

Regular Meeting May 25, 2010

**REGULAR MEETING  
MAY 25, 2010  
7:00 P.M.**

Mayor St. Amour called the meeting to order at 7:00pm read the following statement and requested Detective Brian Zeck 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

Mayor St. Amour entertained a motion to move items A and B under New Business to be addressed at this time; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**New Business:**

**Resolution 70-2010 / Appointment of Chief of Police / Lieutenant Registrar:** Mayor read Resolution in full and entertained a motion to approve; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Resolution 71-2010 / Appointment of Police Captain:** Mayor read Resolution in full and entertained a motion to approve; so moved by Mr. Graebener seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Lieutenant Registrar and Detective/Sergeant Thompson thanked their families, Governing Body, this community and especially the Police Department.

Mayor called for a five minute recess. Mayor reconvened the meeting at 7:15 pm.

**Approval of Committee Minutes:** Mayor entertained a motion to approve the joint meeting minutes with the Mullica School Board held May 4<sup>th</sup>, 2010 meeting, so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour. Mayor entertained a motion to approve the minutes of May 11<sup>th</sup>, 2010; 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 Special Executive Session Meeting held May 18<sup>th</sup>, 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:**

Ms. Joyce Howell, President Mullica Woods Homeowners Association, stated she and the residents of Mullica Woods are present this evening regarding the approval of the 2010 License Renewal, pertaining to tree and water issues and requested the Governing Body address the issues prior to the license being renewed. Ms. Howell reported many residents have very little water pressure, as well as, dead trees on their property which need to be tended to. Mr. Graebener questioned if this issues have been discussed with the Zoning Officer. Ms. Howell stated they have not. Mr. Gabris asked if management has been contacted with these issues. Ms. Howell stated yes on numerous occasions.

Ms. Iris Maul, 9 Holly Drive, explained to Committee the issue of no water pressure at her residence, as well as, branches from trees falling onto her property, which have been ongoing issues for five years.

Ms. Joan Battles complained about dead trees on her property and within the park.

Ms. Lorraine McNellis, 16 Holly Drive, stated she has reported dead trees to management for the past three years and is still waiting for a response.

Mr. Dale Craig, Mullica Way, stated he also has dead trees on his property.

Ms. Janet Forman stated the residents of Mullica Woods have had problems for the past twelve years which are landlord/tenant issues and suggested the residents put their rent into an escrow fund until the problems are resolved. Ms. Forman requested information regarding the EMS Bid and Shared Services Agreement for Solid Waste Disposal. Mayor reported two bids were received for EMS Services which will be discussed and the Shared Services Agreement is with Atlantic County Utilities Authority for the next four years with locked in rates.

Ms. Terry Savona expressed her dissatisfaction with Committee granting the license to Vasilakis Junkyard, asked what they are allowed to do at the site and questioned who is in charge when Mr. Sandman is not working. Mayor explained they are not currently operating the junkyard and that the license was renewed for continuance of the use. Mr. Gabris noted any complaints other than criminal need to be directed to Code Enforcement, noting if Mr. Sandman is unavailable, he would be. Mr. Zlotnick reported at the time of renewal of the license they had agreed to the location of operation, not idling vehicles and other compliance issues that need to be adhered to before operation begins.

Ms. Lennie Coleman questioned if Mullica Woods needs to meet compliance issues for renewal, if the issues reported this evening meet those requirements, and if not what are the issues. Mayor stated they need to be in compliance; however, these issues are beyond the specter of the municipality, the issues the municipality reviews are safety and welfare. Mr. Gabris suggested the Governing Body approve a conditional license based upon these issues and requested a list of compliance issues to be reviewed by Code Enforcement.

Mr. Paul Kline, 55 Mullica Way, expressed his dissatisfaction with the water issue and the electrical boxes which need to be upgraded.

Mr. Gary Jerue, 32 Mullica Way, stated if the residents put the rent in escrow it will hurt the municipality and urged Committee to assist the residents as most of them are seniors.

Ms. Terry Savona, urged Committee not to grant conditional approvals as the license holders should be in compliance and stay in compliance. Mayor St. Amour replied the license holder needs time to address

compliance issues.

Ms. Joan Jones, Mullica Woods, stated the clubhouse has rotten wooden steps that need to be addressed, there is a dead tree at her property, the streets have never been swept as listed in the lease, the sign in the front of the park is illegal, and management is not following the age requirements.

Ms. Iris Maul asked if she should call the Board of Health regarding her water issue and asked questions regarding the lease. Clerk stated all water and septic issues need to be addressed to Atlantic County Board of Health. Mayor stated Committee will address tree and water issues; however, any lease items need to be addressed by private legal counsel.

**Budget Hearing (continued):** Mayor reported the Budget proposes a 1.8 cent increase and opened to the public. No public comment, Mayor closed and entertained a motion to adopt; so moved by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

### **Committee Reports:**

**Revenue & Finance:** Mr. Kennedy reported the following: The April treasurer's report is at Committee's places. Our GovDeals auction was completed on May 17<sup>th</sup> and the township will receive a total of \$15,137.04, after fees are paid, breakdown of sales is available on-line.

**Administration:** Ms. Polk reported the following events: May 26<sup>th</sup> is Mullica Night at Royale Crown with proceeds going to Mullica Recreation Association. In honor of our Veteran's, municipal offices will be closed Monday, May 31<sup>st</sup> in observance of Memorial Day. The 6<sup>th</sup> Annual Community Day will be at the Recreation Fields on Saturday, June 5<sup>th</sup> beginning at 10am until 2pm. The Mullica School District will be leasing the Hilda Frame School, if interested contact Lourdes LaGuardia for details at 561-3868 x. 124. We have received information regarding Bus Shelters and the requirements remain the same for a sponsor in regards to maintenance, insurance, replacement costs etc.; however, NJ Transit does allow local businesses to sponsor a bus shelter as was suggested by Mr. Graebener. Mr. Kennedy noted Atlantic County will hold a Memorial Day Service at Estell Manor Park on Saturday, May 28<sup>th</sup> at 3pm.

**Housing & Development:** Mr. Gabris reported the next Planning Board Meeting will be held on Wednesday, June 2<sup>nd</sup> at 7:30 pm. Mr. Gabris gave the following report as a result of a Pinelands Symposium regarding Solar Planning Principles he attended with Ms. Johnson. In Pinelands Villages solar arrays are permitted as conditional a use with existing structures. In the Forest, Preservation and Special Agricultural Districts the Commission is recommending allowing solar arrays as a conditional use, as well as, considering requiring the purchase of PDC's for sites in these areas. The Commission further proposes to allow solar arrays on landfills provided the landfill is capped or it is demonstrated that capping is not necessary. If capping is not necessary, the purchase of PDC's may be required. Mr. Gabris noted the presentation is available on the Commission's website.

**Public Safety:** Mr. Graebener reported the following: Elwood Vol. Fire Company is holding a Motorcycle Run Sunday, June 27<sup>th</sup> with registration beginning at 9am until 10:45am at Atlantic City Cycle Center - 1181 White Horse Pike, Hammonton. Run begins sharply at 11:00am and finishes at Christina's Restaurant & Bar in Galloway. \$20.00 per bike - \$10.00 per passenger. Includes 1 roast beef sandwich, salad and chips, 1 beer, soda or water, live music by the Time Travelers Band from 1-5, vendors, door

prizes, t-shirts sales, raffles and more. For more information contact [evfc160@evfc160.com](mailto:evfc160@evfc160.com) or call 609-561-1992. Total calls for the Fire Department for the Month of April were 28, year-to-date is 115, total EMS calls for April are 42 and 188 year-to-date. The new Elwood Fire Rescue Truck has a tentative completion date of August 10<sup>th</sup>, and should be in service mid-September after training is completed. Two officers have notified the Township of their intention to retire. One retirement will be effective June 30<sup>th</sup>, and one September 30<sup>th</sup>. Mr. Graebener requested a consensus to advertise for a patrolman position to begin July 1<sup>st</sup>. Consensus of Committee is to advertise.

**Public Works:** Mayor St. Amour reported the following: Due to the chipper being out of service there is an enormous amount of brush which the Department is diligently working on throughout the Township.

In honor of our Veteran's, the Transfer Station will be closed Monday, May 31<sup>st</sup> in observance of Memorial Day. Last Tuesday a sub-committee of the Board of Freeholders held a meeting regarding Lake Nescochague specifically relating to the dam, with himself and Mr. Gabris and a tremendous turnout from the public. This meeting related a tremendous amount of historical information and ideas which were discussed and suggested regarding changing the class of the dam which would make it more manageable from an inspection and repair standpoint. Mayor stated he believed Atlantic County will partner with the municipality and the Lake Nescochague Association in dealing with the existing issues.

#### **Correspondence:**

Atlantic County will hold a Public Hearing on Tuesday, June 22<sup>nd</sup>, 3pm, in the meeting room of the Lions Center for the Blind in Absecon to inform the public of proposed use of funds for the 2011 Senior Citizen Disabled Resident Transportation Assistance Program Grant.

Letter from Freeholder Schroeder to Assemblyman Greenwald requesting vital programs be restored which affect seniors and our schools, particularly the PAAD Program and Department of Children and Families Social Service Block Grant.

#### **Old Business:**

**Resolution 67-2010 / Award Jackson Road Bid / Arawak Paving:** Mayor entertained a motion to award to the lowest responsible bidder, Arawak Paving, in the amount of \$177,400.00; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Resolution 68-2010 / Award EMS Bid:** Mayor opened to Committee discussion. Mr. Graebener suggested the Mayor give an explanation to the public regarding the awarding process. Mayor reported there were two bidders and each submitted a zero charge to the municipality, therefore, a Review Committee ranked the bids based on criteria contained in the specifications, for example, availability of appropriate and qualified staff, financial strengths, prior experience in 911 EMS system administration, organization strengths, response time, etc. noting there was a possibility of 500 points. Mayor entertained a motion to award the contact based upon the recommendation of the Selection Committee to AtlantiCare; so moved by Mr. Graebener, seconded by Ms. Polk. RCV: Yeas: Mr. Graebener, Mr. Gabris, Mr. Kennedy, Ms. Polk, Mayor St. Amour. Mayor further explained the there is no cost to the municipality for this service.

**Resolution 69-2010 / Shared Services Agreement / Solid Waste Disposal:** Mayor entertained a motion to enter into a Shared Services Agreement with the Atlantic County Utilities Authority; so moved by Mr.

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

**Reject Payment / Winchester Roofing Corporation \$4,081.30:** CFO reported the new roof is peeling up and in compliance with the Prompt Payment Law we need to formally reject payment. Mr. Kennedy made a motion to reject payment at this time seconded by Mr. Gabris. RCV: Yeas: Mr. Graebener, Mr. Gabris, Mr. Kennedy, Ms. Polk, Mayor St. Amour

**New Business:**

**Set Special Meeting Date / June 30, 2010:** Mayor stated this meeting will be to officially swear in our new Chief of Police and Captain; Mr. Kennedy made a motion to hold a special meeting June 30, 5pm, seconded by Ms. Polk. RCV: Yeas: Mr. Graebener, Mr. Gabris, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Approve 2010 Mobile Home Park License / Mullica Woods:** Mr. Kennedy made a motion to reject. Mr. Zlotnick suggested Committee table the license and a letter be sent to the owners requesting a sit down to address the concerns. Mr. Kennedy made a motion to table this renewal and directed Clerk to send letter seconded by Ms. Polk. RCV: Yeas: Mr. Graebener, Mr. Gabris, Mr. Kennedy, Ms. Polk, Mayor St. Amour. Mayor requested Mr. Gabris and Ms. Polk to serve on the sub-committee to address the issues.

**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. Janet Forman asked if Committee is 100% behind saving Lake Nescochague, questioned the number of Police Officers retiring versus hiring one officer, expressed her concern with overtime, suggested residents from Mullica Woods join the subcommittee. Mayor confirmed Committee is behind the Lake. Mayor stated we are anticipating a retirement June 30<sup>th</sup> which will be replaced, as well as, a second retirement September 30<sup>th</sup>. Mayor stated overtime is going to be proactively addressed with the new administration. Mayor agreed with Ms. Forman and requested Mullica Woods to submit two residents to join the sub-committee.

Mr. Ron Lischak, thanked Committee for reconstructing Jackson Road, asked if the bridge classification was to be changed, noted the last portion of Route 542 has become a real hazard and suggested Committee request a firm schedule from the County. Mayor stated he will contact the County and confirmed the bridge was not part of the bid specifications.

Mr. Clark Weld, Moss Mill Road, requested the outcome of the mower bid, and expressed his dissatisfaction with the size of the mower that was bid, suggested the mowing of fields be subcontracted out. Mayor stated the bids and the issue of subcontracting will be reviewed.

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

Respectfully submitted,

Kimberly Johnson, Municipal Clerk

BILL LIST

AT&T51.06April 2010 ServicesAtlantic City Electric582.89April 2010 ServicesCAM Co.507.56Repair Ford PTODiMeglio Septic, Inc.260.00Jan, Feb, March, April 2010 ServicesDeer Carcass Removal Svc.65.00Deer RemovalMaudsley, Mary J.431.00SBA Towers EscrowVerizon Wireless288.06May 2010 Services NJ League of Municipalities55.00Ethics Seminar – MayorNorthern Safety & Industrial110.52Trash Can LinersNextel Communications597.24April 2010 ServicesAncero790.00AMS/MX Logic April 2010Staples Business Advantage238.46Office/Janitorial SuppliesPetroleum Traders999.38April 2010 PurchasesVital Services Group200.00April 2010 ServicesXerox Capital Services25.00Copier Maintenance 2009-2010Avaya, Inc.212.57May 2010 Maint AgreementMarathon Engineering725.00SBA Towers, EscrowLawrow Electric & Plumbing Sup.39.85BulbsFleishman & Daniels2,243.89Ord 11-2009Atlantic County Utilities Auth.18,705.07March/April 2010 ServicesCappuccio, Bertha 62.00Mileage ReimbursementTreasurer, State of NJ50.00NJUCC SubscriptionTreasurer, State of NJ100.00CPWM/CMFO RenewalWells Fargo Home Mortgage1,172.51Tax Refund Res 65-2010Mullica District Schools50.008<sup>th</sup> Grade Savings Bond AwardsGreater Egg Harbor Regional215,631.22May 2010 LevyMullica Twp Board of Education313,784.45June 2010 – Levy / 2010 Alliance-Chess ClubPetty Cash107.92Reimburse Petty Cash

Current Fund Appropriations	556,904.65
Trust Funds Disbursements	1,156.00
Year Total	558,060.65
Current Fund Appropriations	25.00
Total of All Funds	558,085.65

**TOWNSHIP OF MULLICAMONTHLY TREASURER'S REPORTFOR THE MONTH OF APRIL 2010**

**Current Fund**%/budgetexpendedBeginning Balance2,166,225.22 Cash Receipts:Interest505.24 Current year tax receipts126,119.62 Receivables/Interfunds0.00 Anticipated Revenue267,898.79 Unanticipated Revenue1,310.74 Total Cash Receipts395,834.39 Expenditures:2009 Appropriations(2,530.00)2010 Appropriations(411,966.78)Liabilities(746,576.23)Interfunds0.00 Grant Fund(7,299.00) Total Expenditures(1,168,372.01)Ending Cash Balance1,393,687.60 Cash Increase/(Decrease) (772,537.62)Reserve Budget277,192.49 2010 Temporary Budget1,600,391.00 Reserve Budget Balance188,363.67 32.05%2010 Temporary Budget Balance291,791.78 81.77%

**TOWNSHIP OF MULLICAMONTHLY TREASURER'S REPORTFOR THE MONTH OF APRIL 2010**

**Capital Fund**Beginning Cash Balance133,469.90 Cash Receipts0.00 Cash Disbursements(1,390.00)Ending Cash Balance132,079.90 Due from Current Fund0.00 **Total Cash Available132,079.90** ProofAssets2,802,861.75 Liabilities2,802,861.75 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 Author476,357.33 Contracts Payable0.00 Total Improv Author500,357.33 Bonds Payable1,320,000.00 BANS Payable362,000.00 Green Trust Loan Payable10,781.85 Debt Authorized but not Issued489,000.00