

Regular Meeting November 23, 2010

**REGULAR MEETING
NOVEMBER 23, 2010
7:00 P.M.**

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

Chief Financial Officer: Dawn Stollenwerk

Superintendent of Public Works: Peter Berenato

Approval of Committee Minutes: Mayor entertained a motion to approve the minutes of the November 9th meeting, so moved by Mr. Graebener seconded by Ms. Polk. Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Public Discussion Relating to Agenda Items: Mr. Ron Lischak asked if the Pre-Disaster Mitigation Plan had any impact on the Pleasant Mills Dam. Clerk stated not to her knowledge, noting this Resolution is to be in compliance with Atlantic County regarding emergency management operations. Mr. Lischak expressed his concern that the dam is the County's responsibility.

Ms. Janet Forman asked for clarification regarding the proposed changes to Ordinance #17-2010, expressed her concern and dissatisfaction with the following: the changes discussed at the November 3rd meeting were not the only changes proposed, the change of fee from \$2.00 to \$50.00 per title, noting that is why the towers pay a \$500.00 license fee, that members of Committee were not willing to sit with the towers and discuss changes, and she felt this was politically motivated. Mayor responded, other than the statutory revisions, the changes are to notify the municipality that the vehicle has been held for over 75 days and to increase the title fee to \$50.00 per car. Mayor stated this is not politically motivated, noting it is beneficial to the taxpayers. Ms. Forman continued to express her dissatisfaction with the proposed changes, noted enough facts were not reviewed prior to these changes, stated the towers currently abide by the statutory language, noted there are approximately 70 cars that have not been diligently processed, requested this be tabled until further investigation with all parties, including the Police Department.

Mr. Glen Forman stated he will be submitting a bill for the unprocessed cars and stated he felt he was being treated unfairly. Mayor stated the reason for the increase in title is due to the Police Officer's time.

Mr. Ernest Aponte stated this issue was raised previously when Mr. Paulsgraf had questioned the auction of cars, which is what precipitated this change.

Mr. Gary Schlue stated the unprocessed cars have been on his lot from previous Police administrations, and it has only be in the last year that due diligence has been made thanks to Sergeant Zeck. Mr. Schlue explained the process of selling the cars for the storage and towing fees owed, and stated they have never charged the municipality. Mr. Schlue, Mr. Glen Forman and the Mayor discussed the process.

Mr. Ron Lischak suggested an open public meeting for fact finding before the hearing, since this issue affects the municipality and businesses financially.

Ms. Janet Forman asked if Committee would consider an administrative fee versus increasing the fee for the titles. Mayor discussed a municipal surcharge per tow versus the title fee. Mr. Zlotnick reported that is allowable.

Mayor closed the public portion.

Hearing: Ordinance 16-2010 / Appropriating \$25,000 from Capital Improvement Fund for the Purchase of Computer and Electronic Equipment: 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 \$25,000 From The Capital Improvement Fund for the Purchase of Computer and Electronic Equipment for the Township of Mullica, County of Atlantic, State of New Jersey.

Mayor opened to the public. No public comment; Mayor entertained a motion to adopt; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

First Reading: Ordinance 17-2010 / Amending Chapter 217 / Towing: Mayor suggested based on the information received this evening removing the language in item two and including a municipal surcharge of \$25.00 per tow. Mr. Kennedy suggested tabling until further review with everyone involved. Mayor asked the towers, Mr. Forman and Mr. Schlue if they would be in favor of such proposed language. Mr. Forman and Mr. Schlue agreed. Mr. Graebener asked why the 75 day notification was included. Mayor stated after 75 days a vehicle not claimed probably would not have much value and suggested removing language. Mr. Kennedy made a motion to hold a first reading at the next meeting with the above suggested language seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Committee Reports:

Department of Revenue & Finance: Mr. Kennedy reported the Treasurers Report for October is included with this meeting packet. Mr. Kennedy stated our Director of Fire Department Affairs has requested approval to appropriate the remaining \$31,000 in our Capital Ordinance for Fire Equipment to purchase 18 sets of turnout gear (6 each for Nesco, Weekstown & Sweetwater). National Fire Protection Agency requires turnout gear to be replaced every 10 years, and this gear is past the useful life, cost per set is \$1,618, including boots. Mr. Kennedy made a motion to appropriate funding as requested seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Department of Administration: Ms. Polk reported the following: Township Offices will be closed November 25th and 26th for the Thanksgiving Holiday. A benefit for Township resident Gianna DeRosa will be held on Sunday, November 28, 2010 beginning with a 5k run at the Mullica School at 11am and a dinner and auction at Christina's Restaurant beginning at 3pm. Gianna has been diagnosed with a

malignant brain tumor and recently had surgery to remove it. She is currently undergoing chemotherapy and radiation treatments and proceeds will be going to the family in their time of need. Holiday Tree lighting at Town Hall will be held on Tuesday, December 7th at 6pm, following with Super and Story time for children with Santa Claus. If you know you are attending, please call the Clerk's Office so we may establish a head count. Ms. Polk thanked the municipality for the exceptional educational and networking opportunities she received by attending the New Jersey League of Municipalities Conference.

Department of Public Safety: Mr. Graebener reported the following: The Mullica Twp. Police Department investigated the following cases since November 19, 2010 to present: arrests 4; motor vehicle stops 177, motor vehicle summons 93, motor vehicle warnings 3; motor vehicle accidents 9; total number of calls handled 500 plus. The Police Department also participated in the "American Medicine Chest Challenge" held on November 13, 2010. Just over 5lbs. of prescription medication was accepted within a four hour time frame.

Department of Housing and Development: Mr. Gabris stated after 21 years of serving Mullica Mary Maudsley, Planning Board Solicitor is retiring. Mr. Gabris stated the Board is seeking a Solicitor for 2011 and information can be viewed on the website.

Department of Public Works: Mayor reported during the Christmas weekend the Transfer Station will be open on Sunday, December 26th and Monday, December 27th.

Correspondence:

Request from Committeemen Elect that 2011 Re-organization Meeting be held, January 1, 2011 at 12 noon.

Notification of a public hearing regarding improvements to Gaskill Park In Mays Landing to be held December 20, 6pm at Atlantic County Library in Mays Landing.

On December 7, 4pm the Freeholder Board will hold a public hearing on Amendments to the County's Ordinance regarding Solid Waste Flow, to fulfill the NJ DEP's requirements.

Old Business:

Suspend Tax Cab License #2010-01: Mayor entertained a motion to suspend, based upon recommendation from the Police Department; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

New Business:

Resolution 133-2010 / Pre-Disaster Mitigation Plan: Mayor entertained a motion to adopt the multi-jurisdictional plans; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Resolution 134-2010 / Budget Transfers: Mayor entertained a motion to approve the transfers; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Resolution 135-2010 / Stop Dirty Energy from Polluting NJ's Coast: Mayor entertained a motion to

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

Set Date for Reorganization Meeting: Mr. Gabris stated he has a conflict on January 1st. Mayor stated since Town Hall will be closed on Friday, December 31st, he suggested holding the meeting on Monday, January 3rd, which would have less of an impact on the taxpayers. Committeeman Elect Brown stated he did not feel it would be an impact to hold the meeting on the 1st. Committee agreed to table at this time.

Approve 2011 Towing License / Forman: Mr. Gabris made a motion to approve seconded by Mr. Kennedy; RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Approve 2011 Towing License / Schlue: Mr. Graebener made a motion to approve seconded by Mr. Kennedy; RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Discuss Amendments to Chapter 225 / Trash Disposal and Recyclables: Mr. Gabris reported this Ordinance (sample provided to Committee) has been reviewed by himself, Superintendent of Public Works and the Municipal Clerk to update it, to try to lower the cost of operations and to obtain a better handle on who is utilizing the transfer station. Mr. Gabris stated this Ordinance includes a new section pertaining to where trash containers are stored on the property, because some residents tend to keep their containers along the roadway continuously. Mr. Graebener questioned the reference to “minor amounts of bulk waste may be deposited without affecting annual limits”. Mayor asked if one small item of bulky waste would be considered one of the 6 bulky wastes afforded per year. Mr. Berenato stated that is his intention, to be able to curb bulky waste. Committee briefly discussed the proposed amendments and agreed to move to First Reading with removal of the sentence noted above by Mr. Graebener and to amend Article III. Storage, Section 225-5, B. from 5pm to 12 noon and change 7pm of the day of collection to 12 noon the day after collection. Mr. Gabris so moved for First Reading at the December 14th meeting with the above amendments seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Discuss Amendments to Chapter 2 / Zoning Officer: Mr. Gabris stated this proposal is to reduce the appointment of the Zoning Official from four years to two years. Ms. Polk asked why the position is appointed for specific terms. Mr. Zlotnick stated it is a statutory position. Clerk stated historically the appointment was one year and two years ago it was changed to four years. Mr. Graebener agreed the quality of the work should be reviewed every two years. Mr. Gabris made a motion to move this Ordinance for a First Reading at the next meeting seconded by Mr. Graebener. RCV: 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 Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Public Discussion: Ms. Donna Connor stated she was present with other residents to show their appreciation to our Police Department regarding this latest rash of crimes in the Sweetwater section, expressed her concern of the understaffed Police Department and stated they would like to begin a Neighborhood Watch. Ms. Connor stated she has spoken to the Chief and he has agreed to assist them to facilitate a coordinating effort as well as having information more forthcoming. Mayor stated Committee will work with them in achieving the Watch.

Ms. Peggy Franklin stated recently she had called in a suspicious vehicle and the Police acted promptly. Mayor thanked Ms. Franklin for her efforts.

Mr. Ernest Aponte stated tonight was an example of how government should work; in that the public's opinion can change the Committee's opinion and make good decisions as citizens adding now there will be a Towing Ordinance that is good for the citizens and for the towers.

Ms. Ann Cavage stated she never saw the placement of trash cans as an issue and was concerned about how it will be enforced.

Mayor closed public and entertained a motion to adjourn; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: All voted yes.

Respectfully submitted,

Kimberly Johnson,
Municipal Clerk

BILL LIST

Al & Rich's Car Wash 200.00 Car Wash Tickets Atlantic City Electric 790.83 October – December 2010
 Services Birch's Communications, LLC 190.00 Gun Rack / Antenna Install Bonita K.
 Brumbach 510.00 Transcript Casa Payroll Services 112.65 August – December 2010 Services Carrot-Top
 Industries Inc. 157.98 US Flag – Chief Dimeglio Septic, Inc. 130.00 June – December 2010 Services Dell
 USA LP 1,483.33 Code Enforcement Computer Carbon Services Corporation 108,173.31 Contract NR 2010-
 09 Forman's Auto Body 4,868.68 2009 Dodge Durango Hess Corporation 609.19 November/December 2010
 Services Crystal Springs 155.44 July 0 December 2010 Services Maudsley, Mary J. 125.00 Macri
 Escrow McDonald Saw Services 43.05 Blades Municipal Record Service 190.00 ATs/ACS Warrants Barker,
 Scott Gelfand 5,260.86 Wild Matters NJ Sex Crimes Officers Assoc 125.00 13th Annual Conference Verizon
 Wireless 240.06 May-December 2010 Services Nextel Communications 493.44 May-December 2010
 Services Ancero 790.00 AMS Services Oct-Nov 2010 Pieco Services Property Maint 10,000.00 Storm Drain
 Inlet Cleaning Reserve Account 1,000.00 Postage Lexisnexis Risk Data Management 50.00 May-December
 2010 Services Staples Advantage 213.94 Office Supplies – October 2010 The Press 89.49 PB
 Notice/Ordinance Publ Tomasella's Fire Portection 98.00 Inspect/Recharge Fire Existing Val-U Auto
 Parts 147.50 October 2010 Blanket Voucher Vital Services Group 200.00 May-December 2010
 Services Xerox Capital Services 27.00 Copier Maintenance Renewal Best Construction 9,095.00 MTRA
 Roof Marathon Engineering Inc. 650.00 Pino, Bocella Escrow Lawrow Electric & Plumbing
 Sup 129.20 Bulbs, Etc. Biel, Zlotnick & Feinberg 3,667.23 October 2010 Services Atlantic County Clerk's
 Office 8.00 Cancel MTRA Atlantic County Utilities 16,952.78 October 2010 Services Simon, Mary
 Lou 2,313.60 MCARE Reimburse Per CH 88 Treasurer, State of NJ 50.00 CTC License Renewal NJ Dept of
 Health & Sr Service 4.80 Oct 2010 State Dog Fees Petrosch Big Top 300.00 Alliance First American Tax
 Service 558.71 Refund Resolution 132-2010

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| Current Fund Appropriations | 0-01 | 160,321.27 |
| Trust Fund Disbursements | 0-03 | 9,882.80 |
| Total of All Funds | | 170,204.07 |

TOWNSHIP OF MULLICAMONTHLY TREASURER'S REPORT FOR THE MONTH OF OCTOBER 2010
 Current Fund %/budget expended Beginning Balance 919,009.38 Cash Receipts: Interest 491.52 Current year tax receipts 1,338,236.16 Receivables/Interfunds 14,763.74
 Anticipated Revenue 149,117.89 Unanticipated Revenue 7,862.33 Total Cash Receipts 1,510,471.64
Expenditures: 2009 Appropriations 0.00 2010 Appropriations (402,715.92) Liabilities (457,394.83) Interfunds (24,038.02) Grant Fund (206,125.78)
 Total Expenditures (1,090,274.55) Ending Cash Balance 1,339,206.47 Cash Increase/

(Decrease)420,197.09 Reserve Budget277,192.49 2010 Budget5,898,116.31 Reserve Budget
Balance172,957.27 37.60%2010 Budget Balance843,962.39 85.69%