

MUNICIPAL BUILDING  
7:30 PM

TOWNSHIP MEETING  
AUGUST 11, 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, Deputy Mayor Dave Schlick, Committeeman Ray Gormley, Committeeman John Kehm, Committeewoman Lisa Stevens, Township Administrator Garrett Loesch, Township Attorney Robin LaBue, Township Engineer Jason Worth, Recording Operator Robin Schilling and Township Clerk Diana McCracken.

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

Flag Salute - Moment of Silence

*Mayor Gene Kobryn and the Township Committee presented Margaret DePergola with a plaque thanking her for her many years of service within the town and wished her a happy retirement.*

Public Comments

Resolution #2016-162

Authorizing the hiring of a temporary clerk for the Tax Collector's office [*Maria Hanna at a rate of \$11.25 per hour to fill in for an employee going on maternity leave*]  
*No public comment.*

Resolution #2016-163

Authorizing the execution of a Collective Bargaining Agreement with the Superior Officers Association of the Little Egg Harbor Township Police Department [*January 1, 2015 – December 31, 2018, Collective Bargaining Agreement incorporates the language of the Memorandum of Agreement approved on May 26, 2016*]  
*Mr. Peter Ferwerda: Asked if there is a monetary amount in this agreement.*  
*Township Administrator Garrett Loesch explained the contract.*  
*Township Attorney Robin LaBue mentioned this agreement does not authorize increases.*

Resolution #2016-164

Accepting the retirement of and authorizing the compensation of accumulated time to Margaret DePergola [*total payout of \$1,779.80 shall be made in a one-time payment*]  
*No public comment.*

Resolution #2016-165

In support of the New Jersey Department of Transportation establishing a "No Passing Zone" along Route 9 from Mathistown Road to Otis Bog Road  
*No public comment.*

Resolution #2016-166

Amending Resolution #2016-03 [*due to staff changes remove Matthew J. Dorry, Esq. and add Morgan R. Montano, Esq.; Ronald Deligny, Esq; and Alexander Becker, Esq of the firm Citta, Holzapfel & Zabarsky as Alternate Municipal Prosecutors*]

*Township Administrator Garrett Loesch explained this is a housekeeping item.  
No public comment.*

**Resolution #2016-167**

*Amending Resolution #2016-56 [to include in the grant application the State Share: \$60,000, Local Match: \$154,990, and Project Total: \$214,990]  
Township Administrator Garrett Loesch gave further explanation on this amendment.  
No public comment.*

**Resolution #2016-168**

*Authorizing the execution of the Community Development Block Grant Urban County Qualification FY 2017-2019 Cooperative Agreement [every three years, HUD requires the County and its municipalities to qualify or requalify its entitlement status as an urban county]  
Township Engineer Jason Worth explained this agreement and recommends moving forward with it.  
No public comment.*

**Resolution #2016-169**

*Authorizing the contribution of an additional \$2,000 for the Municipal Shared Services Defense Agreement [the amount is hereby authorized to be used for the costs of expert reports, testimony and costs through the trial in this matter]  
Township Attorney Robin LaBue provided a brief update.  
No public comment.*

**Resolution #2016-170**

*Authorizing the purchase of a 2017 Rack Body Recycling Truck for the Department of Public Works  
Township Administrator Garrett Loesch explained the need for the Rack Body Recycling Truck which will be purchased entirely with recycling funds.  
No public comment.*

**Resolution #2016-171**

*Certifying tax liens for costs incurred in accordance with the Property Maintenance Code [unpaid property violations for a total of \$6,277.50]  
Township Administrator Garrett Loesch explained the process of recuperating the fees.  
No public comment.*

**Resolution #172**

*Authorizing tax refund for 140 South Commodore Drive [\$250.00, the refund is due to a disabled veterans status]  
No public comment.*

*Review of township expenditures  
No public comment.*

*Lieutenant Mike Hart gave a presentation on the overall activities within the Police Department for the month of July.*

*Mayor Kobryn read a brief prepared statement regarding the ongoing investigation.*

Motion to Close: Kehm

Second: Gormley

All in favor

Old Business: **Anticipated Action for this evening**

Ordinance #2016-04 **(Second Reading and adoption)**

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending and supplementing Chapter 273 of the Township Code entitled "Property Maintenance" so as to add Article II entitled "Control of Invasive Plants"  
*Township Attorney Robin LaBue explained this ordinance.*

Motion to Open: Gormley                      Second: Stevens                      All in favor

*Ms. Nancy Weiss: Asked how this is monitored.*

*Township Attorney Robin LaBue explained the process.*

*Ms. Trish Kilmurray: Discussed a property maintenance issues she is experiencing.*

*Mr. Tom Sophka: Spoke about the damage caused by a Japanese plant in our area.*

Motion to Close: Kehm                      Second: Schlick                      All in favor

Motion to Adopt: Stevens	Second: Kehm	Roll Call:	Gormley	Yes
			Kehm	Yes
			Stevens	Yes
			Schlick	Yes
			Kobryn	Yes

New Business

Ordinance #2016-05 **(Introduction and First Reading)**

Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Providing for various general improvements and other related expenses in and for the Township of Little Egg Harbor and appropriating \$3,495,000 therefor and providing for the issuance of \$3,320,250 in bonds or notes of the Township of Little Egg Harbor to finance the same

*Township Administrator Garrett Loesch discussed the capital improvements.*

*Committeeman John Kehm questioned how it will affect the tax rate.*

*Township Administrator Garrett Loesch gave a brief explanation.*

*Lieutenant Mike Hart explained the issues the police department is having with communication.*

*Committeewoman Lisa Stevens questioned the interest rate.*

Motion to Introduce: Schlick	Second: Kehm	Roll Call:	Gormley	Yes
			Kehm	Yes
			Stevens	Yes
			Schlick	Yes
			Kobryn	Yes

Ordinance #2016-06 **(Introduction and First Reading)**

Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, repealing Chapter 374 and amending in its entirety Chapter 293 of the Township Code of the Township of Little Egg Harbor, which shall be entitled "Solid Waste and Recycling Collection"

*Township Attorney Robin LaBue explained the amendment of this chapter.*

Motion to Introduce: Gormley      Second: Schlick      Roll Call:

Gormley	<u>Yes</u>
Kehm	<u>Yes</u>
Stevens	<u>Yes</u>
Schlick	<u>Yes</u>
Kobryn	<u>Yes</u>

**Ordinance #2016-07      (Introduction and First Reading)**

Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending and supplementing Chapter 273 of the Township Code of the Township of Little Egg Harbor, entitled "Property Maintenance"

*Township Attorney Robin LaBue explained the property maintenance process.*

Motion to Introduce: Stevens      Second: Schlick      Roll Call:

Gormley	<u>Yes</u>
Kehm	<u>Yes</u>
Stevens	<u>Yes</u>
Schlick	<u>Yes</u>
Kobryn	<u>Yes</u>

**Ordinance #2016-08      (Introduction and First Reading)**

Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending and supplementing Chapter 15 of the Township Code of the Township of Little Egg Harbor entitled "Land Use and Development" [*§15-12.17 entitled "Fences"*]

*Township Attorney Robin LaBue explained this ordinance.*

Motion to Introduce: Stevens      Second: Schlick      Roll Call:

Gormley	<u>Yes</u>
Kehm	<u>Yes</u>
Stevens	<u>Yes</u>
Schlick	<u>Yes</u>
Kobryn	<u>Yes</u>

**Resolution #2016-162**

Authorizing the hiring of a temporary clerk for the Tax Collector's office

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 #2016-163**

Authorizing the execution of a Collective Bargaining Agreement with the Superior Officers Association of the Little Egg Harbor Township Police Department

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 #2016-164

Accepting the retirement of and authorizing the compensation of accumulated time to Margaret DePergola

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 #2016-165

In support of the New Jersey Department of Transportation establishing a "No Passing Zone" along Route 9 from Mathistown Road to Otis Bog Road

Committeewoman Lisa Stevens questioned the need for the town to do a resolution being this is a state road.

Township Engineer Jason Worth explained it is requested by the NJDOT.

Motion to Approve: Stevens

Second: Schlick

Roll Call:

Gormley	<u>Yes</u>
Kehm	<u>Yes</u>
Stevens	<u>Yes</u>
Schlick	<u>Yes</u>
Kobryn	<u>Yes</u>

Resolution #2016-166

Amending Resolution #2016-03

Motion to Approve: Stevens

Second: Kehm

Roll Call:

Gormley	<u>Yes</u>
Kehm	<u>Yes</u>
Stevens	<u>Yes</u>
Schlick	<u>Abstain</u>
Kobryn	<u>Yes</u>

Resolution #2016-167

Amending Resolution #2016-56

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 #2016-168

Authorizing the execution of the Community Development Block Grant Urban County Qualification FY 2017-2019 Cooperative Agreement

Motion to Approve: Gormley

Second: Schlick

Roll Call:

Gormley	<u>Yes</u>
Kehm	<u>Yes</u>
Stevens	<u>Yes</u>
Schlick	<u>Yes</u>
Kobryn	<u>Yes</u>

## Resolution #2016-169

Authorizing the contribution of an additional \$2,000 for the Municipal Shared Services Defense Agreement

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 #2016-170

Authorizing the purchase of a 2017 Rack Body Recycling Truck for the Department of Public Works

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 #2016-171

Certifying tax liens for costs incurred in accordance with the Property Maintenance Code

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

## Resolution #2016-172

Authorizing tax refund for 140 South Commodore Drive

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 #2016-173

## Bill Resolution

Current Account	\$5,188,726.49
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Third Party	<u>\$ 154,283.54</u>
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Total	\$5,343,010.03
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Motion to Approve: Schlick	Second: Kehm	Roll Call:	Gormley	<u>Yes</u>
			Kehm	<u>Yes</u>
			Stevens	<u>Yes</u>
			Schlick	<u>Yes</u>
			Kobryn	<u>Yes</u>

#### Miscellaneous Approvals

- Township meeting minutes from July 14, 2016
- Raffle license for Rotary Club of Great Bay 50/50 raffle on October 14, 2016 at Sea Oaks Country Club
- Raffle license for Mystic Island Cooperative Association daily pull-tab tickets
- Raffle license for Lacey Football Foundation 50/50 raffle on September 30, 2016 at Cuisine on the Green
- Raffle license for Lacey Football Foundation gift basket auction on September 30, 2016 at Cuisine on the Green
- Raffle license for Amusement Association 50/50 raffle on September 20, 2016 at Sea Oaks Country Club
- Raffle license for Mystic Island American Legion Post 493 50/50 raffle on October 16, 2016
- Raffle license for Cervetto's Craftsmans Club 50/50 raffle on August 27, 2016 at Parkertown Fire House

Motion to Approve: Stevens                      Second: Schlick                      All in favor

*Gormley abstained on the meeting minutes from 7/14/16.*

*Schlick abstained on Raffle Application for the Great Bay Rotary Club 50/50.*

*Kehm abstained on Raffle License for Cervetto's Craftsman Club 50/50.*

#### Township Engineer

*Jason Worth reported a preconstruction meeting was held for the Streetscape Improvement Project and work should begin sometime after Labor Day. The Mavis Tire Center Project on Route 9 is in the beginning stages of clearing the land. Lastly, he gave an update on the paving of East Playhouse Drive.*

#### Township Committee Comments

*Gormley: Commended county employees for resolving a potentially dangerous issue on Parkertown Drive.*

*Kehm: Discussed the abandoned properties in town and ways to resolve the issue.*

*Stevens: No comment.*

*Schlick: Spoke about the police department and animal control.*

*Kobryn: Read a prepared statement regarding the ongoing investigative report and transparency.*

Motion to Open: Stevens                      Second: Gormley                      All in favor

#### Public Comments

*Dr. Theresa Triolla: She is a staff representative for AFSCME and spoke about resolving the contracts for the white and blue collar employees.*

*Mayor Gene Kobryn explained the committee will be discussing contracts in closed session this evening.*

*Ms. Joy MacDonald: Expressed her concerns regarding the amount of feral cats in town.*

*Mr. Phil Fusitolla: Spoke about left turn issues on Mathistown Road and Route 9.*

*Township Engineer Jason Worth explained the DOT is looking into it.*

*Mr. Carl Ulrich: Discussed his interest in running for township committee.*

*Mr. Ed Gautier: Spoke in favor of transparency within the township.*

*Mr. Peter Ferwerda: Expressed his concerns regarding township expenditures.*

*Mr. Roman Krochmal: Questioned the contents of discussion in closed session.*

*Township Attorney Robin LaBue gave a brief explanation of what will take place this evening.*

*Mr. Keith Gould: Questioned the need for an outside financial consultant.*

*Mr. John Barrett: Spoke in favor of the township CFO.*

*Mr. Jack Baker: Reiterated Mr. Barrett's comments.*

*Ms. Summer Fairel: Discussed her views of the township committee members and the administrator.*

*Mr. Jacob Gilbert: Asked for telecommunication information.*

*Township Administrator Garrett Loesch explained procedures.*

Motion to Close: Gormley

Second: Kehm

All in favor

Executive Session

Resolution #2016-174

Authorizing the convening of an Executive Session in accordance with the Open Public Meetings Act; matters of discussion are:

- Discussion of report from special counsel
- Discussion of Memorandum of Agreement with Department Heads
- Discussion of Memorandum of Agreement with Government Workers Union (Telecommunicators)
- Potential appointment of Deputy/Assistant Tax Collector

Motion to Approve: Kehm

Second: Stevens

Roll Call:

Gormley	Yes
Kehm	Yes
Stevens	Yes
Schlick	Yes
Kobryn	Yes

*Mayor Gene Kobryn called for a brief recess from 9:03pm to 9:10pm.*

*Mayor Kobryn announced formal action may be taken on all the Executive Session items.*

*Township Attorney Robin LaBue stated this is part of a discussion that usually takes place in closed session therefore there is no right to public comment except members of the committee and special counsel at this time.*

*Mayor Kobryn asked the committee to allow the public to express their opinion.*

*Based on the format of the township meetings, Special Council Perillo concurred with public participation.*

*All committee members agreed to allow public comments.*

*Attorney Christopher Gray, introduced himself as Council for Garrett Loesch. He stated that Mr. Loesch consents to the release of the report to the public*

*Attorney Salvatore Perillo discussed the findings of his investigation.*

Public Comments

Mr. Ed Gautier: Stated he would like to see the report and disagrees with what is going on.

Mr. Peter Ferwerda: Believes this matter should continue at the September meeting.

Mr. Ed Nuttall: As a former committee member he gave his input on the issue.

Attorney Christopher Gray: Expressed his views on the investigation and spoke in favor of the Township Administrator.

Mr. Ed Andrew: Expressed his disappointment with what is taking place.

At 10:22pm the committee goes into closed session.

Motion to Close Executive Session and Reconvene Regular Township Meeting  
 Motion to Approve: Stevens                      Second: Gormley      Roll Call:

Gormley	<u>Yes</u>
Kehm	<u>Yes</u>
Stevens	<u>Yes</u>
Schlick	<u>Yes</u>
Kobryn	<u>Yes</u>

Township Attorney Robin LaBue read the following resolutions by title

Resolution #2016-175  
 Authorizing the execution of a Memorandum of Agreement with the Department Heads  
 Motion to Approve: Kehm                      Second: Stevens      Roll Call:

Gormley	<u>Abstain</u>
Kehm	<u>Yes</u>
Stevens	<u>Yes</u>
Schlick	<u>No</u>
Kobryn	<u>Yes</u>

Resolution #2016-176  
 Authorizing the Execution of a Memorandum of Agreement with the Government Workers Union Telecommunicators aka Dispatchers  
 Motion to Approve: 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 #2016-177  
 Authorizing the appointment of Donna Stansfield as Deputy Assistant Tax Collector  
 Motion to Approve: Kehm                      Second: Stevens      Roll Call:

Gormley	<u>Abstain</u>
Kehm	<u>Yes</u>
Stevens	<u>Yes</u>
Schlick	<u>Yes</u>
Kobryn	<u>Yes</u>

Being no further business

Motion to Close: Stevens

Second: Schlick

All in favor

Respectfully submitted,

*Diana K. McCracken, RMC*  
Diana K. McCracken, RMC  
Township Clerk