

**MINUTES**  
**COUNCIL MEETING**  
**AUGUST 06, 2008**  
**7:00 p.m.**

In compliance with N.J.S.A. 10:4, Open Public Meetings Law, notice was given to two newspapers and posted, that a council meeting of the Mayor and Council was scheduled for Wednesday, August 06, 2008 at 7:00 P.M. The Municipal Clerk took the roll call and showed that all were present. The Engineer Mr. Basehore was present.

At 7:00 PM the Council reviewed the agenda for 8:00 PM.

Motion made by Councilman Whalen, seconded by Councilwoman Martz to open the meeting to the Public. All voted in favor.

No public spoke.

Motion by Councilwoman Martz, seconded by Councilman Wilson to close the meeting to the Public. All Council voted aye.

Motion made by Councilwoman Martz, seconded by Councilman Wilson to go into Closed Session (Resolution 2008:122), with Council voting aye.

Motion made by Councilman DePrince, seconded by Councilwoman Martz to come out of Closed Session. All Council voted aye.

The 8:00 PM meeting session began.

Motion made by Councilman D'Amico, seconded by Councilwoman Martz to open the meeting to the public. All Council vote aye.

Official copies should be requested through the Borough Clerks Office

Alice Harris introduced herself as a Republican Candidate for Freeholder in this year's election. She spoke about her effort to fight Lawnside's Borough Council regarding their redevelopment plans, and was present tonight to inform Magnolia to reconsider their redevelopment efforts.

Magnolia Council stated they were surprised with her comments toward Magnolia's redevelopment efforts being this was her first meeting attended in Magnolia.

Jennifer Stuart of 226 E. Williams Ave, Barrington handed out a press release regarding the two lawsuits that were served to Magnolia recently. The Mayor corrected her stating Magnolia was not served with two lawsuits.

Alex Esposito, 407 W. Brook Ave, Magnolia referred to the Community Center parking lot lights being an issue still, and he commented his neighbors Joe Spinelli, Norm Bumm were complaining to him. Council informed Mr. Esposito that they have not heard from these neighbors.

Mr. Esposito then spoke about the fir pits and he had spoken to a professional and the professional informed him that inhaling the smoke from the pits is not healthy. Mr. Esposito was informed that Camden County Department of Health had been informed.

Mr. Esposito next spoke about the noise issue which he had spoken about at a previous meeting. The police chief stated he had reviewed the town ordinance Mr. Esposito had referred to prior. The Chief recommended further research into this type of ordinance by the Solicitor and Prosecutor.

Mr. Esposito questioned previous monthly minutes and a questions about May 7, 2008.

Motion made by Councilwoman Martz, seconded by Councilwoman Bonamassa to close the public portion. All Council voted aye.

Motion made by Councilman Wilson, seconded by Councilwoman Bonamassa to approve the minutes of the July 17, 2008 meeting. All Council voted aye.

Old Business:

Motion was made by Councilman DePrince, seconded by Councilman D'Amico to open the Public Hearing for Ordinance 2008:09 which was granting the renewal of the Cable Television System to Comcast for a 15 year period with a 10 year extension. All Council voted aye. Mr. Ballinger had a question regarding the renewal, and Councilman D'Amico answered his concerns. Motion made by Councilwoman Martz, seconded by Councilman D'Amico to close the Public Hearing. All Council voted aye.

Motion made to adopt Ordinance 2008:09 by Councilman D'Amico, seconded by Councilwoman Martz with all Council voting aye by roll call vote.

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Motion was made by Councilman D'Amico, seconded by Councilwoman Bonamassa to open the Public Hearing for Ordinance 2008:10 which amended the 2008 Salary Ordinance. All Council voted aye. No comments made by the public. Motion made by Councilman DePrince, seconded by Councilwoman Martz to close the Public Hearing, with all Council voting aye.

Motion made to adopt by Councilman Wilson, seconded by Councilwoman Bonamassa, with all Council voting aye by roll call vote.

Motion was made by Councilwoman Martz, seconded by Councilman D'Amico to open the Public Hearing for Ordinance 2008:11 which amended Chapter 115 for Construction Costs. All Council voted aye. Mr. Esposito questioned if this amendment included the survey requirement spoken about at a previous meeting. He was informed it did not include anything to do with the survey requirement. Motion made by Councilman DePrince, seconded by Councilwoman Martz to close the Public Hearing, with all Council voting aye.

Motion made to adopt by Councilwoman Martz, seconded by Councilman Wilson, with all Council voting aye by roll call vote.

Motion was made by Councilman DePrince, seconded by Councilwoman Bonamassa to open the Public Hearing for Ordinance 2008:12 which amended Chapter 260 for Vehicle and Traffic to prohibit a right turn from Washington Avenue onto White Horse Pike going in an easterly direction. All Council voted aye. No comments made by the public. Motion made by Councilman DePrince, seconded by Councilwoman Martz to close the Public Hearing, with all Council voting aye.

Motion made to adopt by Councilman DePrince, seconded by Councilwoman Martz, with all Council voting aye by roll call vote.

Motion was made by Councilman DePrince, seconded by Councilwoman Bonamassa to open the Public Hearing for Ordinance 2008:13 which vacates a portion of King Street south of Central Avenue. All Council voted aye. No comments made by the public. Motion made by Councilwoman Bonamassa, seconded by Councilwoman Martz to close the Public Hearing, with all Council voting aye.

Motion made to adopt by Councilman Wilson, seconded by Councilwoman Martz, with all Council voting aye by roll call vote.

Motion made by Councilman Whalen, seconded by Councilman DePrince to adopt Resolution 2008:123 to certify the 2008 budget was eligible for self examination. All Council voted aye by roll call vote.

Motion made by Councilman Whalen, seconded by Councilwoman Bonamassa to open the Public Hearing for the 2008 budget amendment. All Council voted aye. There were no comments about the 2008 budget amendment. Motion and second to close the Public Hearing was made with all Council voting aye. Motion made by Councilwoman Bonamassa, seconded by Councilman Whalen to adopt the 2008 Budget Amendment and the 2008 Budget. All Council voted aye by roll call vote.

New Business:

Motion made by Councilman Wilson, seconded by Councilwoman Bonamassa to adopt Resolution 2008:125 to authorize the execution of the CDBG Agreement for funding year 30. All Council voted aye by roll call vote.

Motion made by Councilman DePrince, seconded by Councilwoman Martz to adopt Resolution 2008:126 which authorized a maintenance lien on B. 8.03, L. 21; B. 3.04, L. 24; B. 6.05, L. 27 for work the borough public works had to complete. All Council voted aye.

Motion made by Councilman Whalen, seconded by Councilwoman Martz to adopt Resolution 2008:127 for the 2008 Salaries. All Council voted aye by roll call vote.

The Mayor proclaimed September as Ovarian Cancer Month.

Councilman Whalen read the Treasurer's Report submitted by Treasurer Robin Sarlo.

Committee Reports:

Councilwoman Bonamassa stated the Summer Rec Program was over, National Night Out has a very nice turnout with more people than last year. She thanked the Police, Fire, Ambulance and Rec Committee for their assistance. She was working on the Fall and Halloween events.

Councilman Wilson read the report from DPW for the month of July. He stated the DPW installed a fence at the Community Center, spread mulch at the playground at Albertson Park, and the DPW employees are working very hard with their shared service contracts.

Councilwoman Martz read her monthly report for July. She stated she is looking for someone to assist in the dog census for this year. She also stated Mount Olive Church was not coming to the Planning Board meeting this month.

Councilman DePrince read his monthly reports for Court, Ambulance, and Police. He also thanked Councilwoman Bonamassa for her work for the National Night Out and the other departments which helped make it a great event.

Councilman Whalen spoke about the 2008 budget and the tax increase. He spoke of the cut in the State funding through CMPTRA by 42%, and that expenses have been cut to a minimum. He stated utility costs rising this year also did not help. Layoffs were an option to make up for the aid but it was not agreeable by Council especially with the shared service agreements Magnolia provides to other towns. He stated taxes will increase about \$180 a year. He offered the continuing of expanding the shared service agreements to other towns which will help bring in new revenue.

Councilman D'Amico stated he was working on the finalization of the Comcast Agreement.

The Engineer stated his report was given to all by email and hard copy. He stated Charles Road would begin soon, and the NJEIT Projects would begin as soon as the additional items were completed by the Solicitor and the NJDEP completed their review of the bid documents.

The Solicitor had nothing to report in the public portion.

Motion made to open the meeting to the public by Councilman D'Amico, seconded by Councilwoman Martz, with all Council voting aye.

Jennifer Stuart of 226 E. Williams Ave, Barrington commented again about her desire to have the meetings tape recorded. She had questions about the release of the April minutes, but the Solicitor stopped her and told her those questions would have to be sent through her legal counsel.

Alex Esposito of 407 W. Brook, Magnolia was very concerned with the possible legal fees for the lawsuit filed.

Councilman Whalen stated he would continue to look for other options to help offset and assist in property tax relief.

Mr. Esposito spoke about his concern that some people were charged to review documents at the Borough Hall, and others like himself were charged. He also inquired to why the recording of meetings stopped in 2005. The Solicitor advised his clients not to answer the questions. Mr. Esposito stated he would put his request in writing.

Mr. Steve O'Brien from 320 W. Jackson thanked the Council for the work regarding the rental property in his neighborhood.

Andrew Ballinger asked questions regarding taxes now that he received his August tax bill. Councilman Whalen explained the bill was an estimated bill since the 2008 budget had not been approved yet. It was explained how the last bill for November will have the remainder of the 2008 budget allocation included in it.

John DeBartolomeo of 217 Lafayette of Magnolia Little League inquired about the Little League creating a new field behind Vaughan Oil. Review would be done on this. The Mayor also stated she had offered them the application for the County Open Space Grant of \$25,000. to assist the Little League.

Anthony Camille of 133 Jefferson spoke about the concern of the Fire Company entering Otterbranch Drive from Evesham near the retail stores. He stated with the parked cars it is extremely hard to get equipment down the street. This would be reviewed to see if a no parking area has to be adopted.

Council agreed to return to Closed Session.

Upon return from Closed Session a motion was made by Councilwoman Bonamassa, seconded by Councilman Whalen to adopt Resolution 2008:128 to authorize the Solicitors for the Borough and Planning Board to answer the complaint recently served #CAM-L-3629-08. Councilwoman Bonamassa commented that this resolution would include any research required to file all counter claims. All Council voted aye by roll call vote.

Motion made by Councilman Whalen, seconded by Councilman Wilson to approve the payment of the bills. All Council voted aye by roll call vote.

Motion by Councilman DePrince, seconded by Councilman Whalen to adjourn the meeting. All Council voted aye.



Unofficial Copy

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