

MUNICIPAL BUILDING  
7:30 PM

TOWNSHIP MEETING  
MARCH 24, 2016

The township meeting of the Township Committee took place on the above date, time and place with the following being present: Mayor Eugene Kobryn, Committeeman Ray Gormley, Committeeman John Kehm, Committeewoman Lisa Stevens, Township Administrator Garrett Loesch, Township Attorney Robin LaBue, Township Engineer Jim Oris, Recording Operator Linda Cicco and Township Clerk Diana McCracken. Deputy Mayor Dave Schlick was present via Facetime.

Township Clerk Diana McCracken read the Open Public Meeting Statement and opened the meeting.

Flag Salute - Moment of Silence

*Mayor Gene Kobryn read a proclamation designating the month of April as Alcohol Awareness Month. We encourage individuals and families to get the education they need about the treatment and prevention of alcoholism.*

*Committeewoman Lisa Stevens read a proclamation designating the month of April as Autism Awareness Month. Autism New Jersey is spearheading an awareness effort in order to educate parents, professionals, and the general public about Autism and its effects. Early identification can change lives.*

**New Business / Public Comments**

Ordinance #2016-02 (Introduction and First Reading)

Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, authorizing the increase of final appropriations to exceed the municipal budget appropriation limits for CY 2016 and to establish a cap bank pursuant to N.J.S.A. 40A:4-45.15 [final appropriations to be increased by 3.5% amounting to \$635,991.00]

*Township Administrator Garrett Loesch explained every year we create a cap bank following state standards. We are not spending up to 3.5% however this allows us to place monies into a cap bank, it is considered prudent in the business.*

Motion to Introduce: Kehm

Second: Stevens

Roll Call:	Gormley	<u>Yes</u>
	Kehm	<u>Yes</u>
	Stevens	<u>Yes</u>
	Schlick	<u>Yes</u>
	Kobryn	<u>Yes</u>

Motion to Open to Public: Stevens

Second: Kehm

All in favor

*Mayor Kobryn explained this process involves items one through eleven. He asked the public if they would prefer to choose certain items and bypass others or go through each one. The residents stated they would prefer to go through each item.*

Mayor Kobryn read Resolution #2016-82 and asked for public comments.

Ms. Pat Johnson: Mentioned a few years ago people came together in Little Egg Harbor to establish the open space tax. She asked if it was a penny or two cents.

Township Administrator Garrett Loesch stated it was one penny.

Ms. Pat Johnson: Stated she believes last year the town reduced it to half a penny.

Township Administrator Garrett Loesch explained after Sandy it was reduced to a quarter of a penny which is good only year-to-year. Since we are still recovering from Sandy effects, the recommendation he made to the committee was to continue to reduce it to a quarter of a penny.

Ms. Pat Johnson: Verified this is a continuation.

Township Administrator Garrett Loesch stated yes it is.

Mr. Pete Ferwerda: Asked if the Environmental Commission is proactive in the selection of the products that are being used and money being spent to ensure we are going after ecologically sensitive lands rather than just buying land for the sake of buying land.

Township Attorney Robin LaBue explained the resolution we are discussing at this time is regarding open space tax. He may address his concerns during the public portion of the meeting.

Mayor Kobryn read Resolution #2016-83 and asked for public comments.

No public comment.

Mayor Kobryn read Resolution #2016-84 and asked for public comments.

No public comment.

Mayor Kobryn read Resolution #2016-85 and asked Police Chief Rich Buzby to explain this resolution.

Police Chief Buzby stated this is a personnel matter and should not be discussed.

Mayor Kobryn asked for public comment.

No public comment.

Mayor Kobryn read Resolution #2016-86 and explained the Natural Lands Trust Committee made a recommendation to move this forward to our governing body with a resolution. He asked for public comments.

Ms. Donna Doherty: Asked if the letter from the Environmental Commission was read into the minutes at this time.

Mayor Gene Kobryn stated he believes it was read at the last Natural Lands Trust meeting.

Ms. Donna Doherty: Asked if all the committee members have a copy of it.

Mayor Gene Kobryn explained he is not sure if they all have a copy however it was read at the last Natural Lands Trust meeting.

Ms. Donna Doherty: Would like to see that it was read in and all committee members have a copy of it.

Mayor Gene Kobryn stated it will be done.

Ms. Donna Doherty: Emphasized much of the preserved land in Little Egg Harbor is not buildable because of wetlands and marshes. The taxes from the townhouses will not support future children attending our schools, trash and recycling pick-up, police and our road department. The Environmental Commission recommends the preservation of the 80 acres on

*the south side of Mathistown Road for our youth and for all of us. This land is a natural resource and should be preserved for the future.*

*Ms. Florence Conway: Stated the town does not need more housing. There are many empty homes in need of rehabilitation and she would prefer the efforts go into repairing the old instead of building new.*

*Mr. Art Mooney: Asked for the sale price of this parcel of land.*

*Mayor Gene Kobryn stated based on the hearing at the last meeting the price was 5.3 million dollars.*

*Township Engineer Jim Oris believes the property is appraised at 5.5 million dollars. The county is purchasing the property for 5.4 million dollars about \$100,000 below the appraised value. It is a county purchase with no financial obligation or commitment from the Township of Little Egg Harbor.*

*Mr. Art Mooney: According to the Ocean County appraisal on the property it is appraised at two thousand dollars. He asked if there is any irregularity in that.*

*Township Engineer Jim Oris believes Mr. Mooney's facts are incorrect. He may be talking about the assessed value which is the Little Egg Harbor tax assessment and not an appraised property value. The property is appraised based on its highest and best use and has an approval for 168 townhome units which is what the appraisal is based on.*

*Mr. Art Mooney: The Ocean County site states it's two million six hundred thousand dollars.*

*Township Engineer Jim Oris stated that is the assessed value and not what the purchase is based on; it is based on the appraised value. Because they are using open space money, they hire two qualified appraisers that do an appraisal of the property and use that to base the value of the property for the purchase.*

*Mr. Art Mooney: Mentioned he would like that appraisal done to his house.*

*Township Engineer Jim Oris explained it wouldn't work that way because his property is not an undeveloped tract that is currently being assessed as a vacant piece of land. The appraisal is based on what its highest and best use would be.*

*Mr. Art Mooney: Stated so one looking at this would be given an erroneous number on the value of that land. It's not really appraised at two million sixty thousand dollars.*

*Township Engineer Jim Oris explained it's appraised at 5.5 million dollars.*

*Mr. Art Mooney: At the last presentation of the property there was an anonymous letter going around to the residents of Mystic Shores in support of it. He asked if the town found out who wrote the letter.*

*Mayor Kobryn stated he and the committee are not aware of any letter.*

*Ms. Katherine Halifko: Explained she lives directly behind the proposed site and believes this area cannot support 180 homes and new families and questioned where all these new residents will find work. We have a lot of senior citizen developments in this area which is a good thing; we pay our taxes and take little from the community. She expressed her concerns regarding who will be moving here if the state takes over Atlantic City. The town needs a plan to keep it a tourist destination with restaurants, boating, fishing and things of that nature.*

*Mr. Chris Kulkosky: Spoke in favor of preserving the land on Mathistown Road and other parcels previously preserved.*

*Ms. Jean Rhoades: Mentioned she attended the Natural Lands Trust meeting last week and is in favor of preserving the land. She read in the paper that the Ocean County Freeholders stated it is up to the people of Little Egg Harbor to decide if the land is preserved.*

*Mr. Peter Ferwerda: Questioned the true value of the land and what the difference is between the assessed value and the appraised value.*

*Township Engineer Jim Oris explained the assessed value is the value that the Tax Assessor places on the property based on its current state. It's assessed at about 2 million dollars as vacant land.*

*Mr. Peter Ferwerda: Questioned the assessment of 2 million dollars and the appraisal of 5.5 million dollars.*

*Township Engineer Jim Oris stated with regards to the appraised value of the property, the appraisal company took into account that the property has an approval for 168 townhomes. Once that map is filed, the Tax Assessor would then change the assessed value to reflect that it is now a filed subdivision which is when there would be a change in the assessed value. As improvements are built they would also evaluate and assess the property differently. We have an assessed value of vacant land of 2 million dollars and an appraised value for the highest and best use at 5.5 million dollars.*

*Mr. Peter Ferwerda: final comment was that if the final map has not been filed then it has not reached the guarantee that the right is absolute because many things can happen between board approval and it being filed.*

*Township Engineer Jim Oris stated that is a good point but the difference is the Municipal Land Use Law allows protection to a project that has approval and this property has those protections which is why the property was appraised at its highest best use which is the 168 townhomes.*

*Mayor Gene Kobryn stated the seller has agreed to pay the taxes for the first two years.*

*Township Engineer Jim Oris explained Ocean County under their normal operations will pay the tax due under the current year however the property owner and the county have entertained the concept of paying an additional year for a total of two years with the governing body's approval. Committeewoman Lisa Stevens asked if the taxes paid by the county would be fair market value.*

*Township Engineer Jim Oris stated it would be the taxes as they are currently assessed.*

*Mayor Kobryn read Resolution #2016-87 and asked for public comments.*

*No public comment.*

*Mayor Kobryn read Resolution #2016-88 and asked for public comments.*

*No public comment.*

*Mayor Kobryn read Resolution #2016-89 and asked the Administrator for an explanation.*

*Township Administrator Garrett Loesch explained the County Tax Board requested a more descriptive resolution from municipalities. This allows the Tax Assessor and Tax Attorney for the Township to handle tax appeals under different circumstances.*

*Mr. Art Mooney: Asked if this will cost the taxpayers money for the additional service of the Tax Assessor.*

*Township Administrator Garrett Loesch explained it is included in his salary range.*

*Mayor Kobryn read Resolution #2016-90 and asked for public comments.*

*No public comment.*

**Review of township expenditures***Mayor Kobryn asked for public comments.**No public comment.*

Motion to Close: Gormley

Second: Kehm

Roll Call:	Gormley	<u>Yes</u>
	Kehm	<u>Yes</u>
	Stevens	<u>Yes</u>
	Schlick	<u>Yes</u>
	Kobryn	<u>Yes</u>

## Resolution #2016-82

Authorizing the reduction of Open Space Tax pursuant to N.J.S.A. 40:12-15.7(b) for CY2016  
*[reduction to 1/4 of a penny]*

Motion to Approve: Kehm

Second: Gormley

Roll Call:	Gormley	<u>Yes</u>
	Kehm	<u>Yes</u>
	Stevens	<u>Yes</u>
	Schlick	<u>Yes</u>
	Kobryn	<u>Yes</u>

## Resolution #2016-83

Introduction of Municipal Budget

Motion to Introduce: Gormley

Second: Stevens

Roll Call:	Gormley	<u>Yes</u>
	Kehm	<u>Yes</u>
	Stevens	<u>Yes</u>
	Schlick	<u>Yes</u>
	Kobryn	<u>Yes</u>

## Resolution #2016-84

Authorizing the Administrator to interview and hire a per-diem Inspector for the Construction  
 Office *[inspector to be utilized for on-call employment]*

Motion to Approve: Kehm

Second: Gormley

Roll Call:	Gormley	<u>Yes</u>
	Kehm	<u>Yes</u>
	Stevens	<u>Yes</u>
	Schlick	<u>Yes</u>
	Kobryn	<u>Yes</u>

## Resolution #2016-85

Amending Resolution #2016-78 *[removing the hiring of John J. Covone]*

Motion to Approve: Stevens

Second: Kehm

Roll Call:	Gormley	<u>Abstain</u>
	Kehm	<u>Yes</u>
	Stevens	<u>Yes</u>
	Schlick	<u>Yes</u>
	Kobryn	<u>Yes</u>

## Resolution #2016-86

In support of the acquisition of open space in Little Egg Harbor Township *[supporting the acquisition by the Ocean County Natural Lands Trust Fund Advisory Committee of Block 325, Lot 4, Mathistown Road ]*

*Committeeman Gormley explained the Open Space Committee meets on an annual basis and is a dedicated group who volunteer their time and deserve a lot of credit for all they do.*

*Committeewoman Stevens spoke in favor of open space.*

Motion to Approve: Stevens	Second: Kehm	Roll Call:	Gormley	<u>Yes</u>
			Kehm	<u>Yes</u>
			Stevens	<u>Yes</u>
			Schlick	<u>Yes</u>
			Kobryn	<u>Yes</u>

## Resolution #2016-87

Authorizing the execution of a Shared Services Agreement with the County of Ocean for FY 2016 Child Restraint Program Grant *[annual program with the Ocean County Sheriff's Office to cover the cost of overtime expenses for services performed by officers assigned to the Child Restraint Group]*

Motion to Approve: Kehm	Second: Gormley	Roll Call:	Gormley	<u>Yes</u>
			Kehm	<u>Yes</u>
			Stevens	<u>Yes</u>
			Schlick	<u>Yes</u>
			Kobryn	<u>Yes</u>

## Resolution #2016-88

Endorsing the submission of the 2016 Recycling Tonnage Grant Application to the Department of Environmental Protection *[grant monies are used to develop new recycling programs and to continue and expand existing programs]*

Motion to Approve: Gormley	Second: Kehm	Roll Call:	Gormley	<u>Yes</u>
			Kehm	<u>Yes</u>
			Stevens	<u>Yes</u>
			Schlick	<u>Yes</u>
			Kobryn	<u>Yes</u>

## Resolution #2016-89

Authorizing the Tax Assessor as Agent in filing Petition of Appeals and Roll-Back Complaint forms *[to file a petition of appeal or complaint with the Ocean County Board of Taxation to correct erroneous assessments]*

Motion to Approve: Stevens	Second: Kehm	Roll Call:	Gormley	<u>Yes</u>
			Kehm	<u>Yes</u>
			Stevens	<u>Yes</u>
			Schlick	<u>Yes</u>
			Kobryn	<u>Yes</u>

## Resolution #2016-90

Authorizing various tax refunds for 203 Oak Lane [refund is due to a duplicate payment made by the mortgage company and the title company]; 399 Thomas Avenue [refund is due to a decrease in assessed value]; and 24 Galley Way [refund is due to a duplicate payment made by the mortgage company and K. Hovnanian American Mortgage]

Motion to Approve: Gormley

Second: Kehm

Roll Call: Gormley YesKehm YesStevens YesSchlick YesKobryn Yes

## Resolution #2016-91

## Bill Resolution

Current Account \$1,919,065.93

Third Party \$ 167,113.16

Total \$2,086,179.09

Motion to Approve: Stevens

Second: Kehm

Roll Call: Gormley YesKehm YesStevens YesSchlick YesKobryn Yes

## Miscellaneous Approvals

❖ Raffle Application for St. Theresa's Church Chinese Auction on June 4, 2016

❖ Raffle Application for St. Theresa's Church 50/50 on June 4, 2016

Motion to Approve: Gormley

Second: Stevens

Roll Call: Gormley YesKehm YesStevens YesSchlick YesKobryn Yes

## Township Engineer

Jim Oris reported the NJDOT Route 9 Paving Project consists of road resurfacing from New Gretna north to West Creek. This project will overlap the Walmart project so there will be a high activity of paving which will be done at night and there will be some delays. It is set to begin around May 15 and continue through September 15. The NJDEP has announced a grant program for a Recreation Trails project which the governing applied for in the past. We may want to apply again this upcoming year because there is up to \$24,000.00 available. There is a match which is 25% and the applications are due May 1. Additionally, at this time we do not have a date scheduled for the Park-N-Ride meeting with Ocean County however we are working on getting it scheduled.

## Township Committee Comments

Gormley: Praised residents for caring about their community and preserving open space.

Kehm: Reiterated Committeeman Gormley's comments. Spoke about the benefits of open space.

Stevens: Very pleased residents attended the Land Trust meeting in support of open space.

*Schlick: Via Facetime he apologized he could not physically attend the meeting and thanked residents for attending this evening.*

*Kobryn: In the past it was requested that we meet with the Pinelands Regional High School Superintendent. We are scheduling that meeting in the next couple of weeks to discuss what our role will be as Liaison to the Board of Education.*

Motion to Open: Gormley

Second: Kehm

All in Favor

#### Public Comments

*Mr. Peter Ferwerda: Asked if the total cost of the introduced budget is above or below what we paid last year.*

*Township Administrator Garrett Loesch explained the amount to be raised by taxation, the tax levy which is looked at the most was reduced by \$549,000.00 which will give a 3.5 cent reduction to the tax rate.*

*Ms. Florence Conway: Expressed her concern for off road vehicles destroying open space land and requested signs being posted to prevent it.*

*Ms. Katherine Halifko: Thanked the committee for preserving the land for open space.*

*Mr. Al Visconti: Commented on the committee's voting process and made suggestions.*

*Ms. Jean Rhodes: Was very pleased with Mr. Oris's presentation at the Natural Land Trust meeting. There was a lot of time and effort put into it and she is happy with the outcome.*

*Mayor Gene Kobryn thanked Pat Johnson of the Sandpaper for the excellent article she wrote on the subject.*

*Mr. Richard Longshore: Asked Mr. Loesch when copies of the proposed budget will be available for public inspection.*

*Township Administrator Garrett Loesch stated the proposed budget will be available first thing Monday morning at the Township Clerk's Office.*

*Mr. Richard Longshore: Asked if there is a date set for the budget workshop.*

*Township Administrator Garrett Loesch stated Monday, April 11, at 2pm in the courtroom.*

*Mr. Richard Longshore: Stated with the increase of public turnout at the meetings, he expected more questioning from members of the Committee regarding the financial affairs of the township.*

*Committeeman John Kehm explained the Committee has time to review the expenditures and discuss items with the Administrator prior the meeting.*

*Mayor Gene Kobryn explained the governing body has an opportunity to review the bill list prior to the meeting so if there are any questions, they can be discussed with the Administrator at that time. The bills must be paid for services rendered which is what we are voting on.*

*Mr. Richard Longshore: Stated he is not questioning the payment of an invoice; he is questioning the lack of disclosure to the public regarding the financial position of the township from month to month. There has been no discussion at any of the meetings he has attended this year. He also observed some of the resolutions and ordinances are not self explanatory such as Ordinance #2016-02. More information should be provided and more public discussion.*

*Mayor Gene Kobryn explained tonight's ordinance is an introduction and first reading and not a public discussion item.*

*Mr. Richard Longshore: Asked when a discussion will take place on whether to have a 3.5% bank cap.*

*Mayor Gene Kobryn stated it will take place at the second reading on April 14.*

*Mr. Richard Longshore: Suggested a statement of rationale for why the number should be 3.5% and asked if the bank cap requirement is 3.5%.*

*Township Administrator Garrett Loesch explained that is the suggested number given by the state.*

*Mr. Richard Longshore: Stated it would be beneficial to have some statement why this is fiscal prudence on the part of the township so the citizens could understand that.*

*Committeewoman Lisa Stevens explained we have a Sunshine Law and the committee cannot have discussions together unless they are in executive session. She explained she'll meet with the Administrator or the Township Engineer with any questions she has regarding meeting items so she better understands it herself.*

*Mr. Richard Longshore: Stated he appreciates Ms. Stevens' efforts but what we are striving for is greater transparency and a better understanding of how decisions are made.*

*Committeeman John Kehm explained we are only introducing the budget tonight, there will be a workshop where residents can ask questions and if there is some kind of concern that you feel that maybe something needs to be cut out of or reduced from the budget we can still do that.*

*Township Administrator Garrett Loesch explained the introduced budget can be amended.*

*Mr. Jamie Carnes: Does not agree with the time of the budget workshop. It is at 2pm when many residents are working.*

*Township Administrator Garrett Loesch explained a budget workshop is done voluntarily by the town to provide more transparency and educate the public.*

*Committeeman John Kehm stated a budget workshop is not mandated by the State the governing body and the CFO have decided to have one.*

*Mr. Jamie Carnes: Appreciates the township having a budget workshop.*

*Committeeman Ray Gormley encouraged anyone to get a copy of the budget, review it, and if you have any questions feel free to ask the governing body.*

*Mr. Art Mooney: Commented this is the first time in his fourteen years here in Little Egg Harbor that the tax rate went down and thanked the governing body for their efforts.*

*Mr. Peter Ferwerda: Suggested the department heads present to the committee with a wish list for money for the fiscal year prior to the introduction of the budget to enhance transparency.*

Motion to Close to Public: Gormley

Second: Kehm

All in favor

*Mayor Gene Kobryn announced before the meeting is adjourned he has an unpleasant announcement to make. Within this township in the last three months and some prior there has been a certain amount of upheaval going on within the organization. In that regard I have prepared a statement which I must read.*

*Mayor Gene Kobryn read the following statement:*

*It was brought to my attention that a clandestine secret investigation targeting certain township employees has been ongoing without my knowledge and has cost the tax payers approximately \$5,000.00. This has caused our Public Works Director Patrick Donnelly, one of the best in Ocean County to resign his position. (Hopefully he will reconsider and stay.) I have no recourse at this time but to issue the following directives.*

*1.) To our Township Administrator Garrett Loesch; prepare a request for proposal (RFP) for outside council to advise and direct a full investigation of all matters related to employee*

complaints, charges, and conflicts of interest and other items deemed relevant to this investigation.

2.) Direct Labor Council Geitz to suspend all contract negotiations until these poisonous conditions at town hall are settled. Personal agendas are distorting dialogue at this time!

These personal agendas are detrimental to the health and welfare of our employees.

Mayor Kobryn stated this statement is for the record.

Resolution #2016-92

Resolution of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the convening of an Executive Session in accordance with the Open Public Meetings Act for matters of contract. No formal action will be taken.

Motion to Approve: Stevens	Second: Gormley	Roll Call: Gormley	<u>Yes</u>
		Kehm	<u>Yes</u>
		Stevens	<u>Yes</u>
		Schlick	<u>No</u>
		Kobryn	<u>No</u>

Being no further business

Motion to Adjourn: Kehm

Second: Stevens

All in favor

Respectfully submitted,

*Diana K McCracken, RMC*

Diana K. McCracken, RMC  
Township Clerk