

**REGULAR MEETING
AUGUST 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, Ed Hagaman, Susan Polk, Larry Riffle, Mayor Brown

Municipal Clerk: Kimberly Johnson

Solicitor: Elias Manos

Chief Financial Officer: Dawn Stollenwerk

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

Mayor Brown entertained a motion to amend the Agenda to add under New Business, Item I. Resolution 89-2012, Approve Liquor License Renewal / Six Packs Pub; so moved by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Public Discussion Relating to Agenda Items:

Ms. Barbara Rheault, 2554 Fifth Avenue, Environmental Commission Member, in regards to item D. SSA Mapping asked what areas have been targeted for sewer. Clerk stated along the White Horse Pike at the Egg Harbor City and Hammonton ends. Ms. Rheault asked why we are supporting the County in placing water and sewer in our Village Zones, stated that it negates any protection over our environmental area, and expressed her dissatisfaction with the villages becoming growth areas and with the Environmental Commission not being involved. Ms. Rheault expressed her concern with housing developments and the impact on our tax rate. Ms. Rheault urged the Governing Body to research this more and postpone the vote.

Mayor stated this process began in 2009, and numerous meetings have been held in the County for input. Mayor stated this is a planning tool for the future, which the County was directed to prepare a sewer plan by the Pinelands Commission and the NJ Department of Environmental Protection.

Ms. Mary Hunt, 800 Elwood Road, expressed her opposition to sewer, and development in Mullica Township and asked the Governing Body to consider these concerns and that Mullica be able to maintain our rural nature.

Ms. Theresa Lettman, Pinelands Preservation Alliance, noted the correspondence that was sent to the Committee regarding the sewer service areas. Ms. Lettman stated the Alliance is supportive of Mullica Township's Master Plan and they support to keep Mullica Villages in the rural state. Ms. Lettman stated this process has been in place since 2009, but were told the Pinelands Communities would be excluded from the

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sewer service areas. Ms. Lettman stated Burlington County has not included their Villages in the Sewer Service Areas and she feels that Mullica has a choice to not include the villages which total over 3,000 acres of land to sewer service areas. Ms. Lettman urged Committee to not readily commit to this.

Mr. Matthew Klewin, 3209 Reading Avenue, stated the Pineland Commission has set the acreage requirements based upon nitrate dilution and the sewer extension is another planning and growth tool. He stated by extending the sewers water quality is no longer an issue, and growth is going to happen, just how quickly do you want it. He stated once sewer is here there are no longer restrictions on the size of lots.

Mr. Gary Brill, Environmental Chairperson, 4655 Pleasant Mills Road, asked Mr. Klewin what is the fastest way to maximum growth. Mr. Klewin stated sewer, however, he noted for industrial activities sewer, is the best way to go and the best location would be along the White Horse Pike.

Ms. Patricia Hutchinson, Wharton Park, expressed her dissatisfaction with placing sewers in Mullica due to costs and any future developments. Mayor stated we extended Elwood Village Center for commercial growth for rateables and he wishes to keep Mullica as it is, but we need to plan for the future.

Mr. Gary Brill, urged Committee to be more specific in the Resolution, asked who attended meetings, expressed his concern of Mullica losing local zoning control, that the Environmental Commission was not involved, asked Committee to postponement their decision on this. Mayor stated he attended a meeting, as well as, the Superintendent of Public Works, and that this has been an on-going process.

Mr. Mike Geller, 5007 Pleasant Mills Road, stated a decision of this magnitude should have been discussed with the Environmental Commission, not to mention the costs involved, the affect of the water table, and urged Committee to reconsider until the Environmental Commission has reviewed the proposal.

Mr. Gary Brill noted the Environmental Commission is an advisory board.

Mr. Tom Rizzo, urged Committee to listen to the majority of the residents who do not want sewer, he stated with imagination we can work together to bring rateables in an environmentally safe way, and urged Committee to look at our best interest.

Committee Reports:

Public Safety: Mr. Hagaman reported the following: The police department would like to thank all that participated in our National Night Out festivities. This year's event was bigger and better than ever. Approximately 400-500 people attended; \$5,000.00 worth of prizes was handed out that were donated by area businesses. National night out is a great way to get our community together all while demonstrating just some of the ways that your tax dollars are serving and protecting the community every day. Weekstown Volunteer Fire Company Pig Roast will be held September 8, 2012, at 5733 Pleasant Mills Road, Weekstown from 3:30 pm - 7:00 pm. The cost for adults is \$15.00 and children under 12 is \$7.00, hot dog substitute will be available. Municipal Court collected \$33,702.50 for the month of July 2012 and the municipality retained \$14,599.16.

Administration: Ms. Polk reported the following: Mullica Township School Tween Playground Ribbon Cutting Event will be Tuesday August 21st, 6pm. Municipal Offices will be closed in observance of Labor Day on September 3rd. Everyone have a happy and safe holiday. September 8, 2012 Shoreman Half Iron Triathlon will be bicycling through Mullica between 8:30 and 11:30. September 28th and 29th National MS Society, Greater

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Valley Chapter will be bicycling through Mullica between 6am and 5pm. The Mullica Schoolyard Garden is looking terrific, a fall planting of spinach and lettuce was completed, and five plots have been adopted by teams of the school.

Development & Housing: Mr. Gabris reported the following for the month of July: Construction Department issued 15 new permits and 3 updates to existing permits. The Construction Office collected \$4,779.00 in fees of which \$281.00 is remitted to the State. The Zoning Department issued 16 Zoning Permits, which included pools, shed, additions etc. and 6 Certificates of Occupancy. The Zoning Department collected \$1,025.00. Mr. Gabris stated the Discovery House is having a fundraiser at 3:30 on August 22nd.

Revenue & Finance: Mayor reminded residents, the due date has been extended until August 27th to pay 3rd quarter taxes without penalty. Mayor reported the June treasurer's report was mailed to all members of committee, and will be included in the minutes of tonight's meeting.

Correspondence:

South Jersey Gas will hold public hearings regarding their charges on August 15th, 4:30pm and 5:30pm at the Voorhees Middle School.

Notice that DiMeo Fruit Farms has made application for a site-specific agricultural management practice.

The Pinelands Commission is gathering public input regarding the CMP on August 22, 7pm in the Hamilton Township Town Hall, public comments will be accepted until September 28th.

Correspondence from Pinelands Preservation Alliance stating that Mullica's village zones are not appropriate places for sewer development.

Old Business:

Discuss Mullica Woods Rent Control Complaint: Mayor reported he would like to make a recommendation to the Committee based upon his research regarding the Rent Control Complaint which was filed. Mayor recommended the following amendment to *Chapter 153-12, Fees*, eliminate tiers one, two and four and reduce tier 3 as follows:

	Rental Charge	Fee Plus Percentage
From:	\$501 to \$750	\$37.50, plus 2.5% on next \$250.00
To:	\$501 to \$750	\$38.00 to year 2015

Amend *Chapter 153-25, A.* to change the minimum to 0% from 2% and never to exceed 3%. Mayor stated the recommendation from the Rent Control Hearing Officer was to tie the increase into Social Security; however, he stated over a ten year period the CPI will come out lower. Therefore, Mayor Brown recommended keeping the increase fixed to the CPI. Mayor stated that was a fair start for all the parties. Mayor entertained a motion to amend Chapter 153 as stated; so moved by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

New Business:

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Resolution 85-2012 / Chapter 159 / Drive Sober or Get Pulled Over: Mayor entertained a motion insert \$4,400.00 into the 2012 budget; so moved by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Resolution 86-2012 / Cancel Safe & Secure Grant: Mayor entertained a motion to cancel; motion made by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

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Resolution 87-2012 / Approve Rock Salt Contract: Mayor entertained a motion to approve; so moved by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Resolution 88-2012 / Support SSA Mapping: Mayor entertained a motion to support; so moved by Mr. Riffle seconded by Mr. Hagaman. RCV: Nays: Mr. Gabris stated this plan includes the villages which was never discussed. He stated the vision of this Town is to support the desires of the residents. Mr. Gabris stated development in the Villages will change the character of Mullica, and we will go backwards with our zoning. Mr. Gabris stated he will vote no at this time, or he will support this with the elimination of the Villages, to protect our village zoning areas. Ms. Polk suggested tabling this Resolution. Mayor requested Mr. Gabris submit his recommendation. Mr. Gabris recommended removing the villages. Mayor Brown asked Mr. Gabris how many homes could be placed in the village areas. Mr. Gabris stated we have a build out number and he feels that would change if we allow sewer. Mayor Brown stated if the build out number was 900 (estimated) it would cost approximately 30 million dollars. Mayor Brown read a statement from the Township Engineer which states “by including villages in the SSA map, it provides only for potential of increased density of development, not the likelihood of it. Variances from lot size requirements would still be required, so the Township does not lose all control. The costs are way too high for a treatment plant and collection system (sewers) to make it a reality unless the development included large number of residential units 500 or more. It could more easily be done for a commercial project. The potential for that would be greatest in the Elwood Village Center. There doesn’t appear; to be any properties in Elwood, Sweetwater, Nesco or Weekstown that are large enough (excluding wetlands and 300 foot buffers) to accommodate that size of residential development.” Mayor stated based upon that the only possibility for sewerage could be a commercial project in the Elwood Village, which is why we extended that zone, and our goal is rateables along the White Horse Pike. Mayor stated there are protections held by the Planning Board and the Master Plan. Mr. Gabris stated from his recollection the villages were never a part of past discussions. Mr. Riffle withdrew his motion, and Mr. Hagaman withdrew his second. Mr. Gabris made a motion to revise the Resolution on the floor to eliminate the Weekstown, Sweetwater, and Nesco Villages, as Elwood is the corridor and the town center, and it cannot be completed without sewer; seconded by Mayor Brown. Clerk noted the existing SSA areas which are on the map, Elwood School, Moorings at Sweetwater, and Mullica Woods. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Mr. Riffle, Mayor Brown. Nays: Ms. Polk.

Temporary Trailer Permit / Block 7101, Lot 5 / Fitzgerald: Mayor entertained a motion to grant the renewal; so moved by Ms. Polk seconded by Mr. Hagaman. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

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Discuss Street Vacation Request / Atlantic Avenue between Moss Mill and Ash Street: Mayor stated this was before the Planning Board, due to a tie vote, there is no recommendation to present to the Governing Body. Mayor reported the applicants Mr. & Mrs. Restuccio made the request for safety reasons due to underage riders accessing the paper street. There was opposition to the street vacation by Ms. Margaret Pinto, who resides on the property adjoining Atlantic Avenue, as her children utilize the street for recreational activities. There was no opposition from Mr. John Pinto who owns the property adjoining Atlantic Avenue. Ms. Polk made a motion to not vacate the street seconded by Mr. Gabris. Mr. Gabris stated the Planning Board's criteria for granting a street vacation is to not land lock property owners and that both parties are in agreement. Mr. Gabris stated we should also consider whether the roadway has a potential use for recreation, for example a bike path. Mayor stated there was also an issue regarding the septic. Mr. Gabris stated it was presented at the Planning Board that the septic may be in the roadway. RCV: Nays: Mr. Gabris, Yeas: Mr. Hagaman. There was confusion regarding the motion, as it was made in the negative. Ms. Polk re-phrased her motion to deny the request to vacate the street seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Ms. Polk. Nays: Mr. Hagaman, Mr. Riffle, Mayor Brown. Mr. Riffle made a motion to direct Clerk to prepare the Ordinance for first reading seconded by Mr. Hagaman. RCV: Yeas: Mr. Hagaman, Mr. Riffle, Mayor Brown. Nays: Mr. Gabris, Ms. Polk.

Approve Raffle RA2-2012 / Weekstown Fire Company: Mayor entertained a motion to approve; so moved by Mr. Riffle seconded by Ms. Polk. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Waiver Local Raffle Fee / Raffle RA2-2012 / Weekstown Fire Company: Mayor entertained a motion to waive; so moved by Ms. Polk seconded by Mr. Hagaman. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Resolution 89-2012 / Approve Liquor License Renewal / Six Packs Pub: Mayor entertained a motion to approve; so moved by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Payment of Bills: Mayor entertained a motion to approve the bill list; so moved by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Public Discussion:

Ms. Margaret Pinto presented the Governing Body with a correspondence from the League of Municipalities relating to Paper Street and street vacations. Ms. Pinto stated if the municipality vacates the street we will lose state funding.

Mr. Ted Behr, 16 Cardinal Drive, Mullica Woods, thanked the Mayor and Governing Body for stepping up and addressing their issue.

Mr. Bob Mullohand, Mullica Woods, stated their development has a brand new septic system which should last thirty years. Mayor stated they are allowed to have that because it has been approved on the SSA map.

Mr. Dave Goldberg, 2244 Elwood Road, asked if the information he presented at a previous meeting regarding bicyclists had been addressed, due to the upcoming bicycle runs. Mayor and Mr. Hagaman stated they forwarded the information to Chief Thompson, who will do their best to patrol them to follow the law.

Mr. Joe Pauls thanked Mayor Brown for addressing the Mullica Woods issue.

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Mayor closed the public portion and entertained a motion to enter Executive Session; so moved by Ms. Polk seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown. Clerk read Resolution ES12-12 in full to discuss employee grievance, pending litigation and to review executive session minutes.

Mayor entertained a motion to come back to Regular Session at 9:00 pm; so moved by Ms. Polk seconded by Mr. Hagaman. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown. Clerk reported in Executive Session the Governing Body reviewed the Executive Session Minutes of July 10, 2012 and discussed an employee grievance, a tort claim and pending litigation.

Approve Executive Session Minutes: 7 / 10 / 2012. Mayor moved to approve seconded by Mr. Gabris. RCV: Yeas: Mr. Gabris, Mr. Hagaman, Ms. Polk, Mr. Riffle, Mayor Brown.

Mayor entertained a motion to adjourn; so moved by Mr. Riffle seconded by Mr. Gabris. RCV: Yeas: All voted yes.

Respectfully submitted,

Kimberly Johnson, RMC

BILL LIST

Alicea, Miriam	150.00	Court Session – July
Aponte, Nellie	300.00	Jan-June 2012 Alliance Stipend
AT&T	1.80	June-December 2012 Services
Atlantic City Electric	4,163.13	April-Dec 2012 Service
Bill Swenson, LLC	3,155.00	Repairs to Compactor
Horizon Blue Cross Blue Shield	4,395.40	June-December 2012 Premium
Butterhof's Farm & Home Supply	677.92	July 2012 Purchases
CAM Co.	4,390.96	Compactor Hydraulic Repairs/Chipper Repairs
Casa Payroll Services, LCC	260.10	April-December 2012 Services
Deer Carcass Removal Services	60.00	Jackson Road Carcass Removal
Edmunds and Associates, Inc.	1,149.10	2012 Tax Bills
Foremost Promotions	115.00	NNO Supplies
Garden State Highway Products	359.00	Signs
G&P Floor Maintenance	850.00	April – December 2012 Services
Grainger Industrial Supply	276.00	Air Filters Etc.
Graphic Design International	276.74	Graphic Kit 2012 Charger
Goloff, Carol	425.00	June PB/Escrow Services
Heavenly Promotions	977.00	Window/White Envelopes
Hess Corporation	923.43	May-December 2012 Services
John Deere Landscapes	230.92	Blanket voucher
Crystal Springs	140.92	April – December 2012 Services
Lowe's	788.49	July Purchases
National Fire Protection	53.91	2011 Nec Publications
National Assoc of Town Watch	247.00	NNO Supplies

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Metropolitan Telecommunications	1,571.46	April – December 2012 Services
Verno, Michelle	750.00	Additional Court Sessions
Barker, Scott, Gelfand PC	980.00	June 2012 Services
Nehmad Perillo & Davis	3,356.40	Lawsuit File 10343-006
Verizon	381.72	June-December 2012 Services
Verizon Wireless	240.08	May-December 2012 Services
Northern Safety & Industrial	515.95	Can Liners, Gloves Etc.
Nextel Communications	428.48	April – December 2012 Services
Ancero	16,610.00	May-December 2012 / Install Desktops/New Dell Police Server
Power DMS Suite	1,112.00	Police Software
ACMJIF	51,557.00	3 rd Qtr. 2012 Installment
VE Ralph & Sons Inc.	218.80	Battery / Sani Wipes
Vergo Land Surveying, Inc.	8,600.00	Fifth Avenue Survey
Lexis Nexis Risk Data Management	50.00	April-December 2012 Services
Penn Power Systems	304.88	Generator Service
Rodio Tractor Sales, Inc.	65.10	Chainsaw Oil
Security Identification System	100.00	ID Card Jamerson, PD
Lynkris Hardware & Supply	72.21	MISC Hardware
South Jersey Gas Co.	115.79	May-December 2012 Services
Staples Advantage	834.63	Office Supplies / Janitorial
Steiner, Jerry H.	150.00	Public Defender Svc.
QC Inc.	700.00	Well Monitoring June 2012
The Press	35.34	Notice of Pending Bond Ordinance
Petroleum Traders	7,842.89	June, July-Dec. 2012 Purchases
This & That Uniform	180.00	Safety Vest – PD
Think Ink	1,144.50	Town Watch T-Shirts
Val-U Auto Parts	550.98	June Purchases
Vital Services Group	500.00	Tax Master Tape to Edmunds
West Customer Services	239.00	MV Laws
Avaya Inc.	237.70	May-December 2012 Lease
Certified Speedometer	130.00	Calibrate Vehicles
Rivera, Ana M.	1,315.94	2012 Alliance Reimbursements
Marathon Engineering Inc.	7,492.50	Env Services 5 th Avenue, Fifth Ave project, Reading Ave Project, St Opening Escrow
RMR Inc.	179.00	Lapel Misc.
Weygand, William	1,000.00	Refund Towing Application
Atlantic County Clerk	16.00	Cancel MTRA, Record deed 10807/11
Atlantic County Utilities Authority	16,023.98	June 2012 Services
Atlantic County Treasurer	540,104.07	3 rd Qtr. 2012 Levy
Thompson, John C. Jr.	133.20	Roxio Creater Reimbursement
NJ Division of Pensions	220.15	Employer Contributions
Treasurer, State of NJ	50.00	CPWM Exam Application
Treasurer, State of NJ	3,956.23	NJPDES Landfill Fee/Recycling Compl Fees 2012
Treasurer, State of NJ	175.00	2 nd Qtr 2012 State Fees
NJ State Health Benefits Fund	54,489.29	August 2012 Premium

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NJ Dept of Health & Senior Svc.	18.00	June State Dog Fees
Neals, Tomiko P.	1,875.00	Tax Refund Resolution 82-2012
Greater Egg Harbor Regional	538,037.51	July 2012 Levy Payment
Current Fund 1-01	285.00	
Current Fund 2-01	1,266,001.96	
Capital Fund C-04	15,257.50	
Grant Fund G-02	9,407.24	
Trust Fund T-03	2,006.25	
Total of All Funds	1,292,957.95	

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

Current Fund		<u>%/budget expended</u>
Beginning Balance	217,060.42	
<u>Cash Receipts:</u>		
Interest	201.63	
Current year tax receipts	1,832,561.28	
Receivables/Interfunds	0.00	
Anticipated Revenue	31,054.96	
Unanticipated Revenue	<u>2,561.48</u>	
Total Cash Receipts	1,866,379.35	
<u>Expenditures:</u>		
2011 Appropriations	(15,537.07)	
2012 Appropriations	(441,921.63)	
Liabilities	(315,990.64)	
Interfunds	0.00	
Grant Fund	<u>(102,874.78)</u>	
Total Expenditures	(876,324.12)	
Ending Cash Balance	1,207,115.65	
Cash Increase/(Decrease)	990,055.23	
Reserve Budget	256,447.72	
2012 Budget	2,516,343.70	
Reserve Budget Balance	151,709.98	40.84%

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2012 Budget Balance 2,083,818.62 17.19%

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

Capital Fund

Beginning Cash Balance	84,606.54
Cash Receipts	0.00
Cash Disbursements	<u>0.00</u>
Ending Cash Balance	84,606.54
Due from Current Fund	<u>0.00</u>
Total Cash Available	<u>84,606.54</u>

Capital Fund Balance	17,097.28
Capital Improvement Fund	33,882.08
Accrued Interest on Bonds	480.00
Reserves for Projects	<u>0.00</u>
Total Available for Projects	51,459.36
Def Charges Future Tax Unfunded	831,000.00
Def Charges Future Tax Funded	<u>675,000.00</u>
Total Deferred Charges	1,506,000.00
Funded Improvement Author	10,000.00
Unfunded Improvement Author	23,147.18
Contracts Payable	<u>0.00</u>
Total Improv Author	33,147.18
Bonds Payable	675,000.00
BANS Payable	831,000.00
Green Trust Loan Payable	0.00
Debt Authorized but not Issued	<u>0.00</u>
Total Debt	1,506,000.00

Proof	Assets	1,590,606.54
	Liabilities	1,590,606.54
	Difference	0.00