

Egg Harbor Township Committee Meeting
Municipal Building, Bargaintown Road
Egg Harbor Township NJ 08234

Wednesday, February 10, 2010 – 5:00 p.m.

Minutes

Mayor McCullough called the Meeting to Order at 5:00 p.m.

Township Clerk Tedesco read the Opening Statement Pursuant to the Open Public Meetings Act.

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|------------|---------------------|---------|
| Roll Call: | John Carman, Jr. | present |
| | Stanley Glassey | present |
| | Paul Hodson | present |
| | John Risley | present |
| | James J. McCullough | present |

Also in attendance were Township Solicitor Friedman, Township Administrator Miller and Deputy Township Administrator Goodreau.

Topics listed for discussion with Public Works Director Simerson will be re-listed for the next Township Committee meeting due to today's snowstorm.

Administrator Miller reported Atlantic County was expected to introduced an ordinance yesterday to establish a four-way Stop at West Jersey Avenue and Spruce Avenue in advance of the proposed traffic light. Mr. Miller advised that Engineer Mott does not have any concerns.

Mayor McCullough recommended Atlantic County provide advance notice to the motoring public of the impending four-way stop .

New Business

Property Sales

Deputy Administrator Goodreau reviewed four land sale requests submitted in 2009 and 2010 for the following residential properties; 1703/62, 4004/6 and 95, 8412/8 and 9412/11. Mr. Goodreau than asked Township Committee to consider offering fourteen additional buildable lots for sale in order to offset budget concerns. After a brief discussion, Township Committee agreed to offer all properties for sale. The appropriate ordinances will be listed for introduction at the next meeting.

Revaluation

Administrator Miller explained Resolution 84 listed on tonight's agenda authorizes the Township to

borrow the necessary funds to perform mandated revaluation. He anticipates award of contract to a revaluation firm at the next Township Committee meeting. The process should be completed by June 2011 and following any hearings, all adjustments would be reflected by January 2012.

S-82 Time of Decision Rule

Administrator Miller explained currently builders must comply with the laws that are in effect at the time of an approval from the Planning and Zoning Board. Builders are lobbying to have approvals governed by the laws that are in effect at the time of application. Administrator Miller said has concerns with such a proposal and has listed Resolution 90 of 2010 tonight opposing legislation amending the Time of Decision Rule. Township Committee will act upon Resolution 90 of 2010 later in the meeting.

S-1 Reforms Fair Housing Act

Administrator Miller asked if Township Committee wishes to take a position in the form of a resolution supporting S-1. Township Committee said they will need more time to review this matter.

Mayor McCullough asked if Administrator Miller has reviewed COAH Attorney Surenian's November billing pertaining to Egg Harbor Township's prorated share of court costs. Administrator Miller advised he is still reviewing.

Senate Bill S-920

Administrator Miller said Senator Whelan has proposed Senate Bill S-920 which does not directly affect Egg Harbor Township as currently written. Township Committee felt the bill should include Pineland's Regional Growth zones. Mayor McCullough said he will speak with Senator Whelan directly concerning the Governing Body's position.

Other Business (not listed on the Agenda)

Administrator Miller advised there is an additional resolution for consideration tonight approving participating with the State of New Jersey in a Safe and Secure Program administered by the Division of Criminal Justice, Department of Law and Public Safety. Township Committee will act upon this resolution later in the meeting.

Closed Session

| Number | Title |
|----------------|---|
| 83 | Authorizing the Township Committee to convene into a Closed Executive Session to discuss matters which involving litigation; Green Acres, COAH Credits without Controls and personnel; Union Budget Negotiations. |
| Motion | Motion Carman, second Hodson to adopt Resolution 82 of 2010 |
| Roll Call Vote | Carman-yes Glassey-yes Hodson-yes Risley-yes McCullough-yes |

Township Committee reconvened at Video Broadcast/Television Statement at 6:17 p.m.

Mayor McCullough lead the Pledge of Allegiance.

Township Clerk Tedesco confirmed the roll call; Committeeman Hodson was absent.

Public Hearings

| Number | Title |
|----------------|--|
| 1 | An Ordinance to exceed the Municipal Budget Appropriation Limits and to establish a CAP bank (NJSA 40A:4-45.14) |
| Purpose | To exceed the municipal budget appropriation limit |
| Public Comment | No one came forward. |
| Motion | Motion Risley, second Glassey to close the public hearing |
| Roll Call Vote | Carman-yes Glassey-yes Hodson-absent Risley-yes McCullough-yes |
| | Committeeman Hodson returned following the roll call vote to close public comment on Ordinance 1 of 2010. |
| Motion | Motion Glassey, second Risley to adopt Ordinance 1 of 2010 |
| Roll Call Vote | Carman-yes Glassey-yes Hodson-yes Risley-yes McCullough-yes |
| 3 | An Ordinance to vacate a portion of Madison Avenue between Black Horse Pike and Delilah Road, described by metes and bonds and located in the Township of Egg Harbor, County of Atlantic and State of New Jersey |
| Purpose | To vacate a portion of Madison Avenue |
| Public Comment | No one came forward. |
| Motion | Motion Carman, second Glassey to close the public hearing |
| Roll Call Vote | Carman-yes Glassey-yes Hodson-yes Risley-yes McCullough-yes |
| Motion | Motion Glassey, second Carman to adopt Ordinance 3 of 2010 |
| Roll Call Vote | Carman-yes Glassey-yes Hodson-yes Risley-yes McCullough-yes |

Ordinance Introductions

| Number | Title |
|----------------|---|
| 5 | An Ordinance providing for the acceptance of a Deed conveying real property, drainage basin at Springfield Avenue, being Lot 9 in Block 2716, of the Official Tax Map in the Township of Egg Harbor, County of Atlantic and State of New Jersey Ordinance 5-2010 to be published in the <u>Mainland Journal</u> on February 17, 2010 for further consideration at a Public Hearing to be held on March 10, 2010. |
| Purpose | To accept conveyance of the drainage basin located at Springfield Avenue. |
| Roll Call Vote | Carman-yes Glassey-yes Hodson-yes Risley-yes McCullough-yes |

General Public Discussion

Egg Harbor Township Fire Chief Bill Danz announced the Cardiff and Bargaintown Volunteer Fire Companies received a \$180,000 Federal Grant for the purchase of firefighter protective gear.

Mayor McCullough reported the Township received many calls complimenting all fire departments for their plowing efforts and assistance to our ambulance squad in responding to service calls.

Deputy Mayor Glassey complimented the West Atlantic City Fire Department who responded to numerous calls during the recent snowstorms as well as, helping area residents by plowing snow.

Fire Chief Danz commented that the fire departments plowed areas where firefighters live in order that they would be able to respond to calls for service.

Bob McNulty, Veterans Advisory Board inquired as to the status of his recent request for the Township Committee to consider adopting by-laws and increasing the membership to fifteen members.

Mayor McCullough advised there is a policy in place regarding absences and vacancies. He felt the solution is not to increase membership, but to follow the vacancy guidelines to resolve absence issues.

Committeeman Hodson stated the Veterans Advisory Board has made great strides in the past year and there is an increasing interest in this board. Committeeman Hodson said the board will review attendance in relation to possible vacancies.

Administrator Miller advised the Veterans Advisory Board has to vote on by-laws and then request Township Committee to consider adoption.

Motion Carman, second Glassey to close the public portion. Vote: all voted, yes.

Resolutions (Consent Calendar)

Committeeman Carman requested Resolution 84 of 2010 be removed from the Consent Calendar.

| Number | Title |
|--------|---|
| 85 | Resolution to award a contract through a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq for annual comprehensive physical examinations for employees, post employment offer medical examinations and workers compensation evaluations and treatment for the calendar year 2010 (Medical Center of Margate (Dr. Anastasi and Dr. Gaffney) |
| 86 | Resolution to award a contract for Conflict Prosecutor for the calendar year 2010 (Marla Marinucci) |
| 87 | Resolution awarding professional service contract to Dr. Andrew Lischin for veterinary services |
| 88 | Resolution transferring monies from one appropriation to another |
| 89 | Resolution authorizing execution of lease agreement for the year 2010 with the County of Atlantic for use of the Egg Harbor Township Community Center as the Nutrition Site |
| 90 | Resolution opposing legislation amending the Time of Decision Rule |
| 91 | Resolution to amend Resolution 110 of 2009 entitled "Resolution approving rotary towing applications from Guenther's Mobile Service, Point Auto Repairs, Inc., and Tri-State Towing & Transport Services, Inc. for the 2009 calendar year" |
| 92 | Resolution authorizing acceptance of Improvements of Springfield Avenue |
| 93 | Resolution authorizing release of Surety Bond posted for Street Opening Permit 81-2008 (Parul Makadia and Raju Kansagra) |
| 94 | Resolution authorizing release of Surety Bond posted for Street Opening Permit 115-2009 (Providence Professional Park LLC) |
| 95 | Resolution authorizing refund of Curb and Sidewalk Permit 17-2007 (Zeus Realty LLC) |
| 96 | Resolution authorizing refund of Curb and Sidewalk Permit 6-2009 (Murray S. Blum) |
| 97 | Resolution authorizing refunds from developers escrow accounts (various) |

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|----------------|--|
| 98 | Resolution authorizing refund of marriage license application to Denorus J. House and Irina V. Arsentyeva |
| 99 | Resolution authorizing refund of Certificate of Smoke Detector, Carbon Monoxide Alarm and Portable Fire Extinguisher Compliance Application (Christopher J Kelly) |
| 100 | Resolution authorizing refund of overpaid taxes (various) |
| 101 | Resolution authorizing cancellation and refund of taxes pursuant to N.J.S.A. 54:4-3.30 & N.J.S.A. 54:4-3.32 on property known as Block 6323, Lot 14.07 (115 Brettwood Drive) - Ronald & Veronica Hannah |
| 102 | Resolution authorizing refund of canceled Building Permit fee (11 Mountain Lane) - Ryan Homes |
| Motion | Motion Glassey, second Risley to adopt Consent Calendar Resolutions 85 through 102 of 2010. |
| Roll Call Vote | Carman-yes Glassey-yes Hodson-yes Risley-yes McCullough-yes |
| Resolution | |
| 84 | Resolution authorizing the issuance of an amount not to exceed \$1,500,000 in aggregate principal amount of special emergency notes of the Township of Egg Harbor, In the County of Atlantic, State of New Jersey for the preparation of execution of a complete program of revaluation of real property for the use of the local Tax Assessor; and making certain authorizations, determinations and covenants in connection with the foregoing |
| Motion | Motion Glassey, second Hodson to adopt Resolution 84 of 2010 |

Discussion

Committeeman Risley said the Township is under a court order to perform a revaluation. He explained that a revaluation is needed when assessed values are unequal. The tough economic climate makes it difficult to vote in favor for a revaluation at this time, however it mandated.

Committeeman Carman said that although the Township is under a court order to conduct a revaluation, he cannot vote in favor of spending the required funds.

Mayor McCullough said no one wants to authorize a revaluation at this time, but the Township has no choice. The Mayor explained that traditionally, one-third of the property values will increase, one-third will decrease and the remaining third will remain the same.

Committeeman Hodson stated he will vote in favor of a revaluation as the Township is under a court order to do so.

Roll Call Vote

Carman-no Glassey-yes Hodson-yes Risley-yes McCullough-yes

103

Authorizing payment of all bills pursuant to Exhibit A

Roll Call Vote

Carman-yes Glassey-yes Hodson-yes Risley-yes McCullough-yes

104

Resolution approving participating with the State of New Jersey in a Safe and Secure Program administered by the Division of Criminal Justice, Department of Law and Public Safety

Committeeman Carman stepped away from the meeting momentarily.

Motion

Motion Risley, second Glassey to adopt Resolution 104 of 2010

Committeeman Carman returned

Roll Call Vote

Carman-absent Glassey-yes Hodson-yes Risley-yes
McCullough-yes

105

Resolution authorizing Mayor and Township Clerk to execute agreement with The Richard Stockton College of New Jersey

Motion

Motion Hodson, second Risley to adopt Resolution 105 of 2010

Roll Call Vote

Carman-yes Glassey-yes Hodson-yes Risley-yes McCullough-yes

Reports

Township Committee:

Committeeman Risley thanked the Department of Public Works personnel and volunteer firefighters for their efforts during the recent snowstorms. He commented on the success of the recent 300th Anniversary celebration. Committeeman Risley encouraged the public to participate in the many upcoming events leading up to the 300th anniversary.

Deputy Mayor Glassey stated the 300th Anniversary celebration at the Holy Trinity Greek Orthodox Church was an outstanding event. He particularly acknowledged Marilyn Gallagher and June Sheridan for their efforts.

Committeeman Hodson thanked the Holy Trinity Greek Orthodox Church for graciously hosting the 300th Anniversary celebration at their beautiful facility. Committeeman Hodson also complimented the Public Works Department, Fire Department and Ambulance Squad for all of their efforts during the recent snowstorms.

Mayor McCullough said he was elected to local government in 1985 and that this has been the most difficult year regarding the budget. The Mayor said the Department of Public Works has been working diligently during the recent snowstorms and asked the public to be mindful of the circumstances these employees working under and the type of equipment they are utilizing. Mayor McCullough said that some of these same employees may be losing their jobs in order to reduce the budget to meet state requirements. He noted that Administrator Miller is currently in negotiations with all unions regarding budget issues.

Approvals

Motion Glassey, second Hodson to approve the Regular Minutes of the January 27, 2010 Township Committee Meeting

Roll call vote: Carman-yes Glassey-yes Hodson-yes Risley-yes McCullough-yes

Motion Glassey, second Hodson to approve the Closed Session Minutes of the January 27, 2010 Township Committee Meeting per Resolution No. 68

Roll call vote: Carman-yes Glassey-yes Hodson-yes Risley-yes McCullough-yes

Motion Carman second Glassey to approve the Payroll for the month of January 2010 in the amount of \$1,246,325.35

Vote: All voted, yes

Motion Glassey, second Risley to approve the Departmental Reports

Vote: All voted, yes

Adjournment

Motion Glassey, second Hodson to adjourn the meeting at 6:51 p.m. Vote: all voted, yes

JAMES J. MC CULLOUGH, MAYOR

EILEEN M. TEDESCO, RMC
TOWNSHIP CLERK

FOR OFFICE USE ONLY

MINUTES APPROVED AT
MEETING OF FEBRUARY 24, 2010