

Egg Harbor Township Committee Meeting  
Municipal Building, Bargaintown Road  
Egg Harbor Township NJ 08234  
Wednesday, April 13, 2011 – 5:00 p.m.

**Minutes**

Mayor McCullough called the meeting to order at 5:11 p.m.

Deputy Clerk Perez read the opening statement pursuant to the Open Public Meetings Act

Roll Call:	Joe Cafero	present
	John Carman, Jr.	present
	Paul Hodson	present
	John Risley	present
	James J. McCullough	present

**Township Engineer Mott**

- *Bevis Mill Road.* Engineer Mott reported on his review of the culvert at Bevis Mill Road. The structural integrity is intact. There is a small portion that can be paved out by the Egg Harbor Township Department of Public Works. The major issue is no longer an issue. It was not as bad as it was reported.
- *WAC Gabion Dune Stabilization.* Engineer Mott reported that the West Atlantic City Gabion project is going great. The State and FEMA people feel that the project is satisfactory and 80% done.
- *Spruce/West Jersey Avenue Traffic Signal.* Engineer Mott reported that the bids will be going out next week for a bid opening in May and possible award in June. The estimated completion date for the traffic signal is Thanksgiving.

**Old Business**

- *Ordinance 15 of 2011.* Administrator Miller reported on the duplication of this ordinance and the need for that duplication.
- *2011 Budget.* Administrator Miller advised that the public hearing for the adoption of the 2011 budget is scheduled this evening. There are no amendments. We are in a position to adopt the budget as it is. It has been on our web site and in the newspaper as required. There have not been any inquiries regarding the budget.

**New Business**

Administrator Miller spoke on the following new business subjects.

- *ABC License Transfer (Price Rite Liquors).* Adam Jeffrey, Inc. t/a Price Rite Discount Liquors is transferring license to Dell Industries, Inc. t/a Price Rite Liquors. When they change their location, they will be doing a place to place transfer. That will occur later this year.
- *Interlocal Agreement with Board of Education (Rubbish Removal).* The agreement with the Board of Education for this year's rubbish removal has been executed. There will not be an agreement for a resource officer.

**Other Business (not listed on the Agenda)**

- *Tax Appeals.* The Tax Assessor has received over 1,000 tax appeals. The Assessor is requesting assistance. At least three appeals (The May House, Harrison Beverage and Lowes) appear to be headed to tax court.
- *English Creek Manor litigation.* The Township will be requiring an environmental expert to conduct a study of the area proposed for development.
- *Closed Session.* Solicitor Friedman indicated that since the Township Committee will not be discussing strategy this evening, he has no opposition to not entering into a closed executive session.
- *Tax Appeals.* Administrator Miller asked for authorization to hire Brian Vigue, retired CTA, at the hourly rate of \$25 (not to exceed \$2,000) to assist with the tax appeals. Motion Risley, second Carman to proceed with the appointment of Brian Vigue. The Township will need to amend Appraiser Richard Chaiken's contract to provide additional funds for the three appeals going to trial. The estimated sum is \$8,000. Tax Appeal Attorney Bergman and Assessor Lavner agree that the Township needs to proceed.
- *English Creek Manor Litigation.* Administrator Miller indicated that a traffic impact study will need to be conducted and a resolution to award a contract for that service is on the agenda. In addition, there needs to be an additional study conducted for threatened and endangered species. There are two firms that can perform the study. Herpetological, recommended by Attorney Surenian, is about half the price of the other firm. An add-on resolution is required for the award.

**Closed Session**

Resolution Number 166 was not used. Township Committee did not convene into a closed executive session.

**Deputy Clerk Perez made the video broadcast/television statement.**

**Mayor McCullough led the Pledge of Allegiance.**

<b>Roll Call:</b>	Joe Cafero	present
	John Carman, Jr.	present
	Paul Hodson	present
	John Risley	present
	James J. McCullough	present

**Resolutions (Consent Calendar)**

<b>Number</b>	<b>Title</b>
170	Resolution urging the swift passage of A-3430, A-3431 and A-3432
171	Resolution supporting A-3412 sharing the burden of property assessment appeal refunds
172	Resolution authorizing professional service contract to Stephen M Mazur for traffic impact study
173	Resolution authorizing execution of interlocal services agreement for rubbish removal services for the 2011-12 school year between Township of Egg Harbor and Egg Harbor Township Board of Education
174	Resolution approving participating with the State of New Jersey in a Safe and Secure Communities Program administered by the Division of Criminal Justice, Department of Law and Public Safety

175	Resolution authorizing person to person transfer of plenary retail distribution license 0108-88-008-008 from Adam Jeffrey Inc t/a Price Rite Discount Liquors to Dell Industries Inc t/a Price Rite Liquors
177	Resolution extending FMLA leave without pay to Casey Beale
178	Resolution authorizing execution of maintenance agreement with Cummins Power Systems Inc for the annual emergency power generator system
179	Resolution granting Atlantic Riding Center for Health Charitable Roadway Solicitation Application
180	Resolution approving use of vendors listed on approved state contract list
181	Resolution approving installation of fire hydrant at Holden Lane and Reega Avenue
182	Resolution authorizing refund of wedding ceremony fee to Clarence McKinsey
183	Resolution authorizing refund of overpaid taxes (various)
<b>Motion</b>	Motion Carman, second Hodson to approve Consent Calendar Resolutions 170 through 175 and 177 through 183
<b>Roll Call Vote</b>	Cafero - yes    Carman - yes    Hodson - yes    Risley - yes    McCullough - yes

**Resolution (Bill List)**

<b>Number</b>	<b>Resolution</b>
184	Authorizing payment of all bills pursuant to Exhibit A
<b>Motion</b>	Motion Cafero, second Hodson to adopt Resolution 184
<b>Roll Call Vote</b>	Cafero - yes    Carman - yes    Hodson - yes    Risley - yes    McCullough - yes

**Resolutions (additional)**

<b>Number</b>	<b>Resolution</b>
185	Authorizing amending Resolution 32 of 2011 awarding a contract through a fair and open process pursuant to NJSA 19:44A-20.4 et seq for appraisal services for the calendar year 2011
<b>Motion</b>	Motion Hodson, second Cafero to adopt Resolution 185
<b>Roll Call Vote</b>	Cafero - yes    Carman - yes    Hodson - yes    Risley - yes    McCullough – yes
186	Resolution authorizing professional service contract to Robert T. Zappalorti for threatened and endangered avian species study
<b>Motion</b>	Motion Hodson, second Carman to adopt Resolution 185
<b>Roll Call Vote</b>	Cafero - yes    Carman - yes    Hodson - yes    Risley - yes    McCullough – yes

**Refuse Receptacles**

Administrator Miller displayed the receptacles which will be delivered/provided to the residents of Egg Harbor Township later this year. All citizens will be provided with a large receptacle. However, there will be an option for those wishing to choose the smaller size. More information will be available on our web site.

**Approvals**

Motion Cafero, second Carman to approve the Regular Meeting Minutes of the Egg Harbor Township Committee meeting of March 23, 2011

**Vote:** All members present voted yes.

Motion Cafero, second Hodson to approve the Closed Executive Session Meeting Minutes of the Egg Harbor Township Committee meeting of March 23, 2011 pursuant to Resolution 147 of 2011

**Roll Call Vote:** Cafero - yes Carman - yes Hodson - yes Risley - yes McCullough - yes

Motion Cafero, second Risley to approve the Departmental Reports for the month ending March 2011

**Vote:** All members presented voted yes.

Motion Cafero, second Risley to approve the payroll for the month ending March 2011 in the sum of \$1,416,626.97

**Vote:** All members present voted yes.

## Reports

### *Township Committee:*

- Committeeman Cafero commented on the receptacles. He is excited about the new program. The receptacles will work great. He indicated he has had numerous discussions with Director Simerson and within the next 6-12 months there will be good changes.
- Committeeman Carman had nothing to report.
- Deputy Mayor Risley announced two events on May 14: Annual Pride Day – anyone who would like to volunteer to pick up trash is encouraged to participate. Supplies are provided to all volunteers and afterwards all volunteers gather back at the community center for luncheon. The second event is the Dedication Ceremony. The time capsule and benches were donated to the Township and there will be an official ceremony thanking those involved in the project.
- Committeeman Hodson reminded the public that planning has begun for the annual Memorial Day Parade. Anyone interested in participating and/or volunteering is encouraged to contact Beth Epstein of the Veterans Advisory Board. Committeeman Hodson further commented on the recent fires in Egg Harbor Township. He stated he is marveled by how fires get started and how aggressive they can become by the time volunteers arrive. The township’s response time is exceptional.
- Mayor McCullough advised the public that the Township-wide revaluation has begun and that residents will be seeing people in their neighborhoods assessing properties.

### *Administrator:*

- Administrator Miller spoke about plantings that may be observed by the public along Veterans Memorial Park and Tony Canale Park. Two hundred and fifty (250) are being accepted by the Township by the solar farm approved to go along the border of Pleasantville.
- Committeeman Hodson stated that the solar farm behind the Farmington Fire House is a tremendous solar farm making a lot of energy.

## General Public Discussion

Fire Chief Bill Danz read to the residents of Egg Harbor Township the 2010 fire department year-end report which is attached hereto and made a part hereof.

Motion Carman, second Cafero to close the general public discussion. **Vote:** All members present voted yes.

## 2011 Budget Adoption – Public Hearing

Number	Title
167	Resolution providing self-examination of 2011 budget
Motion	Motion Carman, second Hodson to approve Resolution 167

<b>Roll Call Vote</b>	Cafero - yes    Carman - yes    Hodson - yes    Risley - yes    McCullough - yes
<b>168</b>	Resolution authorizing the budget to be read by title only
<b>Motion</b>	Motion Carman, second Hodson to approve Resolution 168
<b>Roll Call Vote</b>	Cafero - yes    Carman - yes    Hodson - yes    Risley - yes    McCullough - yes
<b>Public Comment</b>	There was no public comment
<b>Motion</b>	Motion Carman, second Cafero to close the public hearing on the 2011 municipal budget
<b>Roll Call Vote</b>	Cafero - yes    Carman - yes    Hodson - yes    Risley - yes    McCullough - yes
<b>169</b>	Resolution authorizing the adoption of the 2011 municipal budget
<b>Motion</b>	Motion Cafero, second Hodson to approve Resolution 169
<b>Roll Call Vote</b>	Cafero - yes    Carman - yes    Hodson - yes    Risley - yes    McCullough - yes

**Auditor**

Auditor Swartz commented on what a rare treat it is to have the budget adopted this early which says a lot about the work the Township does. We have to pray that the volunteer fire company doesn't leave. Peter has done a great job and the Township is fortunate to have Jenn McIver as its Chief Financial Officer. He further warned that the 2% cap is real and there is not a lot of flexibility. The Township is cautioned to watch its revenue and fund balance.

**Ordinances – Public Hearings**

<b>Number</b>	<b>Title</b>
15	<b>An ordinance to rescind Ordinance 46 of 2000 - Amend the Code of the Twp of Egg Harbor, Chap 94 Thereof Entitled DESIGN &amp; PERFORMANCE STANDARDS, by adding a New Subsection "L" to Section 94-8, Buffers</b>
<b>Purpose</b>	The purpose of this ordinance is to rescind section 8 entitled "Buffers" from Chapter 94 of the Code of the Township of Egg Harbor entitled Design & Performance Standards
<b>Public Comment</b>	There was no public comment
<b>Motion</b>	Motion Cafero, second Carman to close the public comment portion of Ordinance 15
<b>Roll Call Vote</b>	Cafero - yes    Carman - yes    Hodson - yes    Risley - yes    McCullough - yes
<b>Motion</b>	Motion Cafero, second Hodson to adopt Ordinance 15
<b>Roll Call Vote</b>	Cafero - yes    Carman - yes    Hodson - yes    Risley - yes    McCullough - yes

**Ordinances – Introduction**

<b>Number</b>	<b>Title</b>
16	<b>An ordinance to amend the Code of the Township of Egg Harbor, Chapter 225 thereof entitled Zoning</b>
<b>Purpose</b>	The purpose of this ordinance is to add a new subsection to require that automobile service stations install any overhead garage doors in a location other than the front building façade which may be visible from a principal highway <i>Ordinance 16-2011 to be published in The Mainland Journal on April 20, 2011, for further consideration at a Public Hearing to be held on May 11, 2011. Copies of this Ordinance are available without cost to any member of the general public from the Township Clerk's Office during regular business hours until the date of the public hearing.</i>
<b>Motion</b>	Motion Cafero, second Hodson to introduce Ordinance 16
<b>Roll Call Vote</b>	Cafero - yes    Carman - yes    Hodson - yes    Risley - yes    McCullough - yes

17	<b>Ordinance authorizing execution of an agreement for tax abatement with JSN LLC for property located at 6654 Black Horse Pike</b>
<b>Purpose</b>	The purpose of this ordinance is to provide a tax abatement for the facility described in the application of JSN LLC for a dance studio located at 6654 Black Horse Pike <i>Ordinance 17-2011 to be published in <u>The Mainland Journal</u> on April 20, 2011, for further consideration at a Public Hearing to be held on May 11, 2011. Copies of this Ordinance are available without cost to any member of the general public from the Township Clerk's Office during regular business hours until the date of the public hearing.</i>
<b>Motion</b>	Motion Cafero, second Carman to introduce Ordinance 17
<b>Roll Call Vote</b>	Cafero - yes    Carman - yes    Hodson - yes    Risley - yes    McCullough - yes

Mayor McCullough left the meeting at this time (6:29 p.m.)

**South Jersey Transportation Authority on roadway improvements to Atlantic City International Airport**

The South Jersey Transportation Authority presented the Township with proposed future improvements at the Airport in Egg Harbor Township. They are hoping to obtain a resolution from the Township in support of the improvements/project.

Deputy Mayor Risley thanked the SJTA for their presentation. Risley advised that the Township Committee have some concerns and would like come back next at the next meeting. The Township would like to be supportive, but have some valid points to review.

Deputy Mayor Risley opened the meeting for any additional comments.

Bargaintown Fire Chief Robert Dube spoke to provide the Township Committee with a status on the new Bargaintown Fire House and to thank everyone for their assistance.

**Adjournment**

**Motion Carman, second Cafero, to adjourn at 7:13 p.m.**

**Vote:** All members present voted yes.

/S/ \_\_\_\_\_  
James J. McCullough, Mayor

/S/ \_\_\_\_\_  
Olga A. Perez, RMC, Deputy Township Clerk

These minutes approved at a meeting held on April 27, 2011.