

Egg Harbor Township Committee Meeting
Municipal Building, Bargaintown Road
Egg Harbor Township NJ 08234
Wednesday, August 24, 2011 – 5:00 p.m.

Minutes

The Mayor called the meeting to Order at 5:03 p.m.

Township Clerk Tedesco 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

Meeting with Township Engineer Mott

2011 Road Improvement Program Bids

Township Engineer Mott reported 6 bids were submitted and reviewed for completeness. The lowest base bid was submitted by Arawak Paving, Co., Inc. for \$722,000. This bid is approximately 15 percent below the Engineer's Estimate. Resolution 314 to award contract to Arawak Paving Co., Inc. is listed on the Consent Calendar for consideration.

Broadway Tract Street Vacations

Engineer Mott advised Ordinance 28 listed for introduction tonight will vacate a series of dead-end streets in the Broadway Tract which abut township owned properties if approved. Vacation of these streets will allow for consolidation of lots.

2012 NJDOT Municipal Aid Application

Township Engineer Mott advised Resolution 308 listed on the consent calendar authorizes the submission of a \$150,000 grant for the improvement of Reega Avenue from English Creek Avenue to the Hamilton Township line. Mr. Mott feels this section of roadway will qualify for grant criteria due to the high traffic volume.

Old Business

2002 Bond Refinancing

Administrator Miller explained approval of Resolution 305 determining the form and other details of \$5,000,000 general obligation refunding bonds, series 2011 is needed to finalize our bond refinancing. He anticipates completion of this process within the next 4 weeks.

New Business

Best Practices Inventory

Mayor McCullough was pleased to announce that Egg Harbor Township has submitted its application at 98 percent compliance. Administrator Miller explained that part of the process is to discuss this matter publicly and address

any questions or concerns. No questions were raised.

2010 Municipal Audit

Mayor McCullough stated he was also very pleased with the 2010 Audit and noted there were no recommendations. The Mayor acknowledged the Chief Financial Officer and Administrator for their efforts.

Price's Pit – Indemnification and Hold Harmless with Atlantic City Electric

Administrator Miller explained Atlantic City Electric Company executed a Hold Harmless and Indemnification agreement with Egg Harbor Township in 1990 as part of their site plan requirement. The original approval included property within Price's Pit. The federal government now needs a portion of that property as part of the site remediation plan for Price's Pit. Resolution 329 listed for consideration tonight authorizes the partial release of the Hold Harmless and Indemnification agreement for Atlantic City Electric.

Public Works Bids

Basin Maintenance

Administrator Miller advised 3 bids were received and Resolution 316 is listed to award the contract to the lowest responsible bidder, Turfscares, LLC. The township is currently responsible for the maintenance of 80 basins and it is most economical to contract this work to a private vendor.

Front End Loaders

Administrator Miller stated 1 bid was received for demo equipment which realizes a savings of approximately \$40,000 over new equipment. Resolution 315 is listed to award contract for 2 used or newer front end loaders to Jesco, Inc.

Rejection of Bids

Rolloff Container

Administrator Miller explained the bidder for the Petersen Lighting Loader, 24 cubic yard trash body for rolloff failed to submit the proper consent of surety and several other required documents. Resolution 317 is listed to reject this bid.

Fire Department Uniforms

Administrator Miller further explained the bidder for the Fire Department Uniforms failed to submit the proper surety documentation. Resolution 318 is listed to reject this bid.

Other Business (not listed on the Agenda)

Deputy Mayor Risley brought to the Township Committee's attention a request from the Recreation Commission to ban smoking in public parks. As an alternative, Deputy Mayor Risley suggested the Governing Body may want to consider establishing a designated smoking area in public parks.

Mayor McCullough was contacted by South Jersey Gas who advised they intend to increase the gas line pressure from Estelle Manor to the gas fields in Egg Harbor Township. The Mayor has advised Fire Chief Danz and requested a detailed letter from the gas company.

Administrator Miller explained there is an additional bill for Gran Turk in the amount of \$699,900 for automated trash trucks. Also, there is 1 additional ordinance for the donation of 2 lots in the Farmington area for public purposes and resolutions certifying the review of the annual audit, cancellation of an unused grant, approval of clerical transfer to the Police Department and amendment to a coin drop event for the Kiwanis to include rain dates.

Closed Session

Number	Title
303	Authorizing the Township Committee to convene into a Closed Executive Session to discuss matters involving litigation; Village Supermarkets Lawsuits, Lugo v. Egg Harbor Township, et al, Ang Litigation, COAH Litigation, Atlantic County Municipal Joint Insurance Fund (ACMJIF) and personnel; LOSAP, Steve Newsome and Police Clerical
Motion	Motion Cafero, second Hodson to approve Resolution
Roll Call Vote	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

Township Clerk Tedesco read the Video Broadcast/Television Statement

Mayor McCullough lead the Pledge of Allegiance

Roll Call:

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

Presentation

Mayor McCullough called upon the Egg Harbor Township Tornadoes 10-U Softball Team coaches and members and presented them with a proclamation for their outstanding season and winning the title of 2011 Babe Ruth 10-U District Softball Champions for Southern New Jersey and as The Babe Ruth Southern NJ State Champions.

Ordinances – Public Hearings

Number	Title
26	An ordinance to amend the code of the Township of Egg Harbor, Chapter 165, thereof, entitled, Parks
Purpose	The purpose of this ordinance is to amend the hours of operation at Tony Canale Park
Public Comment	No one came forward
Motion	Motion Cafero, second Carman to close the public comment
Roll Call Vote	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes
Motion	Motion Hodson, second Cafero to adopt Ordinance 26 of 2011
Roll Call Vote	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

Ordinances – Introduction

Number	Title
27	An ordinance authorizing execution of an agreement for tax abatement with Stromfeld Enterprises, LLC for property located at 6036 Black Horse Pike

Purpose	The purpose of this ordinance is to grant a tax abatement for a 16,329 square foot retail liquor store located at 6036 Black Horse Pike <i>Ordinance 27-2011 to be published in <u>The Mainland Journal</u> on August 31, 2011, for further consideration at a Public Hearing to be held on September 28, 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>
Motion	Motion Hodson, second Cafero to introduce Ordinance 27 of 2011
Roll Call Vote	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes
 28	 An ordinance to vacate a portion of Fourth Avenue, Greenway Avenue, Haywood Avenue, Leroy Avenue, Liberty Avenue, Quince Avenue, Second Avenue and Wintergreen Avenue as described by metes and bounds and located in the Township of Egg Harbor, County of Atlantic and State of New Jersey
Purpose	To consolidate Township lands in the "Broadway Tract" <i>Ordinance 28-2011 to be published in <u>The Mainland Journal</u> on August 31, 2011, for further consideration at a Public Hearing to be held on September 28, 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>
Motion	Motion Carman, second Cafero to introduce Ordinance 28 of 2011
Roll Call Vote	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes
 29	 An ordinance providing for the acceptance of a deed conveying real property being Lots 1 and 2 in Block 905 of the Official Tax Map in the Township of Egg Harbor, County of Atlantic and State of New Jersey
Purpose	Donation of land to Township from adjacent property owners for public purposes <i>Ordinance 29-2011 to be published in <u>The Mainland Journal</u> on August 31, 2011, for further consideration at a Public Hearing to be held on September 28, 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>
Motion	Motion Hodson, second Cafero to introduce Ordinance 29 of 2011
Roll Call Vote	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

General Public Discussion

Steve Rodski, Robert Best Road asked if Denny's Towing will be considered for Rotary Towing approval. Mayor McCullough advised a resolution is listed for consideration on the Consent Calendar.

Mr. Abit requested non-specific changes to Chapters 142 and 203 pertaining to Taxi and Limo owner and driver requirements. He did not feel the current regulations are fair. Mr. Abit questioned the processing of his limo owner license following his probation period. Administrator Miller advised his file will be reviewed for submission of documents and preparation of license.

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

Resolutions (Consent Calendar)

Number	Title
304	Resolution appointing Staci DiMattia to the Municipal Alliance Board

- 305 Resolution determining the form and other details of \$5,000,000 general obligation
refunding bonds, series 2011, of the Township of Egg Harbor in the County of
Atlantic, New Jersey and providing for the sale and delivery of such bonds.
- 306 A resolution joining the National Moment of Remembrance of the 10th Anniversary
of September 11th
- 307 Resolution requesting approval of an item of revenue and appropriation pursuant to
NJSA 40A:4-87 [Chapter 159] – Item of Revenue – Recycling Tonnage Grant
- 308 Approval to submit a grant application and execute a grant agreement with the New
Jersey Department of Transportation for the FY 2012 NJDOT Municipal Aid
Program
- 309 Resolution authorizing renewal of Alcoholic Beverage Plenary Retail Consumption
License for July 1, 2011 to June 30, 2012 where Special Ruling has been obtained
- 310 Resolution approving Rotary Towing Application from Denny’s Auto Repair
- 311 Resolution authorizing Mayor and Township Clerk to execute an agreement with
Atlantic County for election products
- 312 Resolution authorizing execution of Financial Advisory Agreement with Phoenix
Advisors LLC
- 313 Resolution authorizing the transfer of Township vehicle to the Egg Harbor Township
Cardiff Volunteer Fire Company
- 314 Resolution awarding contract for 2011 Road Improvement Program to Arawak
Paving Co Inc
- 315 Resolution awarding contract for 2 used or newer front end loaders to Jesco Inc
- 316 Resolution awarding contract for Basin Maintenance to Turfscapes LLC
- 317 Resolution rejecting bids for Petersen Model PL-3 “Lighting Loader” and 18 ft., 24
cu yd trash body for cable style rolloff or approved equal
- 318 Resolution rejecting bids for Fire Department Uniforms (3-year contract)
- 319 Resolution authorizing execution of software maintenance agreement with DBA
Emergency Software Products for the Fire Department
- 320 Resolution authorizing execution of one-year support and maintenance agreement
with Pubworks
- 321 Resolution authorizing execution of Maintenance Agreement with ESRI Inc for the
Police Department
- 322 Resolution granting Atlantic County SPCA Charitable Roadway Solicitation
Application
- 323 Resolution authorizing acceptance of contract entered into by Atlantic County Co-p
for the purchase of natural gas (Woodruff Energy)
- 324 Resolution authorizing acceptance of improvements of Stromfeld Enterprises LLC
aka Price Rite Liquors
- 325 Resolution authorizing acceptance of improvements for the site plan of Egg Harbor
Conley LLC aka Aspen Acquisitions Inc
- 326 Resolution authorizing acceptance of improvements of Brite Idea Energy LLC aka
Bernice Solar Energy LLC
- 327 Resolution authorizing acceptance of improvements of Lexus of Atlantic City
- 328 Resolution authorizing acceptance of improvements of Equestrian Estates Phases II,
III, and IV
- 329 Resolution authorizing a partial release of an Indemnification and Hold Harmless

	Agreement for Atlantic City Electric Company
330	Resolution authorizing release of surety bond posted for Street Opening Permit 85-2011 (Precision Building & Development LLC)
331	Resolution authorizing cancellation and refund of taxes pursuant to NJSA 54:4-3.30 and NJSA 54:4-3.32 on property known as Block 7901, Lot 11 (426 Pine Avenue)
332	Resolution authorizing cancellation and refund of taxes pursuant to NJSA 54:4-3.30 and NJSA 54:4-3.32 on property known as Block 7101, Lot 87 (9 Academy Road)
333	Resolution authorizing cancellation and refund of taxes pursuant to NJSA 54:4-3.30 and NJSA 54:4-3.32 on property known as Block 1602, Lot 96 (32 Tower Avenue)
334	Resolution authorizing cancellation and refund of taxes pursuant to NJSA 54:4-3.30 and NJSA 54:4-3.32 on property known as Block 3103, Lot 42 (147 Alder Avenue)
335	Resolution authorizing cancellation and refund of taxes pursuant to NJSA 54:4-3.30 and NJSA 54:4-3.32 on property known as Block 1206, Lot 5 (3 West Avenue)
336	Resolution authorizing cancellation of 2011 taxes on Township-owned properties (various basins)
337	Resolution authorizing refund of overpaid taxes (various)
338	Resolution authorizing refund of curb and sidewalk permit 14-2010
339	Resolution approving Mobile Home Park Licenses
340	Resolution authorizing refund of overpaid mercantile license fee to Guthrie Glass & Mirror Inc
341	Resolution authorizing refund of overpaid ambulance fees (various)
342	Resolution granting military leave to Katherine Miller
343	Resolution granting military leave to David Heritage
344	Resolution approving salary increase for Yanell Garcia, Keith Foster, and Scott Lacy
Motion	Motion Hodson, second Carman to approve Consent Calendar Resolutions 304 through and including 344
Roll Call Vote	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

Resolution (Bill List)

Number	Title
345	Authorizing payment of all bills pursuant to exhibit A Administrator Miller noted there is 1 additional bill for Gran Turk in the amount of \$699,900 for automated trash trucks.
Motion	Motion Cafero, second Carman to adopt Resolution 345 including additional bill for Gran Turk as noted
Roll Call Vote	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

Resolutions (Supplemental Consent Calendar)

Number	Title
346	Resolution certifying to the Local Finance Board of the State of New Jersey that the Governing Body has reviewed the 2010 Annual Audit Recommendations
347	Resolution authorizing cancellation of unused grant
348	Resolution approving transfer of Stephanie Sharpe to the Police Department
349	Resolution amending Resolution 122 of 2011 entitled "Resolution granting Egg Harbor Township Kiwanis Charitable Roadway Solicitation Application"

Motion	Motion Cafero, second Risley to approve Supplemental Consent Calendar Resolutions 346 through and including 349
Roll Call Vote	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

Reports

Township Committee:

Committeeman Hodson reminded the public free concerts are held Friday evenings during the summer at Canale Park. Also, a 10 year anniversary event will be held at Veterans Memorial Park on September 11th at 6:00 p.m. Committeeman Hodson referred to 3 fatal motor vehicle accidents which occurred in Egg Harbor Township over the weekend and praised our rescue personnel for their efforts.

Deputy Mayor Risley said he attended the vigil at Mainland Regional High School last night in honor of the football players killed in a motor vehicle accident over the weekend. Mr. Risley asked the motoring public to be more patient and considerate of their fellow drivers and to also be generous during our volunteer firefighters fund drives.

Committeeman Cafero asked everyone to keep the families of those who died in the recent auto accidents in their thoughts.

Mayor McCullough recognized Fire Chief Danz commending him for increasing education to our firefighters. The Mayor stated there is a potentially significant hurricane expected to hit our area this weekend and asked the public to monitor local weather conditions. The Mayor stated township personnel have been briefed and are on stand-by to deal with weather related issues.

Administrator:

Administrator Miller reported the township recently conducted its first 2 GovDeals on-line auctions. An analysis of these auctions compared to the live auctions held over the past 3 years, revealed an increase in profit as well as, a savings in staff related expenses.

Mayor McCullough commended Atlantic City Press reporter Wallace McKelvey for his story covering the tragic motor vehicle accidents this past weekend.

Approvals

Motion	Motion Cafero, second Carman to approve the Regular Meeting Minutes of the Egg Harbor Township Committee meeting of July 20, 2011
Vote	All members voted, yes
Motion	Motion Cafero, second Hodson to approve the Closed Executive Session Meeting Minutes of the Egg Harbor Township Committee meeting of July 20, 2011, pursuant to Resolution 275-2011
Roll Call Vote	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes
Motion	Motion Cafero, second Risely to approve the July 2011 Departmental Reports
Vote	Vote: all members voted, yes

Motion	Motion Cafero, second Carman to approve the payroll for the month ending July 2011 in the sum of \$1,144,005.66
Vote	Vote: all members voted, yes

Adjournment

Motion Cafero, second Hodson to adjourn the meeting at 6:31 p.m.

Vote: all members voted, yes

James J. McCullough, Mayor

**Eileen M. Tedesco, RMC
Township Clerk**



Minutes approved September 14, 2011