

Regular Meeting April 27, 2010

**REGULAR MEETING
APRIL 27, 2010
7:00 P.M.**

Mayor St. Amour called the meeting to order at 7:00 pm read the following statement and requested Public Works employee Steven Sperlak 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.

Mayor requested everyone remain standing, noting Mullica has been the site of numerous tragedies and requested everyone join in observing a Moment of Silence for Katie Murray, Christina Rivera, Belinda Dillihay and Jessica Keating who recently passed away in Mullica Township.

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

Public Works: Peter Berenato

Approval of Committee Minutes: Mayor entertained a motion to approve the minutes of the March 29, 2010 Special Budget Meeting, so moved by Ms. Polk seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour. Mayor entertained a motion to approve minutes of April 13, 2010; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Public Discussion Relating to Agenda Items: None.

Proclamation: Steve Sperlak / Kevin Jordan: Mayor St. Amour presented Proclamations to Public Works Employees Mr. Steve Sperlak and Mr. Kevin Jordan, who responded to a horrific accident and made valiant efforts above and beyond the call of duty.

Hearing: Ordinance 7-2010 / Amending 2010 Salary Ordinance: Mayor entertained a motion to read by title; so moved by Ms. Polk seconded by Mr. Gabris. 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 St. Amour opened to the public. Ms. Kathy Chasey questioned the amount of the increase, stating she was told it was approximately \$1,800.00, which in fact it is \$5,711.00. Mayor stated the Township's cost is \$1,800.00 because it is an annualized cost.

Mr. Jim Brown asked who this Ordinance affects. Mayor stated this is only for the Chief of Police.

Mr. Ernest Aponte asked if there is a savings to the community in regards to this salary increase. Mayor responded there is a tremendous savings to the municipality.

Mayor closed public portion and entertained a motion to adopt; so moved by Mr. Graebener seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Hearing: 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 opened to the public. Mr. Jim Brown questioned the reserve fund which has been applied to the 2010 budget and stated his dissatisfaction with the cap being increased and the taxes being inflated.

Mr. Roger Muessig stated he has been noticed by his mortgage company that his escrow for taxes has been increased 14%, requested a breakdown of increases and asked for clarification regarding the defeated school budget. Mayor stated to date no levies have been certified and reported the Committee will hold a joint meeting with the Mullica Township School Board on May 4th at 7pm to discuss the budget.

Mr. Ernest Aponte requested a comparison in regards budgets with municipalities similar to Mullica. Mayor St. Amour stated we are proposing a 2.38 cent increase and stated out of 23 municipalities in Atlantic County we are in the lower third.

Mayor closed public portion and entertained a motion to adopt; so moved by Ms. Polk seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Kennedy, Ms. Polk, Mayor St. Amour. Nays: Mr. Graebener.

Hearing: 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, Ms. Polk, Mayor St. Amour. Abstain: Mr. Kennedy.

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

Mayor opened for public comment. Mr. Gabris questioned the appointment date. Mayor stated it is a one year appointment from the appointment date.

Mr. Robert Hagaman requested an explanation of the Ordinance. Mayor stated there is no change to the day to day operation of the Fire Department. He stated to develop lines of communication with the Fire Companies and to not overburden existing Chiefs or Assistant Chiefs they felt a separate position entitled Director of Fire Department Affairs, who is a liaison between Township Committee and the Fire Companies, was warranted. On the request of the Fire Companies Mayor reported Committee waited two months for the Chiefs to review the proposed Ordinance and report back and implemented their modifications. Mr. Hagaman stated he did not feel a change was warranted.

Chief Anthony Tomasco, Elwood Fire Company, clarified all four companies voted on this and agreed this position keeps all four Chiefs equal, the Chief's to do their job and advances us into the future. Mayor added this was not intended to be disruptive and stated were it not for our volunteers we would not have

the services that we do.

Ms. Janet Forman stated she did not see much of a difference in the Ordinance. Mayor stated there is not except with the current mandates the position is not being held by the Chief or Assistant Chief who is already burdened with responsibilities.

Mr. Roger Muessig asked if all four fire chiefs have agreed to this approach, suggested the position be an interim position for one year on a trial basis and asked if a fire station is to be closed. Mayor stated it has been represented by Chief Tomasco that all Chiefs have agreed to this and there is no intent to close a fire station.

Mayor closed public portion and entertained a motion to adopt; so moved by Mr. Graebener seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Ms. Polk, Mayor St. Amour. Abstain: Mr. Graebener.

Committee Reports:

Revenue & Finance: Mr. Kennedy reported the following: March's treasurer's report is at Committee's places. Public Notice of \$489,000 Bond Anticipation Notes Sale: Sealed written or telecopied proposals for the purchase of \$489,000 Bond Anticipation Notes (Bank Qualified) of the Township of Mullica, County of Atlantic, New Jersey will be received by the Township on Wednesday, May 5, 2010, until 11:00 a.m. More information is available on the township website or by contacting our Chief Financial Officer.

Housing & Development: Mr. Gabris stated at the last meeting questions arose regarding the Community Rating System Program (flood program) and he reported the following: as of 12/31/09, 141 dwellings in Mullica purchase flood insurance, the insured amount is \$32,010,700, the premium amount paid is \$143,982. Mr. Gabris stated if the CRS Program was to continue, 5% would amount of \$7,199 a year or over the three year period the program was not in effect would have amounted to \$21,597.00. Mr. Gabris stated approximately 6 years ago the municipality was reaching the 10% mark, so he is happy to begin this program again, noting the yearly work involvement is approximately 4 hours. Mr. Gabris explained this program is intended to save lives, prevent property damage, and may lessen damage to roads. He further explained to earn points in the program we need to preserve open space in floodplains, enforce higher standards for safer new development (in compliance), maintain a drainage system through our stormwater management plan (in compliance) and inform residents of this program. Mr. Gabris reported the next Seniors Meeting will be held May 19th, 1pm at the Elwood Fire House and the speaker will be a chiropractor who will give a presentation on holistic practices.

Public Safety: Mr. Graebener reported the following: In the early morning hours of April 25th officers were dispatched to the Devonshire section for a home invasion. The perpetrators removed a significant amount of money along with jewelry and a computer. During the invasion one of the victims was assaulted. Both perpetrators remain at large; no arrests have been made to date. This act was not believed to be random; the victims were targeted for reasons undisclosed at this time. Nesco Volunteer Fire Company will be holding a Mothers' Day breakfast May 9th from 7am-12pm The cost is \$7.00 for Adults \$4.00 for children- all you can eat. Mr. Graebener made a motion to add under New Business Item E. Approve Elwood Fire Company Coin Drop for May 16th at the corner of Elwood Road and Moss Mill Road seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Administration: Ms. Polk reported the following events: May 3rd and May 26th is Mullica Night at

Royale Crown with proceeds going to Mullica Recreation. May 11th dine at Applebee's from 5pm-8pm and 10% of the sales will come back to Mullica Recreation. Come out and Spread the word! The Mullica Township Education Foundation will host a spring fundraiser to be held at Rocco's Town House, Hammonton, on Friday, May 14, 2010 from 5-9 pm. \$15.00 donation includes an array of hot and cold hors d'oeuvres with a cash bar. To reserve your ticket contact Ralph Leek at 609-965-0431 or Angela Ruberton at 609-561-3868 ext. 139. Mullica Township Committee will hold a special meeting with the Mullica School Board to discuss the defeated school budget on Tuesday, May 4th, 7pm.

Public Works: Mayor St. Amour reported mulch is ready and available for residents at the transfer station and noted currently the chipper is being repaired; therefore chipping is at a halt until further notice.

Correspondence:

Resolution of Atlantic County Association of Township Officials opposing S-1352 which modifies the Open Public Records Act.

Resolution opposing the South Jersey Transportation Authority's proposed \$3.00 toll at Atlantic City Expressway Exit 17 from Atlantic County Association of Township Officials, Egg Harbor City, and Buena Vista Township.

Resolution from Atlantic City opposing the Senate Bill 458 regarding binding referendum regarding certain municipal functions to be assumed by County Government.

Old Business:

Appoint Director of Fire Department Affairs: Mayor entertained a motion to appoint Jerry Critelli; so moved by Mr. Graebener seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Ms. Polk, Mayor St. Amour. Abstain: Mr. Kennedy.

Appointment Members of Emergency Management Council: Mayor reported there are two open seats and appointed Jerry Critelli and John Falciano and requested approval from Committee. Mr. Graebener made a motion to approve seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Approve Mower Bid Specifications: Mayor entertained a motion to approve the specifications; so moved by Ms. Polk seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Ms. Polk, Mr. Kennedy, Mayor St. Amour.

New Business:

Resolution #57-2010 / Amend Chief of Police Contract: Mayor entertained a motion to approve; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Accept Resignation Chief Barbera: Mayor stated the Chief came to the municipality understanding the budget issues Committee was faced with and offered to retire early to offer a reduced expense in the budget and to ensure staff. Mr. Kennedy made a motion to accept the resignation as of June 30, 2010, with regrets, seconded by Mr. Graebener. RCV: Yeas: Mr. Graebener, Mr. Gabris, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Approve Elwood Vol. Fire Application / Sandro Zambrano: Mr. Graebener made a motion to accept

the application seconded by Mr. Kennedy. RCV: Yeas: Mr. Graebener, Mr. Gabris, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Accept Resignation / Public Works / Charles Siciliano: Ms. Polk made a motion to accept seconded by Mr. Gabris. RCV: Yeas: Mr. Graebener, Mr. Gabris, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Approve Elwood Volunteer Fire Company Coin Drop / May 16th: Mr. Graebener made a motion to accept seconded by Ms. Polk. RCV: Yeas: Mr. Graebener, Mr. Gabris, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Payment of Bills: Mayor entertained a motion to approve Bill List #1; so moved by Ms. Polk seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour. Mr. Kennedy made a motion to approve Bill List #2 seconded by Ms. Polk. RCV: Yeas: Mr. Graebener, Mr. Gabris, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Public Discussion:

Ms. Janet Forman expressed the need for the municipality continuing to grade the private roadway to the Elwood Cemetery, known as Woodlawn Avenue, as it has been past practice and is a minimal cost to the municipality. Ms. Forman suggested the municipality taking ownership of it and renaming Michael Jacobs Street, after our very beloved Committeeperson. Mayor stated it would be taken under consideration. Ms. Forman expressed her dissatisfaction with comments made on www.keepmullicagreen, which stated “no viable suggestions were given last year to reduce the Greater Egg Harbor Regional School Budget”, which is misleading. Ms. Forman expressed her dissatisfaction with the same logo being utilized by Keep Mullica Green, as well as, a township sponsored group.

Ms. Joy Ramer stated more damage has been done to the graveyard since the road has been widened; it is now congested with traffic, trash, and speeding. Ms. Ramer stated since 2006 the traffic has increased with construction vehicles and other vehicles due to the grading and strongly requested it be closed to thru traffic.

Mr. Francis Paulsgraf, Elwood Cemetery Caretaker, stated the only trucks utilizing the roadway are UPS Trucks and trash trucks. He stated by maintaining the roadway it keeps vehicles away from the tombstones and added the roadway has been there since 1876 and the road should stay the way it is.

Ms. Alice Marks, adjacent property owner to private roadway, stated the traffic depends on how well maintained or not the roadway is and with the recent floods and recent grading has caused receding of her property. Ms. Marks requested the Township not maintain the roadway and that it be closed.

Ms. Jean Evans, adjacent property owner to the cemetery road stated she had questions for Mr. Paulsgraf in regards to ownership of the road and the cemetery. Mr. Paulsgraf stated it is owned by an Association and he is the only surviving member. Mayor indicated her questions need to be directed to Committee.

Ms. Evans questioned the property lines of the roadway, submitted pictures of a tree which fell onto her property because of the grading and asked if it is going to be improved. Mayor suggested she review the tax maps, stated the road is a private roadway which has no financial backing for major improvement and did not believe the tree fell due to grading.

Mr. John Szuba, adjacent property owner to cemetery road questioned paving of this roadway. Mayor stated the municipality has no control of this roadway because it is not municipal and the Governing Body has no further interest regarding the maintenance. Mr. Zlotnick reported the roadway is part of the cemetery which is private property and is not a municipal issue. Mr. Szuba expressed his concern with

ownership not being established and the legal issues regarding the roadway.

Ms. Janet Forman suggested finding another street in memory of Michael Jacobs.

Mr. Ernest Aponte, resident since 1997, stated the road has always been bumpy, agreed there are some speeders, who are residents, and expressed his concern with future litigation because previous administrations have maintained the roadway. Committee and the public discussed the roadway.

Ms. Kathy Chasey asked if the stop sign is going to be removed. Mr. Zlotnick advised Committee not to remove the sign.

Mr. John Falciano suggested the parties have the Township surveyor or a private surveyor survey the road to determine ownership.

Ms. Ramer stated the survey should have been completed prior the Township grader grading the road, and urged the caretaker to leave the roadway near residences alone.

Mayor closed the public portion and entertained a motion to enter Executive Session; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: All voted yes. Clerk read Resolution 6-10 in full to discuss contract negotiations and review executive session minutes. Mr. Graebener made a motion to come back to Regular Session 8:50 pm seconded by Mr. Kennedy. RCV: Yeas: All voted yes. Clerk reported the Governing Body discussed contract negotiations and reviewed the Executive Session Minutes of March 23, 2010. Mayor entertained a motion to approve the minutes of March 23, 2010; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Ms. Janet Forman asked when the minutes would be released to the public. Mr. Zlotnick stated the minutes include personnel matters which have not been concluded. Mayor stated they could be released by the first regular meeting in May. Ms. Forman advised the Clerk she will submit an OPRA Request for the minutes. Mayor entertained a motion to adjourn; so moved by Ms. Polk seconded by Mr. Graebener. RCV: Yeas: All voted yes.

Respectfully submitted,

Kimberly Johnson, Municipal Clerk

BILL LIST

Alicea, Miriam 75.00/13/10 Court Session Allister Business Solutions 80.94 Copier Overage AT&T – ISDN 24.59 March 2010 Services Atlantic County Court Administration 25.00 2010 Dues Atlantic City Electric 4,511.37 March, April 2010 Services Hammonton Bagel 95.00 Safety Breakfast Baur Municipal Supplies 163.00 Special Complaint Summonses Crescent Tire & Auto 1,044.15 March 2010 Services Hammonton Home Center 33.12 Fittings/Concrete Mix Elwood Gasway/Valero 3,402.50 Fuel Purchases Enforsys Police System 2,550.00 Annual Maint Fee Frick, Elaine 666.67 April 2010 Services UPS 45.79 Overnight Letter/Radio Repair Czerwinski, Crystal 75.00 Court Session 10/20/09 AE Stone, Inc. 1,262.75 Patch MGL Printing Solutions 195.00 Minute Book The Gutter Guys 2,505.00 Install Gutters/Downspouts Verizon Wireless 288.06 March 2010 Services NJ Emergency Preparedness Asso. 75.00 Conference Registration NJ Planning Officials 195.00 New Member Training Nextel Communications 616.73 March 2010 Services New London Technology 105.50 Radio Repair – PD Ancero 790.00 March 2010 Polyshok, Inc. 168.56 Polyshok Case Lexis Nexis Risk Data Management 50.00 February 2010 Rosario Pizza 59.75 Pizza – Emergency Management Rodio Tractor Sales Inc. 295.20 Tractor Parts SJ Court Administrator’s Assoc. 40.00 2010 Dues Staples Business

Advantage591.01Office/Janitorial Supplies – Printer Toner/ Copy PaperStomper Enterprises7,850.005th
 Avenue Emergency RepairTCTA of NJ550.00Conference CTC/CMFOThe Daily Journal246.62February
 2010 PublicationsThe Press414.50Jackson Road Bid SpecsPetroleum Traders5,561.67March 2010
 PurchasesTomasella’s Fire Protection187.00Tag/Inspect Fire ExtinguishersVital Services
 Group200.00March 2010 ServicesXerox Capital Services25.00Copier Maint 2009-2010Avaya,
 Inc.212.57Maint Agree 3/13 - 4/12Marathon Engineering 1,700.00Fifth Avenue Environ PermittingAA
 Auto Salvage195.00Install Lighting ModuleAtlantic County Clerk’s Office58.00Record Ord 14-2009 St.
 Vac. / Cancel MTRAAfter Disaster Housing Corp.250.00Return Trailer Permit (Escrow)Stollenwerk,
 Dawn1,830.34JIF Safety AwardsThompson, John90.41Emergency Management ExpensesGreater Egg
 Harbor Regional215,631.22April 2010 LevyMullica Twp. Board of Education313,388.45May 2010
 LevyMid Atlantic Communications17,583.33March 2010 Services
 Current Fund Appropriations 0-01 582,862.91
 Trust Fund Disbursement 0-03 535.89
 Year Total 583,398.80
 Current Fund Appropriations 9-01 2,605.00
 Total of All Funds 586,003.80

BILL LIST #2

Forman’s Auto Body3,048.46Repairs B26 / F250 Repairs 2004 CVPetroleum Traders864.44April 2010
 Purchases
 Current Fund Appropriations 3,912.90
 Total of All Funds 3,912.90

TOWNSHIP OF MULLICAMONTHLY TREASURER'S REPORTFOR THE MONTH OF MARCH 2010

Capital Fund Beginning Cash Balance151,747.40 Cash Receipts0.00 Cash
 Disbursements(18,277.50) Ending Cash Balance133,469.90 Due from Current Fund0.00 **Total Cash
 Available133,469.90** ProofAssets2,804,251.75 Liabilities2,804,251.75 Capital Fund Balance75,216.46
 Capital Improvement Fund45,431.11 Difference0.00 Accrued Interest on Bonds75.00 Reserves for
 Projects0.00 Total Available for Projects120,722.57 Def Charges Future Tax Unfunded851,000.00 Def
 Charges Future Tax Funded1,330,781.85 Total Deferred Charges2,181,781.85 Funded Improvement
 Author24,000.00 Unfunded Improvement Author477,747.33 Contracts Payable0.00 Total Improv
 Author501,747.33 Bonds Payable1,320,000.00 BANS Payable362,000.00 Green Trust Loan
 Payable10,781.85 Debt Authorized but not Issued489,000.00 Total Debt2,181,781.85 **TOWNSHIP OF
 MULLICAMONTHLY TREASURER'S REPORTFOR THE MONTH OF MARCH 2010** **Current
 Fund** %/budgetexpended Beginning Balance1,519,231.84 Cash Receipts: Interest694.17 Current year tax
 receipts1,771,415.44 Receivables/Interfunds0.00 Anticipated Revenue210,905.01 Unanticipated
 Revenue4,643.54 Total Cash Receipts1,987,658.16 Expenditures: 2009 Appropriations(8,908.95) 2010
 Appropriations(481,662.53) Liabilities(845,227.30) Interfunds0.00 Grant Fund(4,866.00) Total
 Expenditures(1,340,664.78) Ending Cash Balance2,166,225.22 Cash Increase/(Decrease)646,993.38
 Reserve Budget277,192.49 2010 Temporary Budget1,600,391.00 Reserve Budget Balance160,021.18
 42.27% 2010 Temporary Budget Balance803,758.56 49.78%