

Regular Meeting July 13, 2010

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

Mayor St. Amour called the meeting to order at 7:00pm read the following statement and requested our new Patrolman, Ryan Hutton, 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

Solicitor: Norman Zlotnick

Approval of Committee Minutes: Mayor entertained a motion to approve the minutes of the June 22nd meeting, so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour. Mayor entertained a motion to approve the minutes of the special meeting held June 30th; so moved by Mr. Kennedy seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Oath of Office Administered to Patrolman Hutton: Municipal Clerk Johnson administrated the Oath. Chief Register introduced Officer Hutton and noted he comes from Egg Harbor Township Police Department and has served our Country as a Marine in Iraq and Afghanistan.

Presentation: 2010 Bike MS City To Shore: Kelly Martinovitch thanked Mullica Township for again participating in this event which is the 30th Anniversary and raises over 5 million dollars. Ms. Martinovitch stated the route has stayed the same in Mullica and the dates will be September 25th and 26th. Ms. Martinovitch personally thanked Mullica for their support, adding this devastating disease has affected her family.

Mr. Graebener noted an application is required along with required fees, adding Committee will be revisiting the current Ordinance requirements. Mayor opened to the public.

Ms. Janis East urged the Committee to waive the fee for this tremendous fundraising event. Mayor stated Committee does have the ability to waive the fees.

Mr. Jon Malkin questioned if they are to ride single file. Ms. Martinovitch stated riders are required to ride single file and training courses are provided prior to the run.

Mayor amended the agenda to include a presentation by James Reina, Principal Cedar Creek High School.

Presentation: Mr. James Reina, Principal, Cedar Creek High School: Mr. Reina explained the school construction is on schedule and slated to open on September 7th, but noted there are issues regarding preparation of the fields. Mr. Reina stated GEHR has existing relationships with Hamilton and Galloway Townships regarding utilization of facilities and wishes to begin a relationship as well with Mullica Township and Egg Harbor City. Mr. Reina noted he understood the budget restraints everyone is under and requested Committee amend the fee for the students of Cedar Creek, as has been afforded by other sending municipalities. Mr. Reina explained currently they are in need of practice fields for girls and boys soccer as well as field hockey. Mr. Reina extended an offer for Committee to tour the facility and to see what can be utilized by the residents of Mullica Township and explained the many opportunities the High School can provide Mullica. Mayor questioned what rate Greater Egg has paid to other municipalities. Mr. Reina stated it ranges from \$100 -\$150 nominal onetime fee per sport. Mayor St. Amour agreed he is interested in developing a synergistic relationship as this is a watershed moment for our children and noted we all share the same budget concerns. Mayor entertained a motion to accept the requested onetime payment of \$300.00 in lieu of usage fees; so moved by Mr. Gabris. Mr. Graebener questioned the timeframe. Mr. Reina stated the fields would be needed for about one month. Motion was seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour. Mr. Reina thanked Committee and stated he looks forward to working with Mullica.

Public Discussion Relating to Agenda Items:

Mr. Matt Savona, 4707 White Horse Pike, expressed his dissatisfaction with the enforcement history of the Vasilakis Junkyard, noting it is only enforced when his family and/or neighbors force the enforcement. He stated he has faithfully maintained his property and would like the same courtesy by his neighbor. Mr. Savona expressed his frustration with certain employees of the Township regarding the enforcement of Chapter 140 specifically the junkyard transfer which will be considered this evening. Mr. Savona stated he has a right to breathe clean air, drink clean water and to not be harassed.

Mr. Tom Darcy, Esquire, representing the owner of the property Mr. Gus Vasilakis and the current license holder Ms. Sophia Vasilakis of the junkyard before Committee for consideration of a transfer. Mr. Darcy stated this junkyard has a license which was granted this year and as a condition was to repair the fence, which has been accomplished and the operator was to be approved by Committee. Mr. Darcy stated the request is for Mr. Ray East to operate this facility, who is an experienced entrepreneur and encouraged Committee to approve this transfer.

Ms. Theresa Savona stated everyone should be a good neighbor, however after 19 years it does not take place next to her home. Ms. Savona expressed her dissatisfaction with the junkyard being run poorly as well as the actions of the Code Enforcement Officer.

Ms. Janis East, reported her son is the transferee, and reported she was an owner of American Auto Recycling for over 25 years and that she and her son know how to run a recycling business. She stated they hope not to be a scrap yard, but a recycling facility. Ms. East reported they process fluids and cars properly, the County has inspected the property and they wish to make the property better and plan to follow all protocol.

Ms. Theresa Savona expressed her dissatisfaction with selective enforcement and the repair to the fence.

Mr. Graebener questioned where the vehicle will be when fluids are removed and the storage of tires. Ms. East stated all vehicles will be inside the building for removal of fluids and all fluids will be placed in the proper containers. Ms. East stated facilities will pick up the removed fluids and tires are not store, they

are placed inside the vehicle and scraped.

Mr. Matt Savona asked if the containers are present on the site. Mayor St. Amour stated he has contacted the Department of Environmental Protection and was advised with no current operation, there is no requirement for the tanks to be in place. Mayor closed this portion to the public.

First Reading: Ordinance 13-2010 / Amend Chapter 34 / Health Insurance Policy: 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

An Ordinance Amending Chapter 34, the Personnel Policies and Procedures Manual, of the Township of Mullica, County of Atlantic, State of New Jersey.

Mayor noted this Ordinance would allow employees to waive their health benefits coverage and receive compensation which is less expensive to the municipality. Mayor St. Amour entertained a motion to approve and set the hearing date for July 27, 7pm; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Committee Reports:

Administration: Ms. Polk reported the following: CONGRATULATIONS AND GOOD LUCK!!! U14 Girls won the Babe Ruth District 4 Softball Championship last week beating Galloway Township in a double header sweep. They are now off to play in the Babe Ruth State Championship Tournament July 8th -12th in Millville, Team Members: Sydney Seney, Devyn Brown, Amber Jordan, Bethany Opie, Jessica Pierson, Gianna DeRosa, Zoe Perona, Katherine Gulig, Rose Cirigano, Rosalie Hood and Megan Barbera. Team Coaches: Frank Seney, Mary Ann Pierson and Kathy DeRosa

Housing & Development: Mr. Gabris reported in June the Building Department issued permits for two new single family dwellings.

Public Safety: Mr. Graebener reported the following: Municipal Court collected \$19,084.00 for the month of July and the municipality retained \$9,651.29. The Elwood Rescue/Pumper has an anticipation ready pick up date for August 10. The following events occurred during the month of June, and were recorded and investigated by the members of the Mullica Police Department: Motor Vehicle Stops 251; MV summons issued 164; MV Warnings 15; Adult arrests 23; Juvenile arrests 5; Aggravated assaults 1; Burglaries 3; Distribution of CDS 2; DWI 1; Possession of CDS 1; Criminal Trespass 3; and Runaway 1. Mr. Graebener thanked Capaldi Brothers for their generous donation to the Police Department for re-stripping and re-numbering the back parking lot for our police vehicles. Mr. Kennedy added the progress of the rescue truck can be viewed on Elwood's website.

Public Works: Mayor St. Amour reported the following: Tub grinding at the Transfer Station has been completed and there is plenty of mulch available for residents. Damaged roadways from March Storms are to be paved this week. Pre Construction meeting for Jackson Road is scheduled for this week and the project will then begin. Public Works Department has received telephone inquiries regarding a tree company soliciting tree cutting services with the municipality chipping the wood. Be advised this is not so and the township's chipping service is for homeowners who trim trees or complete a general clean up. We are currently accepting applications for a part-time position with the Road Department as a Laborer. Valid driver's license required and CDL preferred. Hourly rate is \$10.00. Approximately 28 hours per week. It is that time again to apply for DOT Grant funding. The recommendation of our Superintendent

is to apply for following reconstruction projects in this order: 1. 5th Avenue between Route 30 and Route 561; 2. Darmstadt between Route 561 and Indian Cabin; 3. Indian Cabin between Route 612 and 5th Avenue. Mayor requested consensus of Committee to apply for funding. Mr. Kennedy made a motion to apply for DOT funding for the above entitled reconstruction projects; seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Correspondence:

Resolution from fish and Game Council addressing the negative impacts on free-roaming cats on native wildlife and the lack of date to support the continued practice of trap-neuter-return programs.

Resolution from City of Linwood supporting Governor Christie's cap.

Notification a public hearing will be held on South Jersey Gas Company petition to change service charges on July 29, 3:30 and 5:30, Voorhees Middle school.

Letter of appreciation from the family of Jeffrey A. Klotz to Officers Silva and Zeck.

Correspondence from Ms. Higbee thanking Chief Register and Officer Silva for their assistance and kindness.

Old Business:

Renew 2010 Mobile Home Park License / Mullica Woods: Ms. Polk made a motion to approve seconded by Mr. Gabris. Mr. Gabris reported the tree and water pressure issues have been addressed. Ms. Birney, Hometown America and Maria Maida, Manager were present and stated they are still addressing the tenants concerns. Mr. Zlotnick referenced correspondence received by Ms. Greenberg, Esquire, regarding the license renewal for Mullica Woods. Mayor stated it has been demonstrated management is addressing the maintenance concerns. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

New Business:

Resolution 88-2010 / Extend 3rd Quarter Taxes: Mayor entertained a motion to extend the third quarter property tax due date, which will be 25 days from the date the tax bills are mailed; so moved by Mr. Kennedy seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Approve Bid Specifications / Tire Bid: Mayor St. Amour entertained a motion to approve the specification for the tire grant clean-up of the former Perona property on Columbia Road; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Approve NJ State Fireman's Association / George Brining: Mr. Kennedy made a motion to approve seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Approve NJ State Fireman's Association / William Cheatham: Mr. Kennedy made a motion to approve seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor

St. Amour.

Approve NJ State Fireman's Association / William R. Scaplen: Mr. Kennedy made a motion to approve seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Approve Junkyard Transfer / Gus's Junkyard to Eastside Quality Parts: Mayor St. Amour asked the applicant Mr. Ray East the following questions: Is this transfer of operator and not ownership; questioned DEP and stormwater regulations and asked for a brief synopsis of the operation. Mr. East stated the transfer is only for operation. He has contacted the State regarding other regulations but cannot act until transfer is approved. Mr. East stated waste fluids will be removed by Lorco Corporation and his operation will likely be 8am – 5pm. Mr. East stated he is not a scraper; he purchases cars, removes the fluids, retails the parts and scraps the car. Mr. East reported over the last 14 months he scrapped approximately 45 cars. Mr. Graebener asked how he sells the parts and where the operation will occur. Mr. East stated by walk-ins, or by an auto auction which is done by telephone and the retail will occur in the building which he is turning one bay into an office. Mr. East added if his neighbors had a problem he hoped they would approach him so he can address the concern. Mr. Gabris questioned noise on the site and the sign. Mr. East stated there is no cutting, welding, etc. and he would like to utilize the sign on the property. Mr. Gabris made a motion to approve the transfer seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

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

Public Discussion:

Ms. Joyce Howell, Mullica Woods Homeowners Association, thanked Committee for working with them and resolving the maintenance issues in their development.

Ms. Theresa Savona expressed her dissatisfaction with the Governing Body who calls themselves the "green team" with allowing this junkyard to run amuck, destroy our aquifer and not address stormwater runoff. Mayor stated this new operator is showing good will and we are hoping he will comply. Ms. Savona stated she felt the Code Enforcement Officer has treated her rudely and requests Committee to address his actions.

Ms. Janet Forman stated the operator for the junkyard is the best person for this property. Ms. Forman stated the Code Enforcement does not make residents happy and it is a very difficult job.

Mr. Jon Malkin suggested this particular junkyard be visited by Code Enforcement as a proactive measure to assure compliance to the neighbors.

Mr. Clark Weld asked if DEP regulates junkyards. Mayor stated they do not. Mr. Weld stated he felt it sets a bad precedent to charge the students of Cedar Creek, who are mostly Mullica residents, to utilize the fields. Mr. Weld expressed his displeasure with the amount of funding afforded to the Recreation Association. Mayor reported we budget \$5,000, pay the interest charges on the notes, pay the Public Works Department to daily clean the property, field maintenance and the electric bill. Mayor St. Amour stated the taxpayers are making a major contribution to this complex. Mr. Weld stated more funding needs to be directed to field maintenance. Mayor requested he and Mr. Weld need to review what the taxpayers pay for these fields to obtain a better understanding.

Ms. Susan Berntheisel requested Committee's assistance in addressing the matter that high school

students attending Cedar Creek are not busing band members, however, busing is afforded for other varsity sports.

Ms. Savona stated it is not fair to bus sports members and not club members. Ms. Savona explained the importance of band.

Mr. Frederick Carlton stated the concern is sophomore students now attending Cedar Creek cannot continue in the marching band. It was noted the proper venue for this discussion is at the School Board.

Mr. James Reina explained a marching band cannot function at Cedar Creek High School with 430 students and noted no final decision has been made regarding this issue. Mr. Reina noted Cedar Creek is investigating a pep band/and or a jazz band for the students.

Ms. Janet Forman remarked on Mr. Graebener comment regarding the Parades and Public Assemblies Ordinance in that it is a good Ordinance and fees should be collected from outside agencies.

Ms. Savona stated since Cedar Creek is a sending district some of the other towns should donate towards our recreation fields.

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

Allister Business Solutions600.00Copier Maintenance AgreementAnimal Capture & Control
Svc.645.00May-December 2010 ServiceAtl Cnty Assoc of Aessors75.002010 DuesAtlantic City
Electric2,750.97Atlantic City Electric/June 2010 SvcHorizon Blue Cross Blue Shield3,831.27July-
December 2010 CoverageCasa Payroll Services262.60June 2010 ServicesCrescent Tire &
Auto2,276.45May 2010 ServicesHammonton Home Center53.75Weed KillerDimeglio Septic,
Inc.65.00June – December 2010 ServicesDisplay Sales159.00PO/American FlagsDeer Carcass Removal
Services65.00Indian Cabin/FifthEdmunds Direct Mail, Inc.1,785.00Tax Bill PostageFirst Due Emergency
Supply297.52AED Pads/BatteryGary's Used Cars125.00Towing Chg/Crysler MinivanG&P Floor
Maintenance425.00May-December 2010 ServiceGeneral Code Publishers7,365.03Codification: Ord 5-
2006Graphic Impressions Printing99.50Radar CardsHeavenly Promotions500.00Tax Office Window
EnvelopesHammonton Rescue Squad Inc.12,500.00Balance Services Thru 6/2010Jimmie's Florist,
Inc.40.00Memorial Day WreathCrystal Springs150.57May 2010 ServicesLawmen Supply Co. of
NJ161.86Flashlight Batteries Etc.Maudsley, Mary J.187.50May-December 2010 ServicesMcDonald Saw
Service41.00Brush Hog BladesMetropolitan Telecommunication730.07June-December 2010
ServicesMagloclen400.00Annual User Fee 7/10 – 7/11Verizon168.51May 2010 ServicesNorthern Safety
& Industrial311.68Leather Gloves/Trash BagsNew London Technology, Inc.150.00Radio parts/Repairs
B8Law Office of Ernest A. Aponte300.00May-December 2010 Services Pitney Bowes Credit
Corp.585.00Meter Lease March-June 2010Lexisnexis Risk Data Management50.00May-December 2010
ServicesSchwabb, Inc.19.74Self-Inking Stamps (Court)South Jersey Gas Co.134.55June 2010
ServicesSpectera, Inc.625.28July-December 2010 CoverageThe Press49.02Ord 11 & 12, Special
Mtg.Petroleum Traders3,558.80June 2010 PurchasesVaccarella Electric, LLC475.00Electrical
Repairs/WiringVital Services Group200.00May-December 2010 ServicesThomson West201.00NJ
Criminal & MV LawAvaya, Inc.212.57May 2010 Maint AgreementRivera, Ana M.1,076.75Alliance Club

Stipend/ReimburseAA Auto Salvage950.00Transmission B22Ford Motor Credit13,652.742010 Lease
 InstallmentBiel, Zlotnick & Feinberg2,666.67June – December 2010 ServicesThompson, John C.
 Jr.360.00Education ReimbursementMid Atlantic Communications20,042.38May-December 2010
 ServicesFord Motor Credit21,799.36Added to bill list PD vehicle 7/2010

Current Fund Appropriations	73,891.75
Trust Fund Appropriations	125.00
Current Fund Appropriations	7,364.03

TOTAL OF ALL FUNDS (INCLUDING FORD MOTOR CREDIT) 103,180.14