

**REGULAR MEETING
FEBRUARY 14, 2012
7:00 P.M.**

Mayor Brown called the meeting to order at 7:00 p.m. read the following statement and led 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 5, 2012, THE EGG HARBOR AND HAMMONTON NEWS ON JANUARY 11, 2012 AND POSTED AT TOWNHALL.

Roll Call:

Committee Present: Anthony Gabris, Edward Hagaman, Susan Polk, Larry Riffle, Mayor Brown

Municipal Clerk: Kimberly Johnson

Solicitor: Elias Manos

CFO: Dawn Stollenwerk

Approval of Committee Minutes: Mayor entertained a motion to approve the minutes of Budget Workshop held January 17, 2012; so moved by Ms. Polk seconded by Mr. Hagaman. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown. Mayor entertained a motion to approve the minutes of the January 24, 2012 meeting; so moved by Ms. Polk seconded by Mr. Hagaman. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Mayor entertained a motion to amend the Agenda to add under New Business, Item F. Resolution #40-2012 / Refund Tax Payment; so moved by Ms. Polk seconded by Mr. Hagaman. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Public Discussion Relating to Agenda Items: None.

Hearing: Ordinance #1-2012 / Amend Chapter 2, Economic Advisory/Development Commission: Mayor entertained a motion to read by title; so moved by Mr. Hagaman seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

An Ordinance Amending Chapter 2, Administration, Article V, Department of Development & Housing, Section 2-29, Economic Advisory/Development Commission of the Code of 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. Riffle seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Committee Reports:

Public Safety: Mr. Hagaman reported the Municipal Court collected \$27,152.00 for the month of January and the municipality retained \$12,377.99.

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Administration: Ms. Polk wished everyone a Happy Valentine's and reported the following: Municipal offices will be closed February 20th in observance of Presidents Day. Spring Sports Signups will be held Saturday February 18th and 25th 10am – 1pm at the school for softball, baseball and soccer. Visit Applebee's on February 29th from 4pm – 8pm and 10% of the proceeds will be donated to Mullica Township PTA. Flyers are available at the front desk or can be obtained at the school. Rabies Clinic is scheduled for March 24th from 10 a.m. – 12 p.m. A late fee of \$5.00 will be assessed for those dogs that do not get their license before March 31st. Mullica Twp. & Egg Harbor City Community Alumni Basketball Fun Night will be held February 24th at the Cedar Creek High School Gym at 6:00 pm. Come play or watch the fun activity. For more information call Mark Whittaker 742-4477.

Public Works: Mr. Riffle reported the following: Township Transfer Station will be closed February 20th in observance of Presidents Day. Atlantic City Electric has notified us that Asplundh Tree Company will be in the area of Columbia Road between Moss Mill and White Horse Pike for tree pruning and removal in a week or two and residents will be advised.

Development & Housing: Mr. Gabris reported the following activities for the month of January for the Construction Office: 28 new permits issued, 7 updates, 2 of the new permits were for additions to single family dwellings, a solar system permit for the NJ Carpenter's Training Center and an updated permit for the Lavoy Theatre in Millville. The bulk of the permits were for alterations to existing homes. The Construction Office collected \$19,663 and \$2,732 was remitted to the State. The Zoning & Code Enforcement Office for the month of January issued 7 zoning permits and the office collected \$500.00.

Revenue & Finance: Mayor reported the Governing Body is working on the 2012 Municipal Budget and a Budget Workshop has been scheduled for January 28th, 6pm.

Correspondence:

Pinelands Commission will hold a public hearing on February 21, 2012, 9:30 am to accept comments on the Office of Information Technology's proposal to site 50 local communications facilities in the Pinelands seven counties.

Notification that Atlanti-Care's Emergency Medical Service has earned its full three year accreditation which recognizes the experienced EMS team for highly skilled care.

Resolution from Hamilton Township changing their local School Election to the General Election.

Atlantic County Freeholders will hold a public hearing on February 28, 2012 at 4pm regarding amendments to the Atlantic County Solid Waste Flow Contract.

Resolution from the Atlantic County Mayors Association encouraging an amendment to the Open Public Records Act.

Old Business:

Discuss Open Space Acquisition / Lake Nescochague: Mr. Gabris reported in order for the County to expend funding to repair the dam, the Lake needs to be public, and he would like the municipality to submit for open space funding. Mr. Gabris has a property in mind which is a historical site and would become a Community Center. Mr.

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Gabris stated his vision is for the groups utilizing the building to take full responsibility of maintenance, utilities and upkeep. Mr. Gabris explained this application needs endorsement from the Governing Body, the Planning Board and local support. Ms. Polk asked if the County would take ownership of the building. Mr. Gabris stated this Open Space Grant is for the municipality, however, he noted the County will be taking over the ownership of the dam. Mayor reported the County is currently working with Dam Safety towards a fix and stated he supports this endeavor. Mr. Gabris made a motion to make application for Open Space for the Nescochague Project seconded by Mr. Hagaman. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

New Business:

Resolution 37-2012 / Crescent Tire Contract: Mayor entertained a motion to approve; so moved by Ms. Polk seconded by Mr. Hagaman. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Resolution 38-2012 / Approve Landsale Request / Block 8001, Lot 3: Mayor entertained a motion to approve sale of undersized lot; so moved by Ms. Polk seconded by Mr. Hagaman. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Resolution 39-2012 / Appoint Class II Special Officer/ Michael Jamerson: Mayor entertained a motion to appoint; so moved by Ms. Polk seconded by Mr. Hagaman. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Review 2012 Junkyard License / South Jersey Truck Auto Salvage & Recycling: Mayor reported the Zoning Officer recommends this renewal be approved conditionally until March 31, 2012, for clean-up of the property. Committee reviewed pictures submitted by the Zoning Officer. Committee briefly discussed and Ms. Polk so moved to approve as recommended by the Zoning Officer seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Discuss Street Vacation Denial / Portion of Johanna Street: Ms. Cara Jean Silipena, 420 Hamburg Avenue, was sworn in by the Solicitor. Ms. Silipena explained she requested this portion of Johanna Street be vacated, because she is currently utilizing it. She is before Committee as the Planning Board did not recommend vacation. Ms. Silipena stated the property owner behind her has intentions in opening the road and in doing that would land lock her access to her garage and could cause harm to her septic. Ms. Silipena submitted a survey to the Board to review. She explained she has done due diligence in this request in that she extended review time for her neighbor to explore other remedies and have done everything in good faith. Ms. Silipena stated eventually she wishes to sell this property to building elsewhere in Mullica and does not want the property depreciated if there is no access to the garage. Mr. Hagaman asked if they are actually driving on Johanna Street. She stated yes they are, to access their garage which has been done for the past fifty years. Mr. Gabris stated that is more reason to not vacate the street. Ms. Silipena requested the Municipality grant her an easement on this paper street.

Mr. Frank Ballak, Esquire, was present on behalf of W.W.E. Inc. the owner of the adjacent property and requested he review the documents submitted by Ms. Silipena. Mr. Ballak reviewed the pictures and survey, marked A-1 and A-2. Mr. Ballak stated this was before the Planning Board who conducted an extensive fact-finding hearing. Mr. Ballak reported on the Resolution adopted by the Board indicating the street vacation was denied because it may impact on his client's property interest and property rights. Mr. Ballak stated his client has intentions to run utilities down Johanna Street and had tried to come to an amicable agreement with the applicant to protect both of their interests. Mr. Ballak explained that has not been accomplished because the adjacent owner on the other side of Johanna Street is a trust. Mr. Ballak stated the end of Johanna Street not being vacated is wet and would not be able

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to be developed. Mr. Ballak stated this garage was built in 2001; therefore the, applicant created this. Ms. Silipena stated the garage was built in the 1950's and was there when she purchased the home in 2001.

Mr. Douglas Walker, owner of W.W.E. Inc. was sworn in by the Solicitor. Mr. Walker testified he advised Ms. Silipena he is not planning on developing a roadway on Johann Street; however, his intentions are to run utility lines down Johanna Street. Mr. Walker stated he has no intentions of selling the property or installing roadways and suggested surveys be required as part of the street vacation application. Mr. Hagaman explained he understood both needs and hoped a resolution could be accomplished. Mr. Walker stated that was his intentions; however, they have been unable to contact the other affected property owner. Mr. Gabris asked where the utilities would run. Mr. Walker stated down Johanna Street. Ms. Silipena stated she is not against utilities being run. Mr. Ballak stated they are unsure of the location of Johanna Street and that is why they have opposed the street vacation. Ms. Silipena stated the marker clearly shows the location of Johanna Street and again requested the Committee grant her an easement.

Mr. Manos explained the legal standard is whether the vacation would be in the public interest and the Planning Board did not determine that it was. Mayor entertained a motion to vacate the portion of Johanna Street as submitted, so moved by Mr. Hagaman. No second. Mr. Gabris made a motion not to vacate and uphold the Planning Board's recommendation seconded by Mr. Riffle. RCV: Yeas: Mr. Gabris, Ms. Polk, Mr. Riffle, Mayor Brown. Nays: Mr. Hagaman.

Resolution 40-2012 / Refund Tax Overpayment: Mayor entertained a motion to refund the overpayment; so moved by Ms. Polk seconded by Mr. Riffle. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Payment of Bills: Ms. Polk so moved to approve the Bill List seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Public Discussion: None.

Mayor closed public portion and entertained a motion to enter Executive Session; so moved by Ms. Polk seconded by Mr. Hagaman. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown. Clerk read Resolution ES #2-12 in full to review Executive Session Minutes and discuss personnel issue.

Ms. Polk so moved to come back to Regular Session at 8:35 pm seconded by Mr. Hagaman. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown. Clerk reported the Governing Body reviewed Executive Session Minutes and appointed an Interview Committee for the Public Works Superintendent vacancy, consisting of Mr. Riffle and Mr. Gabris.

Approve Executive Session Minutes: Mayor Brown so moved to approve the minutes of January 24, 2012, seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Mayor made a motion to adjourn the meeting seconded by Mr. Riffle. RCV: Yeas: All voted yes.

Respectfully submitted,

Kimberly Johnson,
Municipal Clerk

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BILL LIST

Atlantic Coast Alarm	600.00	Fire Alarm Test/Panel
Alicea, Miriam	150.00	Court Session 1/3, 1/17
Atl County League of Municipality	500.00	2012 Dues
Atlantic City Electric	4,359.82	January 2012 Services
Crossmatch Technologies, Inc.	1,991.00	2012 Maintenance Agreement
Horizon Blue Cross Blue Shield	4,146.80	Feb. 2012 Premium
Butterhof's Farm & Home Supply	185.29	Misc Supplies/PW
CAM Co.	396.61	GMC Repairs
Casa Payroll Services	288.30	January 2012 Services
Crescent Tire & Auto	1,750.67	December 0211 Services
Dimeglio Septic, Inc.	65.00	January 2012 Services
Edmunds and Assoc.	6,038.00	2012 Software Maint Agreement
Enforsys Police Systems	2,700.00	2012 Maintenance Agreement
Garden State Hwy. Products	792.50	Signs/Posts
G&P Floor Maint.	425.00	January 2012 Services
General Code Publishers	250.00	Annual Subscriptions
Hess Corporation	612.12	January 2012 Services
Community Mediation Svc.	66.00	Mediation Services 2011
Gloucester County Police Academy	60.00	Investigation Course PD
Metropolitan Telecommunications	1,476.40	December 2011/January 2012 Svc.
MGL Printing Solutions	467.00	Dog Licenses 2012, Tax Sale Forms
Township of Galloway	48,750.00	1 st Qtr. 2012 Services
Municipal Clerks Assoc.	175.00	2012 Dues
Barker, Scott, Gelfand	303.75	JW Case/Blanket Voucher
Verizon	187.05	January 2012 Services
Verizon Wireless	240.06	January 2012 Services
NJ League of Municipalities	571.00	2012 Dues
NJ Planning Officials	315.00	2012 Dues
Nextel Communications	389.92	January 2012 Services
Ancero	780.00	January 2012 Services
ACMJIF	34,401.00	1 st Qtr. 2012 Premium
Rudco Products	1,411.74	Container Wheels
Penn Power Systems	460.00	Generator Maint Agreement
Rodio Tractor Sales, Inc.	71.43	Blades
Stewart Business Systems	4,048.00	Xerox Copier, 2012 Maint. Agreement
South Jersey Gas Co.	542.67	January 2012 Services
South Jersey Healthcare	105.00	New Hire Physical
South Jersey Welding Supply	110.40	Acetylene/Oxygen Cylinder
Spectera, Inc.	664.36	Feb 2012 Premium
Staples Advantage	394.94	Office Supplies/Court & PD
Tactical Public Safety	620.00	Desk Misc Repairs
TCTA of NJ	150.00	2012 Dues
QC Inc.	700.00	Well Monitoring 12/2011
Knowledge guard	600.00	Annual Web Hosting
Thanks for Being Green	135.00	Ewaste Pick up
The Press	55.29	Mtg. Schedules/Budget Workshop

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Petroleum Traders	8,540.65	January 0212 Purchases
This & That Uniform	1,908.00	New Patrolman Uniform
Tomasella's Fire Protection	116.00	Fire Extinguisher Inspection
Trico Equipment	17.56	Latch
Vital Services Group	741.52	Notice of Assessment/Postage
Wescoat, Nancy	128.56	Seniors Meeting Reimbursement
Avaya, Inc.	237.70	Jan Lease Installment
Atlantic County Utilities Auth	14,880.14	December 2011 Services
Atlantic County Treasurer	533,910.80	1 st Qtr. 2012 Levy
Macri, Charles P.	62.84	Refund Escrow Balance
NJ State Health Benefits Fund	52,122.71	January 2012 Premium
Greater Egg Harbor Regional	221,204.60	February 2012 Levy
Mullica Twp. Board of Ed	319,110.00	February 2012 Levy

Current Fund	1-01	26,887.97
Current Fund	2-01	1,252,016.65
Trust Fund	T-03	1,878.58
Total of All Funds		1,280,783.20

**TOWNSHIP OF MULLICA
MONTHLY TREASURER'S REPORT
FOR THE MONTH OF JANUARY 2012**

Current Fund

%/budget
expended

Beginning
Balance 2,273,888.77

Cash Receipts:

Interest 247.75
Current year tax receipts 228,692.63
Receivables/Interfunds 0.00
Anticipated Revenue 88,703.51
Unanticipated Revenue 5,569.05

Total Cash Receipts 323,212.94

Expenditures:

2011 Appropriations (46,357.36)
2012 Appropriations (188,442.02)
Liabilities (653,860.07)
Interfunds (9.15)
Grant Fund (3,400.00)

Total Expenditures (892,068.60)

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Ending Cash Balance 1,705,033.11

Cash Increase/ (Decrease) (568,855.66)

Reserve Budget 256,447.72
2012 Temporary Budget 1,563,286.00

Reserve Budget Balance	210,947.84	17.74%
2012 Temporary Budget Balance	1,374,843.98	12.05%

**TOWNSHIP OF
MULLICA
MONTHLY
TREASURER'S
REPORT
FOR THE
MONTH OF
JANUARY 2012**

Capital Fund

Beginning Cash Balance	69,120.53
Cash Receipts	0.00
Cash Disbursements	<u>0.00</u>
Ending Cash Balance	69,120.53
Due from Current Fund	<u>0.00</u>
Total Cash Available	<u>69,120.53</u>

Capital Fund Balance	17,090.28
Capital Improvement Fund	13,882.08
Accrued Interest on Bonds	480.00
Reserves for Projects	<u>0.00</u>
Total Available for Projects	31,452.36

Proof	Assets	2,020,120.53
	Liabilities	2,020,120.53
	Difference	0.00

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Def Charges Future Tax Unfunded	831,000.00
Def Charges Future Tax Funded	<u>1,120,000.00</u>
Total Deferred Charges	1,951,000.00

Funded Improvement Author	10,000.00
Unfunded Improvement Author	27,668.17
Contracts Payable	<u>0.00</u>
Total Improv Author	37,668.17

Bonds Payable	1,120,000.00
BANS Payable	831,000.00
Green Trust Loan Payable	0.00
Debt Authorized but not Issued	<u>0.00</u>
Total Debt	1,951,000.00