

## REGULAR MEETING JULY 11, 2017

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Mayor Brown called the meeting to order at 7:00 p.m. read the following statement and led the flag salute.

NOTICE OF THIS MEETING WAS GIVEN BY ANNUAL NOTICE PUBLISHED IN THE ATLANTIC CITY PRESS, HAMMONTON GAZETTE, EGG HARBOR AND HAMMONTON NEWS ON JANUARY 4, 2017, AND POSTED AT TOWN HALL.

#### **Roll Call:**

**Committee Present:** Gary Franklin, Christopher Silva, John Walther, James Brown

**Committee Absent:** Larry Riffle,

**Municipal Clerk:** Kimberly Johnson

**Solicitor:** Tracy Siebold

**Approval of Committee Minutes:** Mayor Brown entertained a motion to approve the minutes of the June 13<sup>th</sup> meeting; so moved by Mr. Silva seconded by Mr. Walther. Ms. Johnson as requested she submitted two sets of minutes for consideration in regards to the section of Selection of Committee Member. Clerk explained, that section was added with Mr. Riffle's comment and per Mr. Silva the section was also submitted as verbatim. Motion was clarified by Mr. Silva to adopt verbatim minutes seconded by Mr. Walther. RCV: Yeas: Mr. Franklin, Mr. Silva, Mr. Walther. Nays: Mayor Brown. Mayor Brown stated he is voting no because Mr. Riffle stated he spoke to Ward Leaders who indicated they were unsure of the three candidates that were submitted. Mayor Brown reported that statement was un-true and that he substantiated that claim twice at a Republican Club Meeting. Mayor stated Mr. Riffle should get his facts straight and apologize to him for attacking his credibility. Mayor entertained a motion to approve the minutes of the June 27<sup>th</sup> meeting; so moved by Mr. Walther seconded by Mr. Silva. RCV: Yeas: Mr. Silva, Mr. Walther, Mayor Brown. Abstain: Mr. Franklin.

**Public Discussion Relating to Agenda Items:** Ms. Joann Vitale requested that the creation of Chapter 170, Ordinance #6-2017, Peace and Good Order, be discussed in detail during the hearing. Ms. Vitale reported an expert on this type of Ordinance, Mr. John Paff, Chairman of the New Jersey Libertarian Party's Open Government Advocacy Project, as well as, the NJLP's Preempted Ordinance, has indicated that parts of this Ordinance are unconstitutional and other parts are covered by state law. She expressed her concern that this Ordinance could open to the door to selective enforcement and financial hardship upon the citizens and asked for consideration to table upon further review. Ms. Siebold reported based upon the information provided by Mr. Paff it is her recommendation to table this Ordinance based upon the allegations. She stated this Ordinance was an effort to give flexibility. Mr. Silva reported there is no statute requiring anyone to obey the instruction of a Police Officer other than Title 39, when a Police Officer is directing traffic.

Mayor Brown entertained a motion to hold this proposed Ordinance #6-2017 to a future meeting based upon further review; so moved Mr. Silva seconded by Mr. Walther. RCV: Yeas: All voted yes.

Ms. Joy Ramer asked what precipitated this Ordinance. Ms. Siebold reported we are looking for ways to have flexibility for certain claims and to provide opportunities to not be charged criminally. She stated the Noise Ordinance is very specific and does not leave opportunities to assist. Ms. Ramer commented; however, we do not have a digital reader for the noise level.

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**First Reading: Ordinance #7-2017 / Accept Unimproved Land / Block 41105, Lot 4:** Mayor Brown entertained a motion to read by title; so moved by Mr. Silva seconded by Mr. Walther. RCV: Yeas: All voted yes.

*An Ordinance Authorizing the Acceptance of Unimproved Lands Designated Block 41105, Lot 4 on the Tax Map of the Township of Mullica, By the Township of Mullica, County of Atlantic, State of New Jersey.*

Mayor Brown entertained a motion to approve and set hearing date for July 25<sup>th</sup>; so moved by Mr. Silva seconded by Mr. Walther. RCV: Yeas: All voted yes.

### Committee Reports:

**Department of Public Safety:** Mr. Franklin reported the following: We are advertising for a Class II or Class III SRO position that will be assigned at the school. This position will fill a vacancy, is a budget neutral item for the municipality as the school district funds this position. Mark your calendars, National Night Out will be held this year in Mullica Township on Thursday, August 10<sup>th</sup> from 6 p.m. to 9 p.m. Note: The event is being moved from the traditional first Tuesday in August that is recognized nationwide. The event is being moved to make more vendors and groups available to Mullica Twp. Mr. Franklin reported the following highlighted call break downs from June 13<sup>th</sup> – July 11<sup>th</sup>; burglaries 5; disputes 3; disturbances 5; domestics 12; drunk driver DWI 5; ambulance calls 46; fire 2; motor vehicle accident 14; motor vehicle stop 173; and general theft 10. Total for the month was 911 calls.

**Department of Housing and Development:** Mr. Silva reported the following: For the month of June the Construction Department issued 25 permits which included a garage, roof and ground mount solar systems and above ground pools. The remaining new permits were for alterations. The Construction Office collected \$6,286.00 in fees of which \$254.00 is remitted to the State. The Zoning Department issued 18 Zoning Permits, 9 Maintenance Certificates and collected \$1,550.00.

**Department of Public Works:** Mr. Walther reported the following: Public Works has been busy: chipping, patching, removed large stumps and repaired irrigation at Recreation Complex, landscaping at Municipal Building, maintenance to street signs, mowing and maintenance to Transfer Station grounds, and removed concrete footings on Reading Avenue.

**Department of Administration:** Mr. Walther reported the following: Mullica Twp. Seniors will be holding Yard Sales on July 15<sup>th</sup>, and September 16<sup>th</sup> from 8:00 a.m. - 4:00 p.m. at the Mullica in the Pines Historical Building. Spaces are available for \$10.00.

**Department of Revenue & Finance:** Mayor reported representatives from Vital Communications have begun properties for the revaluation process any questions or concerns can be directed to the Clerk's Office. Mr. Silva asked if you have to let them in your dwelling. Clerk stated they do not, but they will more than likely estimate up. Mayor stated there will be future meetings for the public to address their concerns.

### Correspondence:

Correspondence from David Robbins, President of Noble Roofing and Sheet Metal, Inc. requesting the Governing Body waive the fees for the school reroofing project.

Resolution from Galloway and Folsom joining the lawsuit challenging the casino pilot law.

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Resolution from Folsom in support of Atlantic County pledging non-acceptance of less than its fair share percentage of pilot program revenues.

Resolutions from Township of Clark urging the Governor and Legislature to pass common sense affordable housing rules and urging the State Legislature to extend the 2% Cap on police and fire arbitration contract awards for 5 more years.

Thank you from Principal Mazzoni for our contribution to the 8<sup>th</sup> Grade Awards ceremony and from the recipients of the Citizenship Awards, Madison Hagaman and Nicholas Walters.

Mayor reported he met with the Superintendent of Mullica School and three school Board Members regarding their permits for the referendum projects. They indicated they were having difficulty obtaining their permits. Mayor stated the permits have been ready, but the issue was the fees to be paid by the contractors. They all agreed it was the responsibility of the contractor to pay the permit fees.

### **Old Business:**

**Resolution #102-2017 / Amend Resolution 101-2017 / Liquor License Renewals:** Mayor entertained a motion to approve; so moved by Mr. Silva seconded by Mr. Walther. RCV: Yeas: All voted yes.

**Resolution #103-2017 / Renew Membership Atlantic County Municipal JIF:** Mayor Brown entertained a motion to renew; so moved by Mr. Silva seconded by Mr. Walther. Mr. Silva asked if we have explored other insurances. Mayor stated about three years ago we researched the State program and the costs were much higher. RCV: Yeas: All voted yes.

### **New Business:**

**Resolution #104-2017 / Extend Third Quarter Taxes Due Date:** Mayor entertained a motion to extend; so moved by Mr. Silva seconded by Mr. Walther. RCV: Yeas: All voted yes. Mayor indicated out Tax Rate may be pro-longed even more due from being struck due to the aid being disbursed to the Schools.

**Resolution #105-2017 / Approve MTRA \$65-2017 Application /Well:** Mayor Brown entertained a motion to approve; so moved by Mr. Silva seconded by Mr. Walther. RCV: Yeas: All voted yes.

**Resolution #106-2017 / Approve Land Sale / Block 11004, Lot 4:** Mayor Brown entertained a motion to approve so moved by Mr. Silva seconded by Mr. Walther. RCV: Yeas: All voted yes.

**Resolution #107-2017 / Waive Construction Fees / Weekstown Fire Company:** Mayor Brown entertained a motion to waive the fee so moved by Mr. Silva, seconded by Mr. Franklin. RCV: Yeas: All voted yes.

**Resolution #107-2017 / Waiver Construction Fees / Elwood Fire Company:** Mayor Brown entertained a motion to waive fees so moved by Mr. Franklin seconded by Mr. Silva. RCV: Yeas: All voted yes.

**Resolution #108-2017 / Approve Contract / Professional Property Appraisals:** Mayor entertained a motion to approve; so moved by Mr. Silva seconded by Mr. Walther. Mr. Silva questioned the possibility of the County performing the appraisals. Mayor stated that discussion was about three years ago and the Mayor's Association has formed a Committee to research County-wide Assessment. RCV: Yeas: All voted yes.

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**Review Atlantic County Wastewater Management Plan Update:** Mayor Brown stated this was reviewed by the Planning Board in regards to Zoning and had no comments. Mayor stated Ms. Johnson reviewed the maps and indicated that Resolution in 2012 adopted by the Governing Body to remove the sewer service areas from the Villages to extend the areas to include the extension of the Elwood Village Center were not incorporated. Ms. Johnson reported the County has advised her that they will extend the area to include the extension of the EVC. However, due to an agreement with the NJDEP and the NJ Pinelands Commission the villages cannot be removed under the rules and the MOU between the NDEP and Pinelands. Ms. Johnson asked for Committee's consensus to advise the County that our only comment is to include the extension of the EVC. Mayor so moved to accept the plan to include the extension seconded by Mr. Silva. RCV: Yeas: All voted yes.

### **Public Discussion:**

Mr. Francis Paulsgraf questioned the permits and the costs regarding the school project. Mayor indicated the fees to be paid are approximately \$10,000, which is 20% of the total fees.

Mr. Gary Franklin indicated he met with Chief Thompson on Police items and specifically the COPS Hiring Grant and that he could not support it with the information provided. He has requested additional information to be provided regarding the potential costs. Mr. Franklin expressed his concern of the costs associated with the revaluation. Mr. Walther noted he expressed to Chief Thompson that we may not accept the grant if it is not financial feasible.

**Payment of Bills:** Mayor Brown entertained a motion to approve the bill list; so moved by Mr. Silva seconded by Mr. Walther. RCV: All voted yes.

Ms. Joann Vitale asked what plan the Committee was accepting, Mayor stated it is the Atlantic County Wastewater Management Plan Update. Ms. Johnson explained we cannot remove the Villages from the SSA due to rules by the NJDEP. Ms. Vitale suggested notifying residents on the web to let the appraisers in. Mayor Brown stated all information was included in the letter and they should contact Vital.

Mayor Brown entertained a motion to adjourn; so moved by Mr. Franklin seconded by Mr. Silva. RCV: Yeas: All voted yes.

Respectfully submitted,

Kimberly Johnson, Municipal Clerk