

FEBRUARY 11, 2010

The South Harrison Township Committee held a regular and finance meeting on Thursday, February 11, 2010 at 6:00 and 6:30 p.m. respectively, in the South Harrison Township Municipal Building.

Mayor James McCall called the meeting to order and was followed by the flag salute.

Requirements of the "Open Public Meetings Act" were met. Notice of this meeting was given by: (1) sending sufficient notice herewith to the Today's Sunbeam of Salem and the Gloucester County Times of Woodbury; and (2) posting notice on the public bulletin board at the South Harrison Township Municipal Building.

Roll Call: Joseph Calabro - present, Robert Diaz – present, Robert Gaines – present, James McCall – present, Gary Spinner – present, Barry Lozuke, Solicitor – present, Stephen Bach, Engineer – present, Nancy Kearns, Municipal Clerk – present.

Committee Reports:

Police Department – January 2010 Report
Construction Code Official – January 2010 Report
Engineering Report – February 2010 Report

Tax Collector Report: Taxes collected for the month of January \$308,015.59.

Treasurer's Report: None

Old Business:

Ordinance O-01-01

An Ordinance of the Township of South Harrison to Exceed the Municipal Calendar Year 2010 Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14)

Public hearing and final adoption.

Open Meeting to the Public:

Motion to open the meeting to the public on this ordinance only was made by Robert Diaz, second by Robert Gaines. Motion carried.

Jack Fitzpatrick 911 Monroeville Road is opposed to this ordinance, does not want the spending increased and does not want the local taxes raised.

Close Meeting to the Public:

Motion to close the meeting to the public on this ordinance was made by Robert Diaz, second by Gary Spinner

Motion to adopt Ordinance O-10-01 was made by Robert Diaz, second by Gary Spinner.

Roll Call Vote: Joseph Calabro – yes, Robert Diaz – yes, Robert Gaines – no, James McCall – yes, Gary Spinner - yes. **R.C.V.: 4 – yes’, 1 – no’s. Motion carried**

Ordinance O-10-02

An Ordinance of the Township of South Harrison Repealing Ordinance O-09-02 “An Ordinance Establishing Confidentiality of Certain South Harrison Township Records and Proceedings”

Pubic hearing and final adoption.

Open Meeting to the Public:

Motion to open the meeting to the public on this ordinance only was made by Gary Spinner, second by Robert Gaines. Motion carried.

No questions or comments were received from the public.

Close Meeting to the Public:

Motion to close the meeting to the public on this ordinance was made by Robert Diaz, second by Gary Spinner

Motion to adopt Ordinance O-10-02 was made by Robert Diaz, second by Robert Gaines.

Roll Call Vote: Joseph Calabro – yes, Robert Diaz – yes, Robert Gaines – yes, James McCall – yes, Gary Spinner - yes. **R.C.V.: 5 – yes’, 0 – no’s. Motion carried**

Ordinance O-10-03

An Ordinance of the Township Committee of the Township of South Harrison Amending Chapter 19 Entitled “Officers and Employees”

Pubic hearing and final adoption.

Open Meeting to the Public:

Motion to open the meeting to the public on this ordinance only was made by Gary Spinner, second by Robert Gaines. Motion carried.

No questions or comments were received from the public.

Close Meeting to the Public:

Motion to close the meeting to the public on this ordinance was made by Gary Spinner, second by Robert Gaines.

Motion to adopt Ordinance O-10-03 was made by Gary Spinner, second by Robert Gaines.

Roll Call Vote: Joseph Calabro – yes, Robert Diaz – yes, Robert Gaines – yes, James McCall – yes, Gary Spinner - yes. **R.C.V.: 5 – yes’, 0 – no’s. Motion carried**

Bowman Pricing

Deputy Mayor Spinner reported on a meeting held with Henry Ludwigen and Carol McAllister of Bowman & Company regarding an invoice from 2009. The Committee will discuss this in closed session and the Mayor will contact Bowman to negotiate further on the matter.

New Business:

Letter of Resignation

Christopher Giordano read his letter of resignation effective February 12, 2010 and thanked the Chief and South Harrison Township stating that he enjoyed working for the township and gained value knowledge and experience during his four (4) years of service with the township.

Chief Mabey gave a brief history of the hiring of Officer Giordano and regrets the loss of this fine office and congratulated him, as did the Township Committee, on his acceptance with the FBI and wishes him the best in his new career path.

Motion to accept, with regret; Christopher Giordano’s resignation was made by Gary Spinner, second by Robert Diaz. Motion carried.

Resolution R-10-22

Resolution Promoting Thomas J. McWain to the Rank of Eighth Class Patrolman – Full-Time

Motion to adopt Resolution R-10-22 was made by Robert Diaz, second by Gary Spinner.

Roll Call Vote: Joseph Calabro – yes, Robert Diaz – yes, Robert Gaines – abstained, James McCall – yes, Gary Spinner - yes. **R.C.V.: 4 – yes’, 0 – no’s, 1 - abstention. Motion carried.**

Resolution R-10-23

Resolution Authorizing Participation in the Gloucester County Cooperative Purchasing Program

Resolution R-10-24

Resolution Appointing Alternate Fund Commissioner to the Municipal Joint Insurance Fund

Resolution R-10-25
South Harrison Township Resolution Awarding the 2010 Contract for Dog Census

Resolution R-10-26
Resolution Authorizing the Refund of Tax Overpayment Due to Tax Appeal

Resolution R-10-27
Resolution Authorizing Release of Maintenance Bond for Deer Run, Phase I, Major Subdivision Project at Block 6

Motion to adopt Resolutions R-10-23 through and including R-10-27, as amending was made by Gary Spinner, second by Joseph Calabro.

Roll Call Vote: Joseph Calabro – yes, Robert Diaz – yes, Robert Gaines – yes, James McCall – yes, Gary Spinner - yes. **R.C.V.: 5 – yes’, 0 – no’s. Motion carried.**

NJ State Firemen’s Association

Motion to approve Melody Shoemaker’s application to the NJ State Firemen’s Association was made by Robert Gaines, second by Gary Spinner. Motion carried.

Richwood Road Numbering

Mayor McCall reported on the meeting he and Committeeman Diaz had with the County 911 Coordinator, Thomas Mason regarding the need to address the problem with duplicate house numbers and street name in the regional Post Office, Mullica Hill. It was determined that changing the house numbers to the 1,000’s would alleviate the issue with emergency response and deliveries to the residents on Richwood Road in South Harrison Township. A letter has gone out to the Township residents advising of the change and that a resolution authorizing the change would occur at the March 10, 2010 meeting. The proposed change would take effect March 15. Another letter will be sent by registered mail, return receipt requested to the residents advising of the change and resolution scheduled for March 10, 2010.

Ordinance O-10-04

An Ordinance of the Township Committee of the Township of South Harrison Amending Chapter 90 of the South Harrison Township Code Entitled “Land Use and Development”

Introduction and first reading

Motion to adopt Ordinance O-10-04 on first reading was made by Robert Diaz, second by Joseph Calabro.

Roll Call Vote: Joseph Calabro – yes, Robert Diaz – yes, Robert Gaines – yes, James McCall – yes, Gary Spinner - yes. **R.C.V.: 5 – yes’, 0 – no’s. Motion carried.**

Public hearing and final adoption set for March 10, 2010 at 8:00 pm.

Ordinance O-10-05

An Ordinance of the Township Committee of the Township of South Harrison Amending Chapter 19 of the South Harrison Township Code entitled “Officers and Employees”

Introduction and first reading

Motion to adopt Ordinance O-10-05 on first reading was made by Gary Spinner, second by Robert Diaz.

Roll Call Vote: Joseph Calabro – yes, Robert Diaz – yes, Robert Gaines – yes, James McCall – yes, Gary Spinner - yes. **R.C.V.: 5 – yes’, 0 – no’s. Motion carried.**

Public hearing and final adoption set for March 10, 2010 at 8:00 pm.

Ordinance O-10-06

An Ordinance of the Township Committee of the Township of South Harrison Amending Chapter 4 of the South Harrison Township Code

Introduction and first reading

Motion to adopt Ordinance O-10-06 on first reading was made by Robert Gaines, second by Gary Spinner.

Committeeman Diaz raised some questions with portions of ordinance; after discussion it was determined that several of the issues should be addressed in the ordinance.

Roll Call Vote: Joseph Calabro – no, Robert Diaz – no, Robert Gaines – no, James McCall – no, Gary Spinner - no. **R.C.V.: 0 – yes’, 5 – no’s. Motion failed.**

Open Meeting to the Public:

Motion to open the meeting to the public was made Gary Spinner, second by Robert Gaines. Motion carried.

Frances Phillips 26 Lake Street addressed the Committee concerning his retaining wall that he constructed to stop water issues on his property and that the JIF insurance was not going to cover it. He is requesting that the Committee honor the decision that was made in December, by the previous Committee and reimburse him for a portion of his costs. It was determined that the retaining wall was built in the Township right-of-way and has been replaced through the construction of the new road way which will continue to keep the water run-off from affecting his property.

Janice Huggins 22 Lincoln Mill Road advised the Committee that the Public Works Department did a great job on the Township Roads during the snow storm. Ms. Huggins further stated that the County did not do so good.

Marc Nagtegaal addressed the issue of the basins in the Township and that he feels the basins are not being maintained and the issues addressed. Mr. Nagtegaal stated that the basin in Fox Haven, Phase 3 is not constructed correctly and it holds water and that a tractor has made ruts when mowing. Committeeman Spinner will contact Joe Wille, Zoning Officer regarding the basins.

Jack Fitzpatrick 911 Monroeville Road addressed the Committee stating that he feels the Committee should have a reasonable time limit on speakers. Mr. Fitzpatrick spoke about the School Board meetings and negotiations with the teachers stating that there should be no raises and the taxpayers can not afford a tax increase.

Mary Howard 4 Hollybrook Road asked about the Bowman billing and if there is an understanding that the contract will address the issue and will have a cap amount. Ms. Howard asked if the Township will be hiring a SLEO. Ms. Howard was advised that the Township is not looking to hire a SLEO at this time. Mr. Howard advised that the County Roads are terrible. Mayor McCall advised that he did call the County and will again look into the matter. The issue of the solar panels is on going and will be looked into.

Ed Crispin 681 Harrisonville Road also advised of the poor road conditions on the County Roads, citing that on Main Street the ice is across the whole road by the Post Office, and it creates a safety hazard. Mr. Crispin advised that the 911 numbering occurred in the early 90's and he tried to get last line identity at the time, but was unsuccessful. But since that time we have acquired it and people should be using it. The last line on their address should read South Harrison Township, NJ and whatever zip code delivers in their area of the Township.

Dan Webster 300 Ferrell Road congratulated the new officials on their appointments and he is volunteering his time and knowledge to help update the Township's web site. Mr. Webster will get with Committeeman Diaz regarding the web site.

Mel Robertson spoke to the Committee regarding a hole in the inlet on Lafayette Drive and that the inlet on Commissioners Road caved-in. Mr. Robertson wondered if the Township can recoup monies from any of the lawsuits. Mr. Lozuke explained that that could happen in civil claims. Committeeman Diaz advised that JIF does go after frivolous claims to recoup costs.

Close Meeting to the Public:

Motion to close the meeting to the public was made by Robert Diaz, second by Gary Spinner. Motion carried.

Closed Session: **Resolution R-10-28**
Resolution Excluding Public Participation within a Portion of a Meeting of the
Township Committee Pursuant to N.J.S.A. 10:4-12

Motion to adopt Resolution R-10-28 was made by Gary Spinner, second by Robert Diaz.

Roll Call Vote: Joseph Calabro – yes, Robert Diaz – yes, Robert Gaines – yes, James McCall – yes, Gary Spinner - yes. **R.C.V.: 5 – yes’, 0 – no’s. Motion carried.**

Return to Open Session:

Motion to return to open session was made by Robert Diaz, second by Robert Gaines. Motion carried.

Resolution R-10-29
Resolution Authorizing and Approving Settlement Agreement

Motion to adopt Resolution R-10-29 was made by Robert Diaz, second by Joseph Calabro.

Roll Call Vote: Joseph Calabro – yes, Robert Diaz – yes, Robert Gaines – yes, James McCall – yes, Gary Spinner - yes. **R.C.V.: 5 – yes’, 0 – no’s. Motion carried.**

Approve Payment of the Bills:

Motion to approve payment of the bills with the exception of 49 and 56 was made by Robert Gaines, second by Gary Spinner

Roll Call Vote: Joseph Calabro – yes, Robert Diaz – yes, Robert Gaines – yes, James McCall – yes, Gary Spinner - yes. **R.C.V.: 5 – yes’, 0 – no’s. Motion carried.**

The Committee discussed the proposal from Premier Technology Solutions, LLC to address the wiring issue and to upgrade the lines and agreed by consensus to go with the proposal.

Adjournment:

Motion to adjourn was made by Gary Spinner, second by Robert Diaz. Motion carried.

Respectfully submitted,

Nancy E. Kearns, RMC
Municipal Clerk