

Regular Meeting September 28, 2010

**REGULAR MEETING  
SEPTEMBER 28, 2010  
7:00 P.M.**

Mayor St. Amour called the meeting to order at 7:00pm read the following statement and requested Patrolman Anthony Trivelli, 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 of Police:** Paul Register

**Chief Financial Officer:** Dawn Stollenwerk

**Approval of Committee Minutes:** Mayor entertained a motion to approve the minutes of the September 14<sup>th</sup> meeting, so moved by Ms. Polk seconded by Mr. Kennedy. Mr. Graebener suggested adding under Discuss Parades and Public Assemblies: "Mr. Graebener said that he believed there was no danger standing outside the transfer station and that the JIF Report was flawed". Ms. Polk amended her motion to approve the minutes to reflect those changes seconded by Mr. Kennedy. Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Presentation: Police Department:** Chief Register recognized local resident Alice Weygand and presented her with a certificate of appreciation regarding an incident that occurred in Mullica. Chief explained Ms. Weygand provided information which led to immediate and expeditious arrest of the perpetrator in a home burglary.

**Resolution 112-2010 / Appoint Sergeant Brian Zeck:** Mayor read Resolution in full and entertained a motion to appoint; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Resolution 113-2010 / Appoint Corporal Eric Carricarte:** Mayor read Resolution in full and entertained a motion to appoint; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Chief Register read the following quote which he has posted in the Police Department "He that would govern others first should be a master of himself; Have vision, passion, conscience, and discipline. Chief stated these two Officers meet these words. Mayor St. Amour also acknowledged Patrolman Anthony Trivelli who has been recently assigned to the Detective Bureau. Mayor thanked the Department for a tremendous job.

**Resolution 114-2010 / Appoint Class II Special Ryan Spencer:** Mayor read Resolution in full and

entertained a motion to appoint; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

Mayor took a five minute recess. Mayor reconvened meeting.

**Public Discussion Relating to Agenda Items:** Mr. Jim Brown asked what guidelines are being utilized for campaigning at the Transfer Station, under the Parades & Public Assemblies Ordinance and questioned the dress code. Mayor suggested drawing the dates out of a hat as was done last year between the candidates and stated safety vest will be regulated for the first weekend, but the Ordinance change will remove the regulation. Mr. Brown questioned the safety issue and if this was a recommendation of the JIF. Mayor compared the regulation to wearing a vest when walking down the roadway which is not a requirement. Candidates agreed to draw weekends after the meeting. Mayor closed the public portion.

**First Reading: Ordinance 14-2010 / Amending Chapter 168 / Parades & Public Assemblies:** Mayor entertained a motion to read by title; so moved by Mr. Graebener, seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Ms. Polk, Mayor St. Amour. Nays: Mr. Kennedy.

*An Ordinance Amending Chapter 168, Parks and Recreation Areas, Chapter 3, Special Events and Use of Public Facilities, of the Code of the Township of Mullica, Atlantic County, New Jersey.*

Mayor entertained a motion to approve and set hearing date for October 12<sup>th</sup>, 7pm; so moved by Mr. Graebener seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Ms. Polk, Mayor St. Amour. Nays: Mr. Kennedy.

#### **Committee Reports:**

**Department of Public Safety:** Mr. Graebener reported the following: Municipal Court collected \$18308.85 for the month of August and the municipality retained \$8,632.87. From September 14, 2010 until September 24, 2010 the following incidents were investigated by members of the Mullica Twp. Police Department; 3 arrests, 2 aggravated assaults, 4 drunken driving arrests, 1 burglary investigation, 84 Motor Vehicle stops, and 113 summonses issued. Due to a prior commitment to have our officer's man traffic post for the annual MS bike Race, we were unable to fulfill our commitment to participate in "Operation Take Back" which involved the collection of old, unused prescription medication. We have received a complaint of speeding vehicles on the western end of Reading Avenue, and we are addressing the problem. Fire Department: Total calls for the fire department for August are 33 and year to date is 244, EMS calls for August are 31 and year to date is 368. Elwood's Fire Company new rescue truck is now in service (still waiting for radio) and will be giving old rescue to Township for auctioning. October 4<sup>th</sup> is the Mullica Township Fire Departments open house at Mullica School for fire prevention. Joining the Fire Companies will be AtlantiCare, South Jersey Gas and Atlantic City Electric. Elwood Volunteer's 9<sup>th</sup> Annual Golf Tournament, scheduled for October 2<sup>nd</sup>, 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. School is back in session, please drive safely!

**Department of Administration:** Ms. Polk reported the following: Mullica has been recognized by the US Census Bureau for our support in raising awareness and inspiring participation in the 2010 Census. The 17<sup>th</sup> Annual Halloween Parade will be held on Sunday, October 24<sup>th</sup>, registration begins at 12 noon, and parade begins promptly at 1pm.

**Department of Revenue & Finance:** Mr. Kennedy reported the following: The Township accepted proposals for the purchase of \$362,000 BOND ANTICIPATION NOTES on September 16, 2010, until 11:00 a.m. Three bids were received: Sun Bank: 1.64%; TD Bank: 1.65%; Oppenheimer: 3% with a \$90 premium. Net Interest 2.9750%. The note closing is scheduled with Sun Bank for September 30<sup>th</sup>.

**Department of Public Works:** Mayor St. Amour reported the following: Jackson Road has been paved and some final touch up work needs to be completed. Numerous fence posts at the park and many street signs have been run over in the past few weeks, which we are replacing. Mayor announced the Township's participation in E-recycling Program, which should begin at the Transfer Station the weekend of October 16<sup>th</sup>. We will now be collecting electronic devices, except for televisions. Participation in this program will lower our bulk tonnage rate and will be cost effective for the municipality because beginning January 1, 2011, electronics cannot be disposed of at a landfill or incinerator. Magnum Computer Recycling located in Westville is an approved Class D electronic waste recycling facility whose mission is to heighten the public's awareness regarding the importance of recycling computer equipment and related electronics. Mr. Graebener questioned where televisions will be received. Clerk stated currently TV's are not accepted, but will be after January 1, 2011. Ms. Polk requested the Clerk add this to Sustainable Mullica's Actions.

#### **Old Business:**

**Resolution 115-2010 / Person-to-Person & Pocket-to-Place Transfer / Bus Stop Nightclub (correction):** Mayor entertained a motion to correct Transfer Resolution #107-2010 to state the transfer is from Eden's Nightclub to Bus Stop Nightclub; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Trailer Renewal / Mr. & Mrs. Fitzgerald, Block 7101, Lot 4:** Ms. Fitzgerald requested an extension to their temporary trailer permit. Mayor requested status report regarding their level of progress. Mr. Fitzgerald stated financing is not available without homeowners insurance and builders insurance and he cannot obtain insurance without the permits. Mr. Fitzgerald stated he is having trouble obtaining all the information required by the Construction Office, but the truss company is holding him up. Mr. Graebener expressed his concern that trailers are to be on a temporary basis. Mayor indicated they are navigating through difficult circumstances and is in favor of extending for additional 6 months, but progress needs to be made. Committee briefly discussed with Mr. Fitzgerald how to address the insurance and permit process. Mr. Kennedy suggested tabling until the Fitzgerald's can obtain permits. Mr. Zlotnick stated if the permit process can be expedited then they could obtain insurance to obtain financing. Mr. Gabris made a motion to grant extension for an additional six months seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

#### **New Business:**

**Resolution 116-2010 / Put the Brakes on Fatalities Day, October 10<sup>th</sup>:** Mayor entertained a motion to declare October 10<sup>th</sup>, Put the Brakes on Fatalities Day; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Resolution 117-2010 / Local Government Energy Audit Program:** Mayor entertained a motion to authorize application to NJ Board of Public Utilities to participate in the Local Government Energy Audit Program; so moved by Mr. Kennedy seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Resolution 118-2010 / Retiring Sergeant Ray Aquino's Handgun:** Mayor entertained a motion to authorize Sergeant Aquino's department issued handgun; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Resolution 119-2010 / Retiring Sergeant Jim Gavin's Handgun:** Mayor St. Amour entertained a motion to authorize Sergeant Gavin's department issued handgun; so moved by Mr. Graebener seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Resolution 120-2010 / Accumulated Balances / Sergeant Aquino:** Mayor entertained a motion to approve accumulated balance in the amount of \$31,780.35; so moved by Mr. Kennedy seconded by Mr. Graebener. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Approve Nesco Volunteer Fire Company Coin Drop:** Mr. Graebener made a motion to approve seconded by Mr. Kennedy. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

**Approve Elwood Volunteer Fire Company Coin Drop:** Mr. Kennedy so moved to approve seconded by Ms. Polk. 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 Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Graebener, Mr. Kennedy, Ms. Polk, Mayor St. Amour.

#### **Public Discussion:**

Roseanne Lugg suggested the bill list and resolutions also be placed on-line along with the agenda.

Thomas Bruckmeier, Totem Village, asked why we retire handguns and noted police visibility has been minimal in his neighborhood. Mayor stated it is a tradition and noted we have a new bicycle unit that will be in his neighborhood.

Ms. Joyce Howell, Mullica Woods, asked if Mr. Murray was contacted regarding the hearing from 2009. Mayor stated he has advised Mr. Murray that Mr. Curcio will not be submitting a brief on behalf of the homeowners; therefore, he will be issuing a decision. Mayor St. Amour reported Mr. Murray has received the cost of living increases for review and Committee is discussing the Ordinance revision regarding the cost of living increase. Mr. Zlotnick stated he is researching the change, however, added it is quite complex and a financial analysis need to be done. Mayor stated based upon his research if the 2% was lowered to 1% the increase of 4% would more than likely need to be raised also. Ms. Howell noted the residents are still under financial constraints. Mayor stated currently there is a good line of communication between the residents and Hometown America and would like to maintain it.

Ms. Terry Savona expressed her dissatisfaction with the roadside memorial on the White Horse Pike which is a traffic safety issue. Ms. Savona also expressed her dissatisfaction with the new operator of the former Vasilakis Junkyard in that they have been painting and have a sign which depicts repair, her dissatisfaction with Mr. Sandman, as well as her dissatisfaction of this "green" Committee. Mr. Gabris stated he visited the site and the painting being completed was for a personal vehicle, not for gain. Mr. Gabris and Mr. Savona discussed their differences regarding the type of painting which occurred. Mr. Zlotnick reiterated that Mr. Gabris investigated the occurrence and it was found to be a personal issue.

Ms. Joann Vitale commended the green team for doing a great job and added that Ms. Savona needs to understand her neighbor is entitled to have his business.

Mr. John Brill, Totem Village, stated he is present on behalf of himself and other homeowners regarding the drainage issues in Totem Village. Mr. Brill stated the storm drain is flooding out homes and stated this issue has not been addressed since the 1960's. Mr. Brill pleaded with Committee to visit the site and help the homeowners with the drainage issues. Mr. Gabris stated he did visit the area, but noted the area was wetlands, and maybe some of the homes need to be lifted because of the water situation. Mr. Brill stated the pipe that is there was put there illegally and is not cleaned out properly. CFO stated we are investigating utilizing Community Development Block Grant funding to address the water issues in Totem Village.

Mr. Tom Bruckmeier, Totem Village, stated the problem with the pipe is because the ground is higher than the pipe, and the pipe under the roadway is full of sand, which doesn't allow the water to drain through. Mr. Bruckmeier stated the pipe is located on an easement; therefore, the municipality has the ability to access it. Mayor St. Amour stated he will visit the site with the Superintendent of Public Works to come up with possible solutions.

Mayor closed the public portion and entertained a motion to enter executive session; so moved by Ms. Polk seconded by Mr. Graebener. RCV: Yeas: All voted yes. Clerk read Resolution ES 14-2010 in full to discuss a personnel grievance, litigation and to review Executive Session Minutes. Mr. Graebener made a motion to come back to regular session at 9:40pm seconded by Mr. Kennedy. RCV: Yeas: All voted yes. Clerk reported in Executive Session the Governing Body discussed a matter of personnel, on-going litigation, two grievances, one which was forwarded to the Director of Public Safety and the Governing Body sustained his decision, and reviewed the Executive Session minutes of September 14, 2010.

**Approve Executive Session Minutes:** Mr. Graebener made a motion to approve the minutes of September 14, 2010, seconded by Ms. Polk. 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

Atlantic Coast Alarm480.00Alarm MonitoringAlicia, Miriam75.00Court SessionAmerican Youth Enterprises Incl.689.102010 Alliance / T-ShirtsAnimal Capture & Control Svc.645.00May-December 2010 ServicesBirch's Communications, LLC185.00B26 speaker RepairHorizon Blue Cross Blue Shield4,200.82July-December 2010 CoverageCasa Payroll Services132.45August-December 2010 ServiceDocument Concept194.00Daily Notices – CourtEdmunds Direct Mail148.662010 Tax Bill MailingEntemann-Rovin Co.623.99Patrolman /Sgt BadgesFrick, Elaine666.67May-December 2010 ServicesLexisNexis36.47NJ Motor Vehicle/Traffic Laws 2010Crystal Springs131.52July-December 2010 ServicesLawmen Supply Co. of NJ1,296.26Body Armor Grant Purchase/Glock Pistol, Deputy HolisterVerizon Wireless240.06May-December 2010 ServicesNJ League of Municipalities350.002010 ConferenceNextel Communications503.01May-December 2010 ServicesLaw Office of Ernest A Aponte300.00May-December 2010 ServicesLexisNexis Risk Management105.75May-December 2010 ServicesRadio Shack Corporation4.49Clip PFSecurity Identification System578.00Police ID CardsStaples Advantage404.17Office Supplies – PoliceThe Daily Journal6.08Kehrli EscrowTenantsafe, Inc.46.00New Employee ChecksThe Press30.78Abandoned VehiclesPetroleum Traders1,029.60August 2010 PurchasesTomasella's Fire Protection69.00Fire Extinguisher ServicesVital Services

Group188.00Tax BinderWarnock Fleet & Leasing86.10Light bar Bulbs – PD  
 Xerox Capital  
 Services25.00Copier Maintenance RenewalCertified Speedometer Service156.00Calibrate  
 VehiclesMarathon Engineering350.00Pino & Langdon Escrow NJ Dept. of Health & Sr. Svc.16.20August  
 2010 State FeesElwood Vol. Fire Co.3,000.00Rescue Contrib./ReimburseGreater Egg Harbor  
 Regional138,156.94September 2010 LevyMullica Twp Board of Education319,110.00October 2010  
 LevyMid Atlantic Communications20,042.42May-December 2010 Services

Current Fund Appropriations    0-01                    493,930.26