

Regular Meeting August 24, 2010

**REGULAR MEETING
AUGUST 24 2010
7:00 P.M.**

Mayor St. Amour called the meeting to order at 7:00pm read the following statement and requested Chief Register, 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

Deputy Municipal Clerk: Ann C. Lupinetti

Solicitor: Norman Zlotnick

Chief of Police: Paul Register

Chief Financial Officer: Dawn Stollenwerk

Approval of Committee Minutes: Mayor entertained a motion to approve the minutes of the August 10th meeting, so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Oath of Office Administered to Class II Officer Rettino: Deputy Municipal Clerk administered the Oath. Chief Register stated Officer Rettino hails from Avalon Police Department and welcomed him to Mullica.

Mayor entertained a motion to add the following two Resolutions to the Agenda under New Business: Item G., Resolution 104-2010, Request Open Space Grant Extension; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour. Item H., Resolution 105-2010 / Liquor License Renewal / SW Café; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Public Discussion Relating to Agenda Items: Ms. Kathy Chasey asked Committee to consider that when voting on the waiver request of \$100.00 for the MS Bike run and that the two top paid employees of that organization make a total combined salary of \$745,545.00. Ms. Chasey requested when Committee discusses revisions to Chapter 168 that discussion be open to the public.

Committee Reports:

Public Safety: Mr. Graebener reported the following: **Weekstown Volunteer Fire Company Pig Roast** will be held Saturday, September 11, 2010 from 3:30 - 7:00pm at the Weekstown Fire House 5733 Pleasant Mills Road, Weekstown, Adults - \$14.00, children under 12 - \$8.00, hot dog substitute available.

Elwood Volunteer's 9th Annual Golf Tournament, scheduled for October 2nd, to benefit EVFC and Township resident Deanna Super. Please contact John Falciano if you would like to donate to the

Chinese auction and/or door prizes. Total calls for the fire department for July are 24 and year to date are 211; total EMS call and 34 and year to date 327. The new rescue truck had fire department inspection on August 11th and delivery should by August 27th. Since the last meeting our officers have made 21 arrests, 8 of which were D.W.I. arrests, 1 burglary, 2 assaults and a total of 93 traffic citations were issued. Two good Samaritans, one of which is a local resident will be recognized in a future meeting, for removing an injured driver from a burning vehicle.

Administration: Ms. Polk reported the following Municipal offices will be closed Monday, September 6th for the Labor Day holiday. Due to conflicting schedules and end of summer activities, the Sustainable Mullica August 30th meeting will not be held. The next meeting date will be Monday, September 27th at 7:00pm at Town Hall with a presentation from Mr. Rick Dovey regarding stormwater management. Coach Mike Isgro and the Cedar Creek Baseball Team invite you to support the Inaugural Cedar Creek Baseball Team Golf Tournament to be held on Sunday, October 10, 2010 at McCullough Emerald Links in Egg Harbor Township, NJ. The event is being held to raise funds to build an outdoor batting cage and accessories for the team. For more information contact Ernie Isgro at 609-652-5121 or cedarcreekbaseball@hotmail.com

Department of Revenue and Finance: Mr. Kennedy reported the following: Tax bills were mailed August 11th. The due date for all payments will be September 10th. Any payments received after September 10th will have interest reverted back to August 1st. Be advised Mr. Brian Schneider and Mr. Darryl Phillips, employees of Professional Property Appraisers are inspecting properties for 2010 added/omitted assessments. Recreation expenses: original fields \$115,000; field expansion in 2001 \$350,000; 2004 field expansion \$450,000; interest bond, notes, etc. \$175,000. Annual contributions to the Recreation Association totals approximately \$65,000 with future commitments of approximately \$22,000 for the restroom facilities. (Report can be viewed with the Municipal Clerk).

Public Works: Mayor reported the following: The Septic system project has begun at the Recreation Complex. Pipe work and headwalls have been completed on Jackson Road, and paving should begin in the next week or two depending on weather. The transfer station will be closed Monday, September 6th for the Labor Day holiday we apologize for any inconveniences. Mayor reported in the sign Ordinance there is a specific limitation for temporary political signs, which is a size not to exceed 4 square feet, which creates constitutional issues. Mayor stated it is the opinion of the Solicitor to not enforce this because it would be challenged. Mr. Graebener suggested instructing the Code Enforcement Officer not to enforce this because it is unconstitutional. Ms. Polk suggested amending the Ordinance. Mr. Zlotnick stated the Ordinance is problematic as it reads and should be amended and to avoid controversy on a temporary basis during the political season it should not be enforced. Committee consented to not enforcing this section of the sign ordinance and to revisit amending the entire sign ordinance.

Correspondence:

Pinelands Commission will conduct a public hearing on Hamilton Townships Ordinance adopting a redevelopment plan for the Old Harding Highway Redevelopment Area on September 8, 9:30am at the commission.

Atlantic Electric will hold a public hearing on August 31st, 3:30pm and 5:30pm at the Atlantic County Library in Hammonton regarding annual compliance.

Old Business:

Resolution 98-2010 / DOT State Aid / 5th Avenue: Mayor entertained a motion to submit grant agreement for 5th Avenue between the White Horse Pike and Moss Mill Road; so moved by Mr. Kennedy seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Resolution 99-2010/ DOT State Aid / Darmstadt Avenue: Mayor entertained a motion to submit grant agreement for Darmstadt Avenue between Moss Mill Road and Indian Cabin Road; so moved by Mr. Kennedy seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour

Resolution 100-2010/ Fiber Technologies, LLC / Right of Way Agreement: Mayor entertained a motion to approve agreement; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour. Mr. Zlotnick noted it is FiberTech's responsibility to record the agreement with the County Clerk.

Report on Comcast Petition to Close Mullica Office: Mr. Zlotnick reported he reviewed the petition filed by Comcast and the Ordinance granting the renewal which has a provision that the company shall maintain a business office within the municipality and requested Committee's direction to answer the petition. Mayor stated he was contacted by Comcast to discuss this issue and a meeting is scheduled for Friday. Mr. Graebener suggested a payment in lieu of the office. Committee agreed to have Mr. Zlotnick answer the petition after the outcome of the meeting.

Discuss Parades & Public Assemblies Waiver Request / MS Bike Run: Mayor reported a request has been made to waive the application fee because they are a non-profit organization. Mr. Gabris stated this is a good cause and the Township's contribution should be waived. Mr. Graebener stated we should not be charging charities. Mr. Kennedy noted \$100.00 is minimal compared to what they raise. Ms. Polk suggested tabling the request for further information. Ms. Stollenwerk stated we have a responsibility as a government that taxpayers should not be funding charities. Mayor stated he wants to be consistent. Mr. Kennedy seconded Ms. Polk's to table. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

New Business:

Resolution 101-2010/ Women's Equality Day: Mayor entertained a motion to recognize August 26th as the 90th Anniversary of the Constitutional Affirmation of Women's Right to Vote; so moved by Ms. Polk seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Resolution 102-2010/ Abandoned/Unclaimed Vehicles: Mayor entertained a motion to auction the vehicles. Mr. Kennedy asked if they be purchased individually. Mayor stated they are being sold as a lot. Mr. Kennedy moved to auction seconded by Ms. Polk. Mayor questioned the purchase amount of the lot for sale. CFO stated the purchase price is for back towing and storage fees. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Resolution 103-2010/ Award Electric Generation Supply Services: Mayor entertained a motion to award contract to Hess Corporation; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Accept Resignation / Sergeant Ray Aquino: Mayor entertained a motion to accept resignation effective October 1, 2010; so moved by Mr. Kennedy seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Approve Weekstown Fire Membership / Jerry DeLuca: Mayor entertained a motion to approve membership; so moved by Mr. Graebener seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Discuss Revisions to Chapter 168 / Parades & Public Assemblies: Mr. Graebener reported he and Ms. Polk were appointed to a Sub-Committee to review this Ordinance and submit recommendations to Committee. Mr. Graebener stated there are onerous clauses, such as requiring permits for birthday parties, and their recommendations are as follows: permits are required for special events, permits be required for when a road is to be blocked or traffic to be impeded and to require the \$100.00 application fee for anyone other than a charity or for political discourse, and no activities allowed inside the Township Transfer Station. Mr. Kennedy stated Chapter 168 currently allows no activities inside the Transfer Station gates and questioned the County right of way. Mr. Zlotnick suggested Committee digest the revisions. Mayor requested this be discussed again at the next meeting.

Resolution 104-2010 / Request Open Space Grant Extension: Mayor entertained a motion to grant an extension to the recreation site improvements for the restroom and concession stand building due to the rebidding of the project; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Resolution 105-2010 / Liquor License Renewal / SW Café Corporation: Mr. Graebener made a motion to renew seconded by Mr. Gabris. Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Payment of Bills: Mr. Kennedy so moved to approve the Bill List seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Public Discussion:

Mr. Jon Malkin reported he and Mr. Lischak visited the area in question regarding the drainage issues along Route 542 and sent those concerns to Mr. John Maher, Atlantic County. Mr. Gabris reported Code Enforcement will be addressing the trash issues.

Mayor closed the public portion and entertained a motion to enter executive session; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: All voted yes. Deputy Clerk read Resolution in full to discuss a personnel matter and to review minutes. Mr. Graebener made a motion to come back to regular session at 8:40pm seconded by Mr. Kennedy. RCV: Yeas: All voted yes. Clerk reported in Executive Session the Governing Body discussed a matter of personnel and reviewed the Executive Session minutes of August 10, 2010.

Approve Executive Session Minutes: Ms. Polk made a motion to approve the minutes of August 10, 2010, seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Mr. Kennedy made a motion to adjourn seconded by Ms. Polk. RCV: Yeas: All voted yes.

Respectfully submitted,

Transcribed by,

Ann C. Lupinetti, Deputy Municipal Clerk

Kimberly Johnson, Municipal

BILL LIST

Atlantic City Electric 825.72 August 2010 Services Best Eastern Exterminating 90.00 July 2010
Services Butterhof's Farm & Home Supply 65.80 PW Supplies Crescent Tire & Auto 2,027.65 July 2010
Services G.T.B.M., Inc. 2,482.50 Info-Cop License Renewal Glass, Gary M. MD 1,300.00 Psychiatric
Evaluations Clay, Edward 225.00 Tax Map Updates – Escrow Crystal Springs 160.58 June 2010
Services Lawmen Supply Co. 827.19 Body Armor (Hutton), Holster –(Zeck) Maudsley, Mary J. 187.50 May-
December 2010 Services Municipal Equipment Enterprise 285.00 Radio Equip/Install Verizon
Wireless 285.02 May-December 2010 Services Nextel Communications 559.24 May-December 2010
Services New London Technology 339.00 Radio Repairs Ancero 1,664.00 June/July 2010 Svc Pierce
Manufacturing Inc 311,706.00 Rescue Pumper Bid NR 2009-07 Royal Printing Service 2,819.86 Primary
Election Materials South Jersey Healthcare 50.00 Physical Exam – Level 1 QC Inc. 700.00 Well Monitoring
6/24 Tenant safe, Inc. 69.00 Background Checks Trico Equipment 1,250.85 Muffler/Loader Vital Services
Group 200.00 May-December 2010 Services Biel, Zlotnick & Feinberg 2,666.67 June-December 2010
Services Atlantic County Treasurer 495,413.633rd Quarter 2010 After Disaster Housing Corp 250.00 Refund
Fees T-2080 State of NJ 413.23 2009 Assessment Treasurer, State of NJ 50.00 RMC Renewal Petrosch Big
Top 163.00 Community Day Rentals

Current Fund Appropriations	0-01	514,977.21	
Trust Fund Disbursements		0-03	475.00
Current Fund Appropriations	9-01	413.23	
Improvement Authorizations	0-04	311,706.00	

TOTAL OF ALL FUNDS 827,096.44