

Regular Meeting May 11, 2010

**REGULAR MEETING
MAY 11, 2010
7:00 P.M.**

Mayor St. Amour called the meeting to order at 7:00 pm read the following statement and requested Elwood Fire Company President Frank Esposito 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

Public Works: Peter Berenato

Approval of Committee Minutes: Mayor entertained a motion to approve the minutes of the April 27, 2010 meeting, so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Elwood Fire Company Presentation: President Frank Esposito and Chief Anthony Tomasco recognized Committeeman William Kennedy for his thirty years of dedicated service to the Elwood Fire Company. President Esposito stated Mr. Kennedy has been prominent in raising over \$100,000 for the Golf Tournament and noted he is a huge part of this community.

Public Discussion Relating to Agenda Items:

Mr. Jim Brown commended Mr. Graebener for having the intestinal fortitude to vote for the will of the voters regarding the Mullica School Budget and stated the remainder of the Committee's vote was an insult to the intelligence of the residents of Mullica. Mr. Brown stated better lines of communication need to be addressed to the voters.

Budget Hearing: Mayor reported the Budget as advertised proposes a 2.5 cent increase and noted there will be a Budget Amendment to decrease this increase. Mayor opened to the public.

Ms. Kathy Chasey stated last year Mr. St. Amour and Mr. Graebener voted no to the Budget increase of 2 cents versus 4 cents because money was taken from surplus; however, this year an extra \$146,000 was taken from surplus and asked why and what the plan is as last year's was land sales. Mayor stated he is not happy with the outcome, unfortunately after cutting the budgetary line items the next step was employees. Mayor St. Amour stated he is not in favor of selling buildable lots, but will encourage selling other municipal properties.

Mayor closed the hearing and entertained a motion to continue this hearing until May 25th at 7pm; so

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

Budget Amendment / Resolution 58-2010: Mayor read Resolution in full and entertained a motion to approve and set hearing date for May 25th at 7pm; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Hearing: Ordinance 9-2010 / Capital Budget: 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 Appropriating \$60,000 From the Capital Fund Balance for the Reconstruction of Various Roads in the Township of Mullica, County of Atlantic, State of New Jersey

Mayor opened to the public. Mr. Felix Filpus asked what roads are slated for improvement. Mayor replied it is for 5th Avenue and Jackson Road. Mayor closed the public portion and opened to Committee discussion. Mr. Graebener questioned the FEMA funding. Mayor stated we are recouping funding from FEMA for the emergency repairs made to 5th Avenue, Heidelberg and Adams Circle. Mr. Gabris expressed his concern with the emergency repair done to 5th Avenue and the dip in the road. CFO explained that will be repaired when Heidelberg is paved. Mayor entertained a motion to adopt Ordinance 9-2010; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Committee Reports:

Housing & Development: 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 Municipal Court collected \$23,996.35 for the month of April the municipality retained \$10,881.35.

Administration: Ms. Polk reported the following events: May 26th is Mullica Night at Royale Crown with proceeds going to Mullica Recreation. 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. In honor of our Veteran's, municipal offices will be closed Monday, May 31st in observance of Memorial Day. The May Meeting for Sustainable Mullica will be held on Monday, May 24th, at 7pm and will feature Yennaira Ortiz from NJ Clean Energy's Community Partners Program.

Revenue & Finance: Mr. Kennedy reported the following: The Township accepted proposals for EMS services on April 30th. Two responses were received: one from AtlantiCare and one from Hammonton Rescue Squad. Both entities submitted a price of \$0.00 for five years to the municipality. The proposal are currently being reviewed and rated according to the required criteria. Our CFO held a sale for the

\$489,000 Bond Anticipation Note on May 5th. One proposal was received from Sun Bank with a rate of 1.81%. Closing is scheduled for May 19th. Reminder 2nd Quarter 2010 taxes are now past due. Municipal tax maps are now available on the Atlantic County Public Records Web site, www.atlanticcountyclerk.org.

Public Works: Mayor St. Amour reported the following: Mulch is ready and available for residents at the transfer station. Chipper should be repaired by the end of this week; therefore, chipping will resume next week. In regards to road repairs Heidelberg Avenue is currently being repaired, 5th Avenue and Adams Circle are next, which will complete the road damage contributed by flooding. Our bulk amounts have increased also due to flooding and we are working with FEMA representatives to be reimbursed for all the associated costs. In honor of our Veteran's, the Transfer Station will be closed Monday, May 31st in observance of Memorial Day. The Township of Mullica has an opening 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. Please apply at the Clerk's Office. Mayor clarified at a previous meeting he had given an incorrect answer to Ms. Chasey when she questioned the cost of the amendment to the Police Chief's Contract and stated the increase was \$2,880.00 for the first six month. Mayor St. Amour noted the savings for the second half of the year is \$45,000.00.

Correspondence:

Notification of agricultural water use application to divert water from five wells and one pond in the Township of Mullica and Town of Hammonton for Merlino Brothers.

Old Business:

Resolution 59-2010 / Confirm Lay-Off Class II Officer: Mayor entertained a motion to confirm the lay-off; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Resolution 60-2010 / Emergency Management Roster: Mayor entertained a motion to approve; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Resolution 61- 2010 / Mullica School: Mayor entertained a motion to decrease the tax burden from 2.21 cents to 0.79 cents; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Kennedy, Ms. Polk, Mayor St. Amour. Nays: Mr. Graebener.

Resolution 62-2010/ GEHR School: Mayor entertained a motion to decrease the tax burden from 8.175 cents to 5.2 cents, which represents one million dollar reduction in the budget; so moved by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

New Business:

Resolution 63-2010 / Atlantic County Task Force: Mayor entertained a motion to approve designation of employees and volunteers to task force; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Resolution 64-2010 / Accept Performance Guarantee / SBA Towers: Mayor entertained a motion to accept the guarantee in the amount of \$34,919.40; so moved by Mr. Gabris seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Resolution 65-2010 / Refund Tax Overpayment/Block 801, Lot 12 Wells Fargo Real Estate: Mayor entertained a motion to refund in the amount of \$1,172.51; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Resolution 66-2010 / Authorize Emergency Roadway Repairs: Mayor entertained motion to award contract to Stomper Enterprises; so moved by Mr. Kennedy seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Discuss Shared Services Agreement / Solid Waste Disposal: Mayor explained the Atlantic County Utilities Authority (ACUA) is now under Waste Flow Control, which means that waste generated in Atlantic County has to be processed through ACUA. Mayor stated while we have an agreement currently with the ACUA they are now offering the municipality a reduction in price and the opportunity to enter into a Shared Services Agreement with guarantee rates through 2013. Mayor reported the rates proposed are as follows: 2010, \$59.65; 2011, \$60.65; 2012, \$61.65; and 2013, \$62.65, (2013 rate is less than the current rate). Mr. Kennedy so moved to enter Shared Services Agreement with ACUA seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Discuss Bus Shelters and Pedestrian Walkways: Ms. Polk reported at the last Environmental Commission meeting a presentation was given regarding Sustainable Communities and a recommendation was given for the municipality to be more pedestrian friendly, regarding bus shelters and improvement of the cross walk at Elwood Road and White Horse Pike. Ms. Polk stated she has recently been made aware of liability issues and why this issue has not moved forward in the past. Mr. Zlotnick stated back in 2008, the issue arose regarding liability, because NJ Transit requires the Township execute a Hold Harmless Agreement on behalf them, which saves and holds them harmless; therefore, having the taxpayers defend them. Mr. Graebener questioned how other municipalities have bus shelters and suggested a local business could be responsible for the shelter in lieu of advertisement rights. Clerk stated the agreement also holds the municipality responsible for the maintenance and replacement of the shelter. Mr. Gabris suggested randomly parking a police vehicle out front for safety. Mr. Graebener expressed an interest in researching grant monies for sidewalks from Gasway Gas Station to the Post Office. Mayor suggested Clerk to further investigate.

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:

Mr. Jon Malkin questioned the EMS Service contracts that were submitted at 0 fees and asked about mulch. Mr. Kennedy stated there is no cost to the municipality; however, the patient's insurance carrier will be billed. Mayor stated the proposals are still being reviewed. Clerk indicated a Committee is reviewing the bids which will be rated and a recommendation forwarded to the Governing Body. Mayor stated mulch is available and it is

Ms. Joann Vitale questioned the \$50,000 we were spending on ambulance services. Mayor stated that would have been the annualized cost had we not gone out to bid and we should have bid this last year. Mr. Charles Errera, Sr. asked if he builds a home on a paper street if he would be denied municipal services. Mayor explained he would not be denied services; however, he would need a variance to be able to build.

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. Clerk read Resolution 7-10 in full to discuss contract negotiations and review executive session minutes.

Mr. Graebener made a motion to come back to Regular Session at 8:35 pm seconded by Mr. Kennedy. RCV: Yeas: All voted yes. Clerk stated in Executive Session Committee discussed contract negotiations regarding a lease, a personnel matter, consented to holding a Special Executive Session Meeting for the position of the Chief of Police and reviewed the Executive Session Minutes of April 27, 2010. Mayor entertained a motion to hold a Special Executive Session Meeting on Tuesday, May 18th at 6pm; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour. Mr. Graebener made a motion to approve the minutes of April 27, 2010 seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour. Mr. Graebener made a motion to adjourn seconded by Mr. Kennedy. RCV: Yeas: All voted yes.

Respectfully submitted,

Kimberly Johnson, Municipal Clerk

BILL LIST

Alicea, Miriam 75.00 Court Session 4/20/2010 Atlantic City Electric 2,318.46 April 2010 Service Austin, William 57.16 2010 School Board Election Barrett Asphalt Corporation 170.00 Stone – PW Best Eastern Exterminating 160.00 Termite Renewal 5/2010-2011 Horizon Blue Cross Blue Shield 3,854.09 May 2010 Coverage Busch, Rita 57.16 2010 School Board Election Casa Payroll Services, LCC 352.30 April 2010 Services Cooper, Cassandra 57.16 2010 School Board Election Hammonton Home Center 57.00 SandLorco Petroleum Services 125.00 Parts Washer Service 3/9/10 Dimeglio Septic, Inc. 216.00 Septic Pump/Town Hall Elwood Gasway/Valero 294.00 Fuel Purchases First Due Emergency Supply 229.48 Goves, Etc. PDG&P Floor Maintenance 425.00 March 2010 Services Muessig, Susan 57.16 2010 School Board Election Grainger Industrial Supply 291.96 Trash Can Liners – Rec Fields Gordon Hiltwine, Inc. 1,913.00 MTRA 45-2010 Hot Water Heater Hutchinson, Pat 57.16 2010 School Board Election Crystal Springs 197.08 March 2010 Services AE Stone 974.00 Patch Mazetis, Louisa 57.16 2010 School Board Election McDonald Saw Services Inc. 20.60 Saw Chains Val-U Auto Parts LLC 4.45 Lamp Metropolitan Telecommunication 848.22 April 2010 Services Oakcrest Farms 1,050.00 Snow Removal Services Jackson, Nancy 57.16 2010 School Board Election Safe Disposal System, Inc. 280.00 Freezer/Fridge Evacuation Verizon 252.11 April 2010 Services Peter Lumber Company 27.74 Window Well Covers/2x10s LexisNexis Risk Data Management 50.00 March 2010 Services Showell, Cecelia 57.16 2010 School Board Election Service Station Service 2,824.75 Repair Electrical to Gas Pump / Replace Switch Fuel Pumps Sprouls, Rosemarie 57.16 2010 School Board Election South Jersey Gas Co. 360.79 April 2010 Services Spectera, Inc. 644.82 May 2010 Coverage Staples Business Advantage 250.57 Office Supplies – PD / Printer Toner QC Inc. 1990.00 Well Monitoring 3/4/10 The Daily Journal 560.76 March 2010 Publications The Press 333.45 Auction/Jackson Re-bid, Ord 7, 8, 10-2010 / Special Mtg Cancelled / School Budget Meeting Petroleum Traders 2,122.59 April 2010 Purchases Marathon Engineering Inc. 8,170.00 Fifth Ave, Master Plan, Concession Stand Project Rebid, Jackson Road Atlantic County Clerk’s Office 8.00 File

MTRA 45-2010 Atlantic County Treasurer 495,413.632nd Quarter Levy Installment Thompson, John C. Jr. 62.75 Emergency Mgmt Reimbursements Treasurer, State of NJ 42.00 Welding permit 4/2010 – 2011 NJ State Health Benefits Fund 44,457.73 May 2010 Coverage NJ Dept of Health & Sr. Svc. 324.60 March 2010 State Dog Fees

Current Fund Appropriations 0-01	569,098.77
Trust Fund Disbursements	3,141.00
Current Fund Appropriations 9-01	26.60
Total of All Funds	572,266.37

