for April 27, 2010, 7pm; so moved by Mr. Gabris seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**First Reading: Ordinance 8-2010 / CAP Waiver Ordinance:** Mayor entertained a motion to read by title; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

*Calendar Year 2010, Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank*

Mayor entertained a motion to approve and set the hearing date for April 27, 2010, 7pm; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Kennedy, Ms. Polk, Mayor St. Amour. Nays: Mr. Graebener.

**First Reading: Ordinance 9-2010 / Capital Budget:** Mayor entertained a motion to read by title; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

*An Ordinance Appropriating \$60,000.00 from the Capital Fund Balance for the Reconstruction of Various Roads in the Township of Mullica, County of Atlantic, State of New Jersey*

Mayor entertained a motion to approve and set the hearing date for May 11, 2010, 7pm; so moved by Ms. Polk seconded by Mr. Graebener RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**First Reading: Ordinance 10-2010 / Amending Chapter 19, Fire Department:** Mayor entertained a motion to read by title; so moved by Mr. Graebener seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

*An Ordinance Amending Chapter 19, Entitled Fire Department, of the Code of the Township of Mullica, County of Atlantic, State of New Jersey*

Mayor entertained a motion to approve and set the hearing date for April 27, 2010, 7pm; so moved by Mr. Graebener seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Budget Introduction:** Mayor entertained a motion to read by title; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

*Municipal Budget for the Calendar Year 2010, Township of Mullica, County of Atlantic, State of New Jersey*

Mayor entertained a motion to approve and set the hearing date for May 11, 2010, 7pm; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor

St. Amour.

### **Committee Reports:**

**Administration:** Ms. Polk reported the following upcoming events: Pre-Kindergarten and Kindergarten Registration will be held April 21st from 9:00am - 1:00pm. Please call Mrs. Quattrone for an appointment 561-3868 ext. 146 (Flyers available on front desk). A Medical Mobile Unit will be at the Mullica Township School on Tuesday, April 20<sup>th</sup> from 10am – 4pm. They will be conducting mammograms for those interested. Please contact Joy, the school nurse for details of health coverages being accepted and further details. 561-5868 ext. 223. The Atlantic County Utilities Authority 20<sup>th</sup> Annual Earth Day Festival will be held Sunday, April 25, 10am to 4pm, Rain or Shine at the ACUA. School Board Elections will be held Tuesday, April 20<sup>th</sup> from 5 – 9 pm in the Elwood School Gymnasium. May 3<sup>rd</sup> and May 26<sup>th</sup> is Mullica Night at Royale Crown with proceeds of the sales going to Mullica Township Recreation Association as well as on May 11<sup>th</sup> go to Applebee's between 5pm-8pm for dinner 10% of the sales will come back to Mullica Rec. Come out and Spread the word! April 26, 2010, 7:30pm the Environmental Commission will be hosting a "Designing a Sustainable Community" Presentation given by Pineland Preservation Alliance. The Mullica Township Education Foundation (MTEF) will host a spring fundraiser to be held at Rocco's Town House, 21 N. 3rd Street, Hammonton, on Friday, May 14, 2010 from 5-9 PM. With your \$15.00 donation you can spend the evening with your friends and the Mullica Township School family while enjoying an array of hot and cold hors d'oeuvres. A cash bar will be available. To reserve your ticket contact Ralph Leek at 965-0431 or Angela Ruberton at 609-561-3868 ext. 139 or via email at [aruberton@mullica.k12.nj.us](mailto:aruberton@mullica.k12.nj.us). If you are unable to attend, but would like to support the MTEF, you may make a tax deductible donation. Please make the check payable to MTEF and mail or drop off at the schools. Tickets will be available at the door. We hope to see you there!

**Department of Public Safety:** Mr. Graebener reported the following: Municipal Court collected \$25,188.50 for the month of March the municipality retained \$12,130.23. Nesco Volunteer Fire Company will be holding a Mothers' Day breakfast May 9<sup>th</sup> from 7am-12pm The cost is \$7.00 for Adults \$4.00 for children- all you can eat. If anyone has any information regarding the damage to the approximately 40 headstones at Egg Harbor Cemetery, we urge you to come forward and report any information to the Detective Bureau.

**Housing & Development:** Mr. Gabris described the importance of the Community Rating System Program which was in effect when he was employed by the municipality, but has since been lost. He stated this program is touted to possibly save lives, mitigate property damage and reduce flood insurance premiums. Mr. Gabris explained this Program has 18 activities, which includes maintaining a file of elevation certificates for construction within a flood plain and if we earn 500 points we can give a 5% discount to Mullica residents who purchase flood insurance. Mr. Gabris illustrated other areas of the program that include information regarding flood protection assistance, send letters to residents within a flood plain area, maps will be available, flood date maintenance, stormwater management, drainage system maintenance, dam safety, to name a few. Mr. Gabris explained he is suggesting a program entitled "Save a Swale", which will require residents to adopt a swale near their home and to keep it free from debris. Mr. Gabris expressed the importance of this program, noting it has few costs, and urged Committee to reinstate the CRS Program and made a motion to that effect. Mr. Graebener questioned the costs associated with this program. Mr. Gabris stated he will be contributing his time to this effort and the main cost is postage. Mr. Kennedy seconded the motion of Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr.

Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Department of Public Works:** Mayor reported we have been receiving an abnormal amount of bulky waste the past few weeks due to the flooding and advised residents we currently accept water damaged material. Mayor stated Public Works has been retrieving many tires that have been disposed of on our roadways and wooded area. If you see anyone dumping, please contact the Police Department. Mayor St. Amour stated information is available on our website for those residents who need assistance from FEMA due to flooding; noting the current FEMA Office for Atlantic County is located at Belcoville Fire Company.

**Correspondence:**

Resolution from Buena Vista Township requesting Pinelands Commission to adopt regulations to permit the installation of solar arrays and wind energy systems as primary use in rural, agricultural and forest land management areas.

Resolution from Buena Vista Township opposing Senate Bill 1352 which modifies the Open Public Records Act.

Public Hearing of electrical rate increase for customers of Atlantic City Electric will be held April 22, 3:30pm and 5:30pm at Atlantic City Electric, 5100 Harding Highway, Mays Landing.

Board of Freeholders will hold a public hearing on April 20, 4pm in Atlantic City regarding amendments to the Atlantic County Soil Waste Management Plan to authorize Solid Waste Flow Control.

Commendation letters to Public Works Employees Steve Sperlak and Kevin Jordan from Chief Barbera recognizing their rescue attempt in a terrible motor vehicle accident.

**Old Business:**

**Discuss Elwood Cemetery Private Roadway:** Mayor acknowledged the conditions of the private roadway leading to the cemetery noting it is being utilized by residents and delivery vehicles. Mayor indicated particularly at budget time as we are trying to manage our expenses, the maintenance of this private roadway is not a good use of our funds and suggested input from Committee. Mr. Kennedy noted the road is utilized by many parents visiting the fields. Mr. Gabris stated he is currently involved in the caretaking of two cemeteries as a volunteer and suggested the same for this cemetery. Mr. Francis Paulsgraf, caretaker of the cemetery, stated he was hoping the Historical Society would be willing to take over this cemetery. Committee briefly discussed the traffic and conditions of this roadway and consensus was not to continue to grade this roadway.

**Discuss Interlocal Agreement / Elwood Road Pedestrian Safety Equipment:** Mayor explained the Interlocal agreement between the municipality and Atlantic County regarding the installation of solar powered amber flashing light on either direction near the recreation fields. Mayor stated the agreement is a 50/50 share of costs with the County constructing the installment and the Township agreeing to maintenance, which involves cleaning the lenses quarterly and allows us to limit the hours of the lights. Mayor requested Committee's consensus to move forward with the agreement. Mr. Gabris questioned the Township's share. Mayor informed the amount is \$1,600.00 which is Safety Money, not a budgetary item. Mr. Kennedy made a motion to move forward seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Resolution 54-2010 / Reject Bids / Individual Sewage Disposal System / Recreation Fields:** Mayor

entertained a motion to reject the bids and re-bid the contract; so moved by Mr. Graebener seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Resolution 55-2010 / Confirm Land Sale / Block 41106, Lot 6:** Mayor entertained a motion to confirm Landsale of undersized lot to a contiguous owner in the amount of \$1,650.00; so moved by Ms. Polk seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

#### **New Business:**

**Resolution # 56-2010 / Click It or Ticket – Mobilization May 24<sup>th</sup> thru June 6<sup>th</sup>:** Mayor entertained a motion to support May 24<sup>th</sup> – June 6<sup>th</sup> as “Click It or Ticket”; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Approve 50/50 Application / Elwood Volunteer Fire Company:** Mayor entertained a motion to approve application; so moved by Mr. Graebener seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Approve 50/50 License Fee Waiver Request / Elwood Volunteer Fire Company:** Mayor entertained a motion to waive the municipal fee; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Approve Sweetwater Vol. Fire Co. Application / Scott Powers:** Mayor entertained a motion to approve application; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Approve Weekstown Vol. Fire Co. Application / Arron Harris:** Mayor entertained a motion to approve application; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Approve Weekstown Vol. Fire Co. Application / Michael Harris:** Mayor entertained a motion to approve application; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Approve MTRA Application #45-2010 / Hot Water Heater:** Mayor entertained a motion to approve application; so moved by Mr. Graebener seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Payment of Bills:** Mayor entertained a motion to approve the bill list; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

#### **Public Discussion:**

Ms. Janet Forman asked how many homes in Mullica currently have flood insurance and thanked Mr. Gabris for assisting in this project. Mr. Gabris stated he did not have a number. Ms. Forman questioned when the laying off of the Class II Special Officer occurred and expressed her concern with this being for budgetary reasons as she felt this position pays for itself. Ms. Forman stated her dissatisfaction with a vote occurring in Executive Session and asked how everyone voted. Mayor stated the item was discussed as a personnel matter in Executive Session and he is not convinced the position pays for itself and he

voted yes to save the money. Mr. Kennedy he voted yes and the consensus was to issue the lay off.

Ms. Joyce Howell, President Mullica Woods Homeowners Association, expressed her dissatisfaction with no response being delivered in regards to the Rent Control Hearing held in December 2009 and was requesting Committees assistance. Ms. Howell questioned the appointment of the Board, the Hearing Officer and their increase, noting Senior Citizens are hurting. Mayor responded the Board was appointed in 2009 with a two year appointment and the Hearing Officer is appointed yearly. Mayor St. Amour stated he will reach out to Mr. Murray, Hearing Officer, regarding the hearing. Mr. Gabris reported he and Ms. Polk spoke with the manager in regards to the increase and it was explained to them that is how the contract reads and suggested Mr. Curcio investigate amending the pad fees.

Ms. Joan Jones, Mullica Woods's resident, related that members of the Rent Control Board are not aware of the hearings and stated the residents have been given new leases which are not signed by management and the residents are not receiving copies. Mr. Zlotnick reported if the lease is not executed by both parties it is not a legal document and the residents are entitled to a copy. Clerk responded the Rent Control Board is not aware of the hearing at this time because they too are awaiting the determination from the Hearing Officer.

Mr. Francis Paulsgraf stated he was advised by the Post Office Census Forms are not mailed to post office boxes. Clerk to contact Census and find the answer.

Mr. Terence Coleman suggested offering an award for any information regarding the vandalism at the Egg Harbor City Cemetery. Mayor to forward suggestion to Police Department.

Mayor closed the public portion and entertained a motion to adjourn; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: All voted yes.

Respectfully submitted,

Kimberly Johnson, Municipal Clerk

#### BILL LIST

Al & Rich's Car Wash200.00Car Wash TicketsAlicea, Miriam75.00Court Session 3/16/2010Atlantic City  
Electric3,471.69March 2010 ServicesHorizon Blue Cross Blue Shield3,854.09April 2010 CoverageCasa  
Payroll Svc.254.90March 2010 ServicesDr. Kimberlee Glenn160.002010 Rabies ClinicElwood Gasway  
Gas Station986.10Fuel PurchasesGeneral Sales Administration191.36Viper S2 Cig PlugCrystal  
Springs100.90February 2010 ServicesKeeffe, Kimberly30.002010 Rabies ClinicLawmen Supply Co. of  
NJ179.52Road Flares – PDAE Stone Inc.946.50HPP/UPM Cold PatchMetropolitan  
Telecommunications696.75March 2010 ServicesMGL Printing Solutions301.00Current Fund  
ChecksMid-Atlantic Salt Co.1,372.38Bulk Ice Control SaltVerizon254.74March 2010 ServicesVerizon  
Wireless288.06March 2010 ServicesLaw Office of Ernest Aponte300.00April 2010 ServicesPitney  
Bowes Credit Corp585.00Dec-March 2010 Lease InstallACMJIF55,631.002<sup>ND</sup> Quarter 2010  
InstallmentsReserve Account1,000.00PostageAccurint50.00January 2010 Services South Jersey Gas  
Co.1,406.99March 2010 Services South Jersey Healthcare65.00Level 2 Physical ExamSpectera  
Inc.644.82April 2010 CoverageThe Daily Journal78.28January PublicationsAvaya, Inc.212.57March  
2010 Maint AgreementCertified Speedometer Services156.0012 Vehicles CalibratedMarathon  
Engineering Inc.5,340.00Fifth Avenue Emergency Permit, Fifth Ave. Project thru 3/18, Master Plan Re-  
Exam, CDBG Project Meeting, Jackson Freshwater Permit, Rec Concession Proj. Biel, Zlotnick,  
Feinberg2,954.17April 2010 ServicesBarbera, Joseph1,181.49Easter Egg Hunt ReimbursementLupinetti,  
Brittany30.002010 Rabies ClinicDivision of Pensions218,573.002010 Pension ContributionNJ State  
Health Benefits Fund44,447.73April 2010 CoverageGreater Egg Harbor Regional215,631.22March 2010  
Levy

Current Fund Appropriations	0-01	558,852.88
Trust Fund Disbursements	0-03	1,407.38
Year Total		560,260.26
Improvement Authorization	0-04	1,390.00
TOTAL OF ALL FUNDS		561,650.26