

MINUTES
COUNCIL MEETING
MAY 07, 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, May 07, 2008 at 7:00 P.M. The Municipal Clerk took the roll call and showed that all were present with the exception of Councilman DePrince was absent. The Engineer Mr. Bach was present.

The first hour at 7:00 PM the Magnolia 8th Grade Students as part of Youth Week took part in a session as newly elected Mayor and Council members. They learned what their positions did, as well as the remainder of the class all held municipal positions of appointment. The students presented their department reports, voted on certain topics, and learned some of the various functions of local government. Youth Week is held each year in May. The 8th grade students participate in the election process at school filing petitions, and voting for their Mayor and Council. The whole class comes to the Borough Hall and meets the Governing Body, and other employees. The session was held from 7-8PM.

At 8:00 PM a motion was made by Councilman D'Amico to open this portion of the meeting to the public. Councilwoman Martz seconded. All Council voting aye.

Mr. Cavallaro of 281 Evergreen Road, Runnemede had some questions of the Clerk regarding his recent OPRA request. The Clerk went over the response which was sent to Mr. Cavalarro.

Rick Gatson, the owner of Sports Bike Zone at 28 N. White Horse Pike, Magnolia was present. He was present to speak to the Mayor and Council about his 4th Annual Open House the coming weekend, May 10, Saturday in the afternoon. The Police Chief and Council expressed their concerns with the Open House now growing beyond what the local store could hold safely. Mr. Gatson asked Council to allow the Open House since it has already been advertised and it would be too late to re-locate the event. He also explained how it was costly to hold the event, but he holds it at the store to hope to sell some products to help offset some of the expense of the promotion. The noise of the customers leaving the event on their motorcycles was discussed. Mr. Gatson was also warned about the possibility of the need to shut the event down due to any safety concerns. He understood that possibility. Council agreed to allow the event and to have two officers on site paid for by Mr. Gatson. In the past there was only one officer at the event paid for by Mr. Gatson.

Greg DiBartolomeo was present regarding a recent deck permit he applied for and how he felt it took longer than usual to have it approved. The Clerk went over the time line of his permit which due to a convention the Construction Official was at, and the lack of some details on the information submitted by Mr. DiBartolomeo the permit was delayed in the process. The Clerk did explain the Construction Official did inform him it should be approved tomorrow.

Jennifer Stuart of 326 Williams Ave, Barrington inquired to the council meetings not being taped. The Clerk did confirm this, and the Governing Body has not been taping meetings since 2005.

Dawn Mutos of 213 E. Williams Ave, Barrington inquired to her recent request for tapes and the response of the Council meeting not being taped.

Jennifer Stuart again questioned the meetings should be recorded digitally rather than tapes like the Planning Board uses now.

Alex Esposito of 407 W. Brook Avenue, Magnolia Borough questioned the response of May 01 from the Clerk. The Clerk explained the OPRA request Mr. Esposito had submitted not having all pages similar to the one he had received later. Mr. Esposito also questioned what the Clerk meant in his response of disruption of the office. The Solicitor stopped Mr. Esposito and stated the response letter the Clerk had sent Mr. Esposito was clear. Mr. Esposito also questions the request for digital copies of the meeting tapes. The Clerk stated at this time they had no vendor offering the service. Mr. Esposito stated he would be glad to supply a company to offer the service. The Clerk stated to Mr. Esposito to supply the company information to his office for review.

Motion made by Councilwoman Bonamassa to close the meeting to the public, seconded by Councilman Whalen, with all Council voting aye.

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

Motion made by Councilman Whalen, seconded by Councilwoman Martz to adopt Resolution 2008:74 to allow the 2008 Budget to be read by title only. All Council voted aye. The Public Hearing for the 2008 Budget was opened by motion of Councilman D'Amico, seconded by Councilwoman Bonamassa, with all Council voting aye.

Alex Esposito came forth questioning not the budget, but the 2008 Salary Ordinance. It was explained to him what he was questioning was already adopted at a previous meeting which sets salary ranges for employees for 2008.

Peg Millisky of 318 Otterbranch Drive, Magnolia inquired to any State Aid being re-instated yet to Magnolia. The Mayor informed her that no Aid was re-instated to Magnolia at the time.

Motion made by Councilwoman Bonamassa, seconded by Councilwoman Martz to close the Public Hearing for the 2008 Budget. All Council voted aye. The budget will not be voted upon until the Extraordinary Aid which Magnolia applied for will be announced which will not occur until late summer.

New Business:

The business license for Piccone's Pizza, 308-B Evesham Avenue was table since the business owner was not present. Motion made to table by Councilman Whalen, seconded by Councilman D'Amico, with all Council voting aye.

Motion made by Councilwoman Martz, seconded by Councilwoman Bonamassa to adopt Resolution 2008:69 to refund overpayment of Sign Permits for Arby's #08-033 \$227.; Bill's Wonderland of Pets #08-034 \$45.; Werbany Tire #08-047 \$41. All Council voted aye by roll call vote.

Motion made by Councilwoman Martz, seconded by Councilwoman Bonamassa to adopt Resolution 2008:70 to waive the plumbing permit for St. Gregory's Church in the amount of \$121. All Council voted aye by roll call vote.

Motion made by Councilman Wilson, seconded by Councilwoman Martz to adopt Resolution 2008:71 to place a Maintenance Lien on B. 4.01, L. 15 for grass cut and debris removed in the amount of \$225. All Council voted aye by roll call vote.

Resolution 2008:71 and Resolution 2008:73 was adopted but after the meeting found to not be ready for adoption. These two resolutions for ABC licenses will be acted upon at a later meeting. The Tax Clearance Certificates have not been received from the NJ Division of Taxation, which are required prior to ABC License Renewal. They are late this year in being sent by the State.

Motion made by Councilman D'Amico, seconded by Councilwoman Martz to adopt Resolution 2008:72 to appoint Seasonal DPW Laborers J. Lewis, A. Dobbins and J. Cairnes. All Council voted aye by roll call vote.

Motion made by Councilwoman Martz, seconded by Councilwoman Bonamassa to approve the Raffle License submitted by Make-A-Wish Foundation for Raffle License #2008-01. All Council voted aye by roll call vote.

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

Committee Reports:

Councilwoman Bonamassa stated she submitted her report prior to the meeting.

Councilman Wilson stated he submitted his report in writing prior to the meeting.

Councilwoman Martz stated she submitted her report in writing prior to the meeting.

Councilman Whalen stated the State will not be reviewing any local budgets until after the State approves their own budget which will probably not be until July.

Councilman D'Amico stated the camera project is almost done.

The Engineer Mr. Basehore stated the parking lot cost estimated was in this month's report regarding the lot at the new Community Center. The Safe Route to Schools grant application was filed with the State. NJEIT has allowed the revision and the rebid is set for May 28. Madison and Charles timeframe was submitted as requested with this month's report.

A motion was made by Councilman Wilson, seconded by Councilwoman Martz to adopt Resolution 2008:75 to authorize the Engineer to move forward with specs and bid for NJDOT funded project for Madison and Charles Avenues. All Council voted aye. This was based upon the information provided in the Engineer Report and enclosure "D" of February 02, 2008.

The Engineer stated also they had been in contact with FedEx regarding their basin not operating correctly. The repairs are to be made so it is a dry basin and not holding water.

The Solicitor stated he had nothing to report in open session, but had information for the closed session.

Motion made by Councilman D'Amico, seconded by Councilman Whalen to open the meeting to the public. All Council voted aye.

Peg Millisky, 318 Otterbranch Drive, Magnolia inquired to the FedEx basin. It was explained to her that the basin was to empty after a rain storm, and not hold the water. She also thanked Steve Pacella for removing the grass in the curblin.

Alex Esposito of 406 W. Brook Ave, Magnolia inquired if there were pumps in the FedEx basin. He was told there were no pumps in the basin, and it was a sand filtration system for the water.

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

Motion made Councilman Whalen, seconded by Councilman D'Amico to adopt Resolution 2008:78 for Closed Session. All Council voted aye.

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

Motion made by Councilman D'Amico, seconded by Councilwoman Martz to approve the payment of the bills as submitted by the Treasurer. All Council voted aye by roll call vote.

Motion made by Councilman Whalen, seconded by Councilwoman Martz to adopt Resolution 2008:76 for the Temporary Emergency Appropriation of \$200,000. and the downpayment of \$10,000. All Council voted aye by roll call vote.

Motion made by Councilman Wilson, seconded by Councilwoman Bonamassa to adopt Resolution 2008:77 for the Temporary Capital Budget for the \$200,000. of spending on Capital Items such as the trash truck and paving of the community center parking lot. All Council voted aye by roll call vote.

Motion made by Councilman Whalen, seconded by Councilwoman Martz to adopt Ordinance 2008:08 to allow the Bond Ordinance to fund the new trash truck and the paving of the parking lot at the Community Center with total funding in the amount of \$200,000. All Council voted aye by roll call vote.

It was agreed the May 15, 2008 meeting would be cancelled due to the conflict with the Freeholder's Meeting at the Community Center the same night. The next meeting would be a Special Meeting on May 19, 2008 at 7PM.

Motion by Councilman D'Amico, seconded by Councilwoman Martz to adjourn the meeting. All Council voted aye.

Unofficial Copy

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