

MINUTES
COUNCIL MEETING
SEPTEMBER 02, 2009
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, September 02, 2009 at 7:00 P.M. The Municipal Clerk took the roll call and showed that all were present with the exception of Councilwoman Martz and Councilman Brandt. Both had notified the Clerk of their absences. The Engineer Mr. Basehore was also present.

The Public Hearing for the Safe Route to Schools Grant began as advertised for 7:00 pm. The Borough Engineer Mark Basehore explained the Federal Funding and the requirement for this Public Hearing to educate the citizens. He had a presentation board depicting the existing ADA handicap ramps, as well as the proposed ADA ramps to be installed with the base bid of the project, the ramps with the alternate bid, and those proposed for future installations. Each set of ramps were shown in a different color. The one included in the base bid were those closest to the school which would in-fill the obvious gaps of missing ramps at intersections.

The three proposed traffic calming speed tables were also pointed out.

The Police Chief and Council Director of Public Safety commented on the Safe Route to School Grant Committee which met and finalized the areas of concern now noted on the presentation map.

Motion made by Councilman Wilson, seconded by Councilman DePrince to open the Public Hearing. All Council voted aye.

During the Hearing Anthony Comella of 133 Jefferson Avenue inquired to the process on choosing the locations of the traffic calming devices. The Engineer explained the locations and the relation to the school.

The Police Chief also detailed the portion of the grant for non-infrastructure improvements which would supply needed equipment to the crossing guards and educational classes. He also noted the signage that would be installed along Warwick Road.

Motion made by Councilman Whalen, seconded by Councilman DePrince to close the Public Hearing, with all Council voting aye.

The Agenda was reviewed for the 8:00 Session.

Motion made by Councilman DePrince, seconded by Councilman Whalen to adopt Resolution 2009:122 for Closed Session. All Council voted aye.

There was a motion by Councilman Whalen, seconded by Councilman DePrince to end the 7:00 pm Session. All Council voted aye.

The 8:00 pm Session began. Note Councilman Brandt was present for the 8:00 pm session.

A motion was made by Councilman Whalen to open this portion of the meeting to the public. Councilwoman Bonamassa seconded. All Council voting aye.

Peg Millisky, 318 Otterbranch Drive inquired to the status of the Evesham Avenue railroad crossing. The Mayor explained it was going to be done and the NJDOT had a meeting this month to discuss the road detour, and the construction would begin soon after.

Anthony Comella of Jefferson Avenue inquired to the process on choosing the locations of the traffic calming devices for the Safe Route to School Project which was discussed earlier at the 7:00 pm session. The Police Chief explained the meetings of the committee and the funding was only sufficient for three speed tables.

Mr. Hill of 215 S. Warwick Road presented pictures of his dog who was attacked by a dog at 203 S. Warwick Road. The Police Chief explained to Council the issues surrounding the resident at the home where the dog lives, as well he noted the summons which were issued to the owner of the dog.

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

Motion made by Councilman Whalen, seconded by Councilman Brandt to approve the minutes of August 20, 2009. All voted aye.

OLD BUSINESS:

Vendor-Solicitor License. Richard Acquarola was present for his application to hand out flyers for his business to do chimney repairs and brick and stone pointing. He stated he was a licensed contractor. He would be handing the flyers out by himself, and when doing work he works by himself. He would be handing the flyers out during the day time. He stated his business is only done through November since it is was not done in the colder months. He stated he would only need the license through mid October.

Motion was made by Councilman DePrince, seconded by Councilman Wilson to approve the license to October 15, 2009 to hand out flyers for the chimney repair and stone and brick pointing. All Council voted aye.

Motion made by Councilwoman DePrince, seconded by Councilman Brandt to open the public hearing for Ordinance 2009:14 to repeal Chapter 222 Sex Offender Residency Prohibition. All Council voted aye. The Solicitor explained most municipalities adopted a similar Ordinance to prohibit the residency of sex offenders. He did explain Magnolia did amend the ordinance prior to change the restriction but since the State Supreme Court overruled the ordinance and declared it unconstitutional the Ordinance in whole had to be repealed.

No one from the public spoke.

Motion made by Councilman DePrince, seconded by Councilman Whalen to close the public hearing. All Council voted aye.

Motion made by Council DePrince, seconded by Councilman Brandt to repeal Chapter 222 of the Borough Code. All Council voted aye by roll call vote.

Motion made by Councilman DePrince, seconded by Councilman Whalen to open the Public Hearing on Ordinance 2009:15 to amend the 2009 Salary Ordinance for Housing Inspector. All Council voted aye.

No one from the public spoke.

Motion made by Councilman Brandt, seconded by Councilman Whalen to close the Public Hearing with all Council voting aye.

Motion made by Councilman Whalen, seconded by Councilman Brandt to adopt Ordinance 2009:15. All Council voted aye by roll call vote.

NEW BUSINESS:

Motion made by Councilman DePrince, seconded by Councilman Whalen to open the Public Hearing for the CDBG Modification of the funding years 29, 30 and 31 which were all previously committed by Council for Jackson Avenue. Since the funding had to be utilized but was not sufficient to fund what was desired on Jackson Avenue, the desire of the Council has been to redirect the funding to East Madison Avenue reconstruction which would include ADA handicap ramps at the intersections, and a portion of the year 31 to help fund handicap ramps for the Safe Route to School Grant Program. The proper advertisement was completed on August 18, 2009. No public comments or concerns were stated at the Public Hearing.

Motion was made by Councilman DePrince, seconded by Councilman Brandt to adopt Resolution 2009:129 to approve the modification of CDBG funding years 29, 30 and 31 to be redirected from Jackson Avenue to East Madison Avenue reconstruction, and a portion to fund the installation of ADA ramps in conjunction with the Safe Route to School Grant Program. All Council voted aye by roll call vote.

Motion made by Councilman Whalen, seconded by Councilman DePrince to adopt Resolution 2009:123 to authorize the execution of the CDBG Agreement for funding year 31. All Council voted aye by roll call vote.

Motion made by Councilman DePrince, seconded by Councilman Whalen to table Resolution 2009:124 for the award to the excavation bid to Sansalone Excavating LLC until the September 17, 2009 meeting. All Council voted aye.

Motion made by Councilman DePrince, seconded by Councilman Whalen to adopt Resolution 2009:125 to authorize the submission of a grant application to the NJ Division of the State Police for the Live Scan Grant. All Council voted aye by roll call vote.

Motion made by Councilman DePrince, seconded by Councilwoman Bonamassa to adopt Resolution 2009:126 to authorize the execution of the Interlocal Agreement for the Special Response Team Vehicle. All Council voted aye by roll call vote.

Motion made by Councilman DePrince, seconded by Councilwoman Bonamassa to table Ordinance 2009:17 until September 17, 2009 meeting. All Council voted aye.

Motion made by Councilwoman Bonamassa, seconded by Councilman DePrince to adopt Resolution 2009:127 to authorize the Planning Board to re-exam the Borough Master Plan. All Council voted aye by roll call vote.

Motion made by Councilman Whalen, seconded by Councilman Wilson to adopt Resolution 2009:128 to award the State Contract for sewer camera repair to Jet Vac Inc, and diesel fuel #1 to Majestic Oil Co. All Council voted aye by roll call vote.

Motion made by Councilman DePrince, seconded by Councilman Whalen to adopt Resolutoin 2009:129 to authorize the Maintenance Liens on properties which work was completed by the DPW. All Council voted aye by roll call vote.

Councilman Whalen read the Treasurer Report submitted by Robin Sarlo. Motion by Councilwoman Bonamassa, seconded by Councilman Brant to approve the report. All Council voted aye.

Roundtable:

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by completing an Open Public Record Act Request Form. Contact us
at (856)783-1520 for additional information.

Councilman Brandt stated he was getting ready for the Fall and Winter events.

Councilman Wilson read the DPW report.

The Mayor also stated Mayor Gentless from Stratford sent a letter of thanks to Magnolia for assisting in their clean up from the recent storm that hit Stratford.

Councilman DePrince read the fire company report, the police report and congratulated the Police Chief for his recent position of President of SJ Chiefs of Police Association. He also stated an analysis of the court was being completed and would be reported in October.

The Mayor reminded the Council that in October a proclamation would be done recognizing the ambulance crew that had saved a life of a resident on Lincoln Avenue.

Councilman Whalen stated the Tax Sale was set for September 24, 2009. He also stated the budget status report was given to the Department Heads, and all doing well. He stated the letter from the Borough of Magnolia was sent to the County Superintendent of Schools and the Attorney General expressing the concern of the local School Board budget increase which was not properly detailed to the residents prior to the school budget election.

Councilwoman Bonamassa stated Nick D'Amico had not had time to submit his report. She spoke of her concern with SJTP and their response times. She also spoke of the notification system which would communicate with the residents of important issue and topics.

The Engineer recommended a resolution to authorize the firm to go out to bid and receive bids for East Madison Avenue. Motion was made by Councilman Whalen, seconded by Councilman DePrince to adopt Resolution 2009:131 to authorize Bach Associates to go out to bid for East Madison Avenue and receive bids. All Council voted aye.

The Engineer stated Williams Avenue project change order is recommended to expend the \$9,000. which will be used to do curbing and driveway aprons. Motion was made by Councilman Brandt, seconded by Councilman Bonamassa to adopt Resolution 2009:132. All Council voted aye to approve the change order.

The Solicitor had nothing to report in public.

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

Peg Millisky, 318 Otterbranch Drive inquired about the idea of the camera at Tavener Park. The Mayor responded that the lack of a cable account at the park, and the park being too far from the a base receiving location a camera is not able to be installed at this time similar to other park cameras.

Anthony Comella of Jefferson Avenue inquired to the excavation bid tabled this evening for the fire house. The Clerk explained the bid and the reason for tabling.

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

Motion made by Councilman Brandt, seconded by Councilman Whalen to pay the bills. All Council voted aye by roll call.

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