

Egg Harbor Township Committee Meeting
Wednesday, June 13, 2007
5:30 p.m.
Municipal Building, Bargaintown Road
Egg Harbor Township NJ 08234

MINUTES

Mayor McCullough called the meeting to order at 5:39 p.m.

Township Clerk Tedesco read the opening statement pursuant to the Open Public Meetings Act.

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

Volunteer Ambulance Squad

Counselor Evelyn Catterson stated she recently met with some of the EHT Volunteer Ambulance Squad Board members. The Township needs to advise the Squad of their desires. The members agreed that they are not in a position to aid the Egg Harbor Township Paid Ambulance Squad. Mayor McCullough asked if the Volunteer Squad wanted to maintain their non-profit status and Counselor replied positively. Committeeman Carman stated the Volunteer Squad is not serving the Township and that most of the Squad's assets were donated and funded to provide services to Egg Harbor Township's residents and taxpayers. A discussion ensued between Counselor Evelyn and Administrator Miller regarding the Squad's assets and whether the volunteer members can volunteer their services. Counselor Evelyn Catterson asked to have the matter continued as they expect to meet again in June. Committeeman Hodson asked about the large assets and Administrator Miller stated there were four vehicles and a building on Somers Point-Mays Landing Road. Mayor McCullough stated the issues need to be resolved and directed Administrator Miller to forward a letter to Counselor Evelyn Catterson outlining the Township's concerns. Attorney Catterson will forward a listing of all assets to Administrator Miller and advised she anticipates meeting with the EHT Volunteer Ambulance Squad Board members again in June to discuss the matter further.

Mercantile Hearing

Mayor McCullough called upon Mr. Rosetti and acknowledged Detective Fred Spano. Solicitor Friedman administered an oath to Mr. Rosetti. Mayor McCullough advised the Township Committee reviewed the charges against Mr. Rosetti and the Police Department's report and asked if there were any other infractions since the incident occurred almost 12 years ago. Detective Spano stated he was here on behalf of Sergeant Chambers. He stated Mr. Rosetti pled guilty to a lesser offense, but he has not uncovered any other infractions since that time. Committeeman Hodson asked if Mr. Rosetti had any other mercantile licenses in surrounding municipalities and Mr. Rosetti stated no, that he only has a state license. Mayor McCullough asked Mr. Rosetti where he intended to conduct his business. Mr. Rosetti advised that he would be at a location on the Black Horse Pike. Solicitor Friedman stated it would be helpful if Mr. Rosetti explained what he has been doing since this infraction in the community and for employment. Mr. Rosetti stated he was married, three children, wrestling coach and formerly lived in Egg Harbor Township and now resides in Linwood. Administrator Miller asked Mr. Rosetti if there were any other individuals under the license for Rosetti Roofing. Mr. Rosetti stated he owns it 100% and that he also had letters of recommendation with him. Mayor McCullough stated Mr. Rosetti should submit letters for Township Committee review. Mayor McCullough said he understands that Mr. Rosetti has paid

appropriate fines and had no other violations since his offense. Township Committee will make a decision and Township Clerk Tedesco will advise him accordingly.

Old Business

Chapter 159

Regarding Chapter 195 of the Code, Engineer Mott stated he has two changes under Ordinance 41 of 2007 on for introduction tonight which will revise/replace the current procedures for obtaining a street opening permit.

Speed Limits

Tremont Avenue – Engineer Mott advised that the Police Department feels they cannot enforce the 25 mph speed limit on Tremont Avenue. His staff conducted a survey and feels that it can be enforced as posted.

Bargaintown Road – Cannot recommend a statutory 25 mph speed limited based on the recent study.

However, 35 mph is appropriate in this area. Administrator Miller stated that it should remain at 35 mph and enforce or pursue improvements through the County to improve the roadway. Engineer Mott suggested the Township may want to look for the roadway to be widened and for vertical alignment. Administrator Miller will forward a letter to the County to look into the design of the road and direct the Police Department to do more enforcement.

Other Business

▶ Road Opening Permits

Engineer Mott reported New Jersey American Water Company will be doing extensive road opening work now that the schools will be closing for the summer. The affected roads include High School Drive and the contractor is Foglio.

▶ Delaware Avenue

The Contractor has asked for a nighttime closure and hopes to get the work complete within one week. The contractor and the Egg Harbor Township MUA engineer are in agreement.

▶ Ridge & West Jersey Avenues

Contractor is also asking for a nighttime closure to expedite the work process. The contractor expects the work to take less than one week to complete. The Police Department will attend the preconstruction meeting.

New Business

▶ Capital Ordinances

Administrator Miller said he had two ordinances on the agenda for tonight – Ordinances 39 and 40 which pertain to the recently adopted budget. There are no additions or deletions from the budget.

▶ School district interlocal (high school field)

Administrator Miller and Committeeman Hodson recently met with the School Board members to discuss Egg Harbor Township contributing towards a new field and with the Township in turn being able to utilize the fields. The concern is the cost. Originally the job was estimated at \$800,000 and now is upwards of \$1 million. The School Board would have to bring a referendum before the taxpayers. Administrator Miller stated that the Township would oversee the bid project if we chose to participate. Committeeman Carman feels that the School Board should oversee the project. Committeeman Hodson agreed with the concept but has concerns with the cost to construct the fields. Mayor McCullough advised Administrator Miller and Committee Hodson to continue their discussions with the school Board.

Other Business

Closed Session

Mercantile License Background Checks

Administrator Miller referred to a memorandum from Police Chief Catania received this afternoon in which he felt the Township should continue their practice of background checks due to the potential liability if a temporary license would need to be revoked. Mayor McCullough queried why we needed to use the State Police for background checks and there could not be a reliance on the local background check. Administrator Miller answered that local background checks only pertain to activity within Egg Harbor Township.

Bill List

Administrator Miller advised that there are three add on bills to the bill list, those being Home Depot, Home Office and Duet Productions.

Resolutions

Administrator Miller reviewed the add on resolutions numbered 278 through 287-2007 by title.

Closed

Motion Hodson, second Risley that Resolution 259A Authorizing the Township Committee to convene into a Closed Executive Session to discuss matters which may involve personnel and/or litigation: Personnel – Communications Supervisor, Municipal Court Administrator, Municipal Court Clerk, Leave of Absence without pay for Kathy Fiedor and Police Discipline matter; Legal – Rosetti Mercantile License, be adopted.

Vote: All members present voted, yes

Video Broadcast/Television Statement

Township Clerk Tedesco read the Video Broadcast/Television Statement and reconfirmed the Roll Call, all Committee Members, present.

Pledge of Allegiance

Presentations

- ▶ Flag Day
Mayor McCullough called upon the members of the Knights of Columbus from the Church of St. Katharine Drexel and read proclamation and presented plaque.

Resolution

Mayor McCullough read Resolution 260-2007 Appointing Brian Keane as a Police Officer. Mayor stated that Mr. Keane unlike most officers put himself through the Police Academy. He also maintained a high academic average. Mayor McCullough administered the oath of office and congratulated Officer Keane on joining the ranks of one of the finest police departments.

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

Presentations

Mayor McCullough and Deputy Mayor Glassey presented a proclamation congratulating students from the EHT Intermediate School 5th & 6th Grade Gifted and Talented Program selected as John Hopkins University Center for Talented youth 2007 CTY Talent Search Award Recipients.

Mayor McCullough and Deputy Mayor Glassey presented a proclamation congratulating students from the EHT Intermediate School 6th Grade Gifted and Talented Program which participated in the Jersey Shore Science Fair sponsored by the Richard Stockton College of NJ and the Division of Natural Sciences and Mathematics

Mayor McCullough and Deputy Mayor Glassey presented a proclamation congratulating students from the EHT Intermediate School 6th Grade Gifted and Talented Program which participated in the Jersey Shore Science Fair sponsored by the Richard Stockton College of NJ and the Division of Natural Sciences and Mathematics which were chosen to compete in the Delaware Valley Science Fair April 3 and 5 in King of Prussia, PA

Mayor McCullough and Deputy Mayor Glassey presented a proclamation congratulating Pablo Tavarez, Michael Morris, Michael Troughio, Peter Quarelli and Karen Li (Winners at the Youth Achiever’s Science & Math Fair in Burlington, NJ; Winners at the Jersey Shore Science Fair in Pomona, NJ and Winners at the Delaware Valley Science Fairs in Valley Forge, PA)

Mayor McCullough stated that Egg Harbor Township is very fortunate to have so many academic achievers and congratulated the families and teachers.

Resolution

Resolution 261-2007 Resolution approving appointment/transfer in the Department of Police (William Jenkins). Motion Hodson second Risley to adopt Resolution 261-2007.

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

Ordinance Public Hearing

Ordinance 31-2007 An ordinance providing for the dedication of a certain Deed of Easement conveying real property for the purpose of constructing, improving, operating and maintaining a sanitary sewer pump station, said Easement dedicating a portion of Block 1030, Lot 4, of the Official Tax Map in the Township of Egg Harbor, County of Atlantic and State of New Jersey.

Purpose Sanitary Sewer Pump Station at the intersection of Oak and Marlborough

Public Comment: No one came forward

Motion Hodson second Glassey to close the Public Hearing.

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

Motion Glassey second Carman to adopt Ordinance 31-2007.

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

Ordinance 32-2007 An Ordinance authorizing the acquisition of property known as Block 2915, Lots 7 and 8, as set forth on the official tax map in the Township of Egg Harbor, County of Atlantic and State of New Jersey.

Purpose Acquire property for open space (Manhattan Avenue - MK Betterment Tract)

Public Comment: No one came forward

Motion Glassey second Hodson to close the Public Hearing.

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

Motion Glassey second Hodson to adopt Ordinance 32-2007.

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

Ordinance 33-2007 An ordinance authorizing an agreement for tax abatement with 3031 Ocean Heights, LLC, located at 3031 Ocean Heights Avenue.

Purpose Tax abatement for 10,400 square foot shop building located on 3031 Ocean Heights Avenue east of Zion Road.

Public Comment: No one came forward

Motion Glassey second Carman to close the Public Hearing.

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

Motion Glassey second Risley to adopt Ordinance 33-2007.

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

Ordinance Introduction

Motion Glassey second Hodson to introduce Ordinance 41-2007 Ordinance to amend the Code of the Township of Egg Harbor, Chapter 195 thereof entitled Design & Performance Standards, specifically by amending Section 195-3.B (Application Procedure). Ordinance 41-2007 to be published in the Mainland Journal on June 20, 2007 for further consideration at a Public Hearing to be held on July 11, 2007.

Purpose: Deleting procedures for street openings in the Township and replacing with revised procedures.

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

General Public Discussion

Chrissy Martin of 210 Oxford Place, West Atlantic City. Referred to the proposed hotel in the vicinity of her home. She feels it will be too close to her home, will block sunlight, air flow, etc. Administrator Miller advised her to attend the Planning Board meeting this Monday to go on record and express her concerns.

Fire Chief Bill Danz stated he had a couple of issues to discuss.

- He would like the Township Committee to look into placing funds in the capital budget next year to improve/install a light on the Black Horse Pike near the fire house off of Spruce Avenue. The state is not providing funding.
- He has a complaint from the Bargaintown Volunteer Fire Company regarding the intersection of Mill and Fire Roads. The stop line needs to be moved back in order for the fire apparatus to safely execute turns.
- The recent paving on Tremont Avenue is terrible and the engineer needs to address through the contractor.
- To the public, he would like to say that the fund drives are in full swing and encouraged all to participate.

Robert J. Beyer, 201 Leap Street, Egg Harbor Township advised that he has been meeting with neighbors, observing speeding and wants to know when enforcement will begin. Deputy Administrator Goodreau advised the Police Department will be determining the highest traffic times.

Charles Federer, 107 Deerpath Drive, Egg Harbor Township complained about the high concentration of gypsy moths in the Harborwoods section of Egg Harbor and would like the Township to be involved in a treatment program.

Deputy Administrator Goodreau explained the state will conduct an aerial assessment at the end of the Summer and contact municipalities where defoliation is noted. The State will then ask municipalities if they want an egg count performed. Once the count has been accomplished the municipality must pay for spraying if they want that done and can request state to reimburse up to 50 percent of costs. There are not any guarantees for state reimbursement. Egg Harbor Township has requested a count be done this Fall. Only three areas were identified by the state to date, those being Absecon, Estell Manor and along the Garden State Parkway.

Mayor McCullough expressed his disappointment that the state did not identify Egg Harbor Township for spraying.

Charles Federer requested the stop sign on School House Road near the old school be re-painted and relocated.

Denise Walsh, 236 Betsy Scull Road, Egg Harbor Township requested that the Township take steps to obtain spraying for gypsy moths next year.

Mayor McCullough stated that another option would be for the neighbors to get together and spray. Committeeman Carman stated that the Township has requested the State to consider the Township for 2008 spraying. Deputy Administrator Goodreau said that the Department of Agriculture will be sending down a representative to discuss this very issue at a future Mayor's Forum.

Motion Risley second Hodson to close the Public Comments.

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

Resolutions (Consent Calendar)

- Resolution 261-2007 Resolution approving appointment/transfer in the Department of Police (William Jenkins).
- Resolution 262-2007 Resolution appointing Steven Feldman, Esquire, for legal services in connection with State of New Jersey v. Charles E. Super.
- Resolution 263-2007 Resolution granting Egg Harbor Township Farmington Volunteer Fire Company Charitable Roadway Solicitation Application.
- Resolution 264-2007 Resolution granting Egg Harbor Township Bargaintown Volunteer Fire Company Charitable Roadway Solicitation Application
- Resolution 265-2007 Resolution authorizing execution of Maintenance Contract with Stewart Business Systems for copier located in the Municipal Court.
- Resolution 266-2007 Resolution authorizing refund of overpaid taxes (various).
- Resolution 267-2007 Resolution authorizing refunds from Developers escrow accounts (various).

- Resolution 268-2007 Resolution authorizing reduction and refund of performance guaranty (bond and cash surety) on deposit for Mill Road Farms.
- Resolution 269-2007 Resolution transferring Courtney Anderson, Clerk 1, to serve the Department of Police.
- Resolution 270-2007 Resolution authorizing the execution of 2007 Municipal Aerial Mosquito Control Agreement.
- Resolution 271-2007 Resolution appointing Donna Goodman as a full-time Communications Officer to serve the Police Department.
- Resolution 272-2007 Resolution appointing Robert Heck and Andrew Taclan as part-time seasonal volunteers to serve the Department of Parks and Recreation.
- Resolution 273-2007 Resolution authorizing renewal of Alcoholic Beverage Plenary Retail Consumption Licenses for July 1, 2007 to June 30, 2008.
- Resolution 274-2007 Resolution authorizing renewal of Alcoholic Beverage Plenary Distribution Licenses for July 1, 2007 to June 30, 2008.
- Resolution 275-2007 Resolution authorizing renewal of Alcoholic Beverage Plenary Club Licenses for July 1, 2007 to June 30, 2008.
- Resolution 276-2007 Resolution making Application and Agreement with New Jersey Department of Transportation for State Aid for Tremont Avenue - Phase II from Mill Road to Dartmouth Drive.

Motion Hodson second Risley to adopt Consent Calendar Resolutions 261 through and including 276 of 2007.

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

Bill List

Motion Glassey second Carman to approve the bill list, Resolution 277, with the addition of three bills (Home Depot, Office Depot and Duet Productions)

Vote: All members voted yes.

Resolutions (Supplemental Consent Calendar)

- Resolution No. 278 Resolution requesting approval of an item of revenue and appropriation pursuant to NJS 40A:4-87 [Chapter 159] – Item of Revenue – Mill Road Farms LLC donation.
- Resolution No. 279 Resolution authorizing refund of insurance reimbursement to Atlantic County Municipal Joint Insurance Fund.
- Resolution No. 280 Resolution appointing Todd J. Gelfand, Esquire, for legal services in connection with Police Defense Matter (Egg Harbor Township v. Patrolman Christopher Mozitis).
- Resolution No. 281 Resolution accepting improvements associated with English Court.
- Resolution No. 282 Resolution authorizing refund of Curb and Sidewalk permit 18-2006.

- Resolution No. 283 Resolution accepting improvements associated with Harbor Acres, Phases IV and V.
- Resolution No. 284 Resolution authorizing refund of overpaid Ambulance Fees to Elizabeth Merino.
- Resolution No. 285 Resolution appointing Jackelina Guevara and Megan Koshney as temporary part-time hourly Clerks.
- Resolution No. 286 Resolution increasing salary of part-time Fire Official, William Oberman.
- Resolution No. 287 Resolution authorizing execution of maintenance agreement with Mossman's Business Machines
- Resolution No. 288 Resolution granting Mercantile License to Richard Rossetti
- Resolution No. 289 Resolution appointing Therese Collins as Municipal Court Administrator

Motion Hodson second Carman to adopt Supplemental Consent Calendar Resolutions 278 through 289-2007.
 Roll call vote: Carman-yes Glassey-yes Hodson-yes Risley-yes McCullough-yes

Reports

Township Committee:

Committeeman Risley announced the beginning of Annual Rhythm in the Park series.

Deputy Mayor Glassey encouraged recycling and the use of paper bags for plant matter.

Committeeman Hodson echoed Fire Chief Danz' comments and said the manpower response was exceptional for a daytime fire. He said we need to work with the state to get funding for a traffic light near the Cardiff Volunteer Fire House on the Black Horse Pike. Committeeman Hodson encouraged the public to participate in the current fund-raising drive.

Administrator

Administrator Miller reported that the Department of Public Works will have summer hours from 6:00 a.m. to 2:30 p.m. beginning July 2nd through to August 31st. He announced that Cygnus Performing Arts' High School Musical starts next week and encouraged all to attend.

Approvals

Motion Glassey second Hodson to approve the payroll for the month of June 2007 in the amount of \$1,109,775.22.
 Vote: all present voted-yes

Motion Carman second Glassey to approve the Township Committee meeting minutes of May 9, 2007 with amendment to paragraph 3 under Old business which states solicitor and should read solicitor.
 Vote: all present voted-yes

Motion Hodson, second Glassey to approve the Township Committee closed session minutes of May 30, Resolution 235A-2007.
 Vote: all present voted-yes

Motion Carman second Hodson to approve and file the monthly Departmental Reports.

Vote: all present voted-yes

Adjournment

Motion Carman second Hodson to adjourn at 8:34 p.m. Vote: All present voted - yes.

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

James J. McCullough, Mayor

Eileen M. Tedesco, Township Clerk

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MINUTES APPROVED AT
MEETING OF
AUGUST 8, 2007
