

## Little Egg Harbor Township Committee Meeting

January 26, 2017

7:00 P.M.

MEETING CALLED TO ORDER

PLEDGE OF ALLEGIANCE

OPEN PUBLIC MEETING STATEMENT

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

ROLL CALL:            Yes Mr. Schlick            Absent Mr. Kehm            Yes Ms. Stevens  
                                  Yes Mrs. Crea                    Yes Mr. Gornley

PROCLAMATION

*Deputy Mayor Barbara Jo Crea read a proclamation designating Friday, February 3, 2017 as "National Wear Red Day."*

*Committeewoman Lisa Stevens read a proclamation designating the month of January as "Human Trafficking Awareness Month." She presented the proclamation to members of Zonta who have been actively working with this cause.*

APPROVAL OF MINUTES

➤ January 12, 2017

Motion to Approve: Stevens

Second: Crea

All in favor

CONSENT AGENDA

*A Consent Agenda includes items of business which are not controversial and do not require individual discussion. The Consent Agenda is moved, seconded, and voted upon as one item by the Governing Body.*

- 2017-53    A Resolution authorizing the execution of a Shared Services Agreement with the Township of Stafford for the production and distribution of Brine
- 2017-54    A Resolution authorizing the filing of an application for the NJDOT Municipal Aid Road Program FY 2017 for Improvements to Pinchurst Drive and Seminole Drive
- 2017-55    A Resolution authorizing the submission of a FY 2017 Grant Application and execute a FY 2017 Grant Agreement with the New Jersey Department of Transportation for the Township of Little Egg Harbor Safe Streets to Transit Project

- 2017-56 A Resolution authorizing the submission of a Safe and Secure Communities Program Continuation Funding Grant application to the State Division of Criminal Justice for Fiscal Year 2017
- 2017-57 A Resolution supporting the filing of a complaint by the New Jersey Association of Counties with the New Jersey Council on Local Mandates that the Criminal Justice Reform Act, N.J.S.A. 2A-162-15 et seq., constitutes an unfunded state mandate in violation of Article VIII, Section II, paragraph 5 of the New Jersey Constitution
- 2017-58 A Resolution appointing Martin Cohen as Alternate Member No. 1 of the Senior Citizens Advisory Board
- 2017-59 A Resolution authorizing the release of a maintenance bond posted for Lighthouse Alliance Community Church
- 2017-60 Authorizing tax refund for 3 Hatteras Court [*\$1,365.90, refund is due to duplicate payment*] and 31 West Navasink Drive [*\$525.53, refund is due to duplicate payment*]

*Committeeman Dave Schlick asked for further explanation on Resolution #2017-57 and Resolution #2017-60.*

*Township Administrator Garrett Loesch gave a brief explanation on both resolutions.*

**PUBLIC COMMENT –Consent Agenda Only**

Motion to Open: Schlick	Second: Stevens		All in favor
<i>No public comment.</i>			
Motion to Close: Schlick	Second: Crea		All in favor
Motion to Approve: Crea	Second: Stevens	Roll Call:	Schlick <u>Yes</u>
			Kehm <u>Absent</u>
			Stevens <u>Yes</u>
			Crea <u>Yes</u>
			Gormley <u>Yes</u>

**RESOLUTIONS**

- 2017-61 A Resolution authorizing a temporary emergency appropriation in accordance with N.J.S.A. 40A:4-20

*Township Administrator Garrett Loesch stated this is done every year after the temporary budget is approved and explained the procedures.*

*Committeewoman Lisa Stevens mentioned the need for an updated computer system in the Construction Office.*

*Mayor Ray Gormley explained the new computer system is part of the capital improvements previously approved and we are currently ironing out the details.*

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

## BILL RESOLUTION

- 2017-62 A Resolution authorizing the Payment of Bills in the Amount of \$545,737.25  
 ➤ Current Account: \$407,568.12  
 ➤ Third Party Account: \$138,169.13

*Committeewoman Lisa Stevens asked the Township Administrator to explain the payment to S&P Global Ratings for analytical services.*

*Township Administrator Garrett Loesch gave a brief explanation.*

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

## ORDINANCES – Second Reading and Adoption

- 2017-01 An Ordinance Amending and Supplementing Chapter 15 of the Township Code of the Township of Little Egg Harbor, entitled “Land Use and Development [amending §15-7.6 “Signs” and adding §15-16.8 “Zoning Permit Fees”]

Motion to Open to Public: Stevens                      Second: Schlick                      All in favor

*Ms. Pat Johnson: Asked if the permit fees are going up.*

*Township Administrator Garrett Loesch explained this amendment will establish proper fees.*

Motion to Close to Public: Crea                      Second: Stevens                      All in favor

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

- 2017-02 An Ordinance Amending and Supplementing Chapter 151 of the Township Code of the Township of Little Egg Harbor, entitled “Bulkhead Construction”

Motion to Open to Public: Stevens                      Second: Crea                      All in favor

*Mr. Ed Andrews: Asked for a brief explanation.*

*Township Administrator Garrett Loesch explained some bulkheads require multiple inspections, this will establish fees for that.*

*Mr. Roman Krochmal: Asked how the town will know if the contractors don't call in for additional inspections.*

*Township Administrator Garrett Loesch explained he believes the original plans have a list of materials therefore they would be aware of the inspections needed.*

Motion to Close to Public: Stevens                      Second: Schlick                      All in favor

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

2017-03 An Ordinance Amending and Supplementing the Township Code of the Township of Little Egg Harbor to create a Community Advisory Board

Motion to Open to Public: Stevens Second: Schlick All in favor

*No public comment*

Motion to Close to Public: Stevens Second: Crea All in favor

Motion to Approve: Crea	Second: Schlick	Roll Call:	Schlick	Yes
			Kehm	Absent
			Stevens	Yes
			Crea	Yes
			Gormley	Yes

MISCELLANEOUS APPROVALS

- Raffle License for Women's Club Harbor Bay monthly 50/50 raffle on various dates
- Raffle License for Harbor Bay Gaming Club monthly 50/50 raffle on various dates
- Raffle License for American Legion Post #493 Mystic Island 50/50 cash raffle on March 17, 2017
- Raffle License for American Legion Post #493 Mystic Island 50/50 raffle on various dates
- Calvary Baptist Church request for use of Parkertown Beach Park for Easter Sunrise Service
- Calvary Baptist Church request to meet in front of Town Hall to pray on May 4, 2017, National Day of Prayer

Motion to Approve: Schlick Second: Stevens All in favor

TOWNSHIP ENGINEER COMMENTS

*Jim Oris reported the township is proceeding with the applications for the NJDOT Municipal Aid Road Program as well as Safe Streets to Transit. Bids will be received February 2 for the Drainage Improvements Project. The MUA is taking bids this month for their Twin Lakes Boulevard water and sewer improvement project.*

*Committeeman Dave Schlick asked for the progress of Playhouse Drive.*

*Township Engineer Jim Oris explained we have urged the developer to complete the repairs however at this time most asphalt plants are not producing so it will most likely be an early spring project.*

*Committeeman Dave Schlick questioned if the developer's financial issues are holding up the progression of the project.*

*Township Engineer Jim Oris explained the requirements of the developer and the possible action that can be taken if the requirements are not met.*

*Committeeman Dave Schlick spoke about the poor condition of Playhouse Drive and would like it repaired as soon as possible.*

*Township Engineer Jim Oris explained we need to give the contractor an opportunity to repair the road before we take action.*

*Committeewoman Lisa Stevens asked for an update on the Park-N-Ride.*

*Township Engineer Jim Oris explained at this time he does not have an update but will look into it.*

*Mayor Ray Gormley stated he will follow up on it next week when he meets with the County Engineer.*

*Committeeman Dave Schlick thanked the Township Engineer for sending a letter to the county regarding the intersections on Stage Road, Giffordtown Road and Nugentown Road.*

## TOWNSHIP COMMITTEE COMMENTS

*Schlick: Questioned the change of township attorney from Robin LaBue to Jean Cipriani and requested Robin LaBue return.*

*Gormley: Mentioned prior to the reorganization meeting governing body members were asked to review the RFP's and it was the consensus of the governing body to change attorneys.*

*Schlick: Discussed an issue from a previous meeting he believes former Township Attorney Robin LaBue handled incorrectly.*

*Attorney Cipriani: Apologized on behalf of the law firm and stated she will try to accommodate the will of the committee in the future.*

*Stevens: Explained her views on how the issue was handled.*

*Schlick: Mentioned looking into a dog park in town and asked the Township Engineer to research possible sites.*

*Gormley: Made some suggestions on locations and asked Mr. Schlick and another committee member meet with Mr. Loesch to explore possibilities.*

*Crea: Mentioned in the past research was done on a dog park therefore it may be helpful to review the records if they are still available.*

*Schlick: Asked the township engineer for his assistance.*

*Gormley: Suggested looking at other municipalities for guidelines on starting a dog park.*

*Schlick: An ordinance was passed last year to form a committee for the community center however there is no record of anyone on the board.*

*Loesch: The ordinance was to ensure the town properly established the board.*

*Gormley: Stated there is a Community Activities Board.*

*Schlick: Asked if the board has a bank account, a budget, and meeting minutes.*

*Gormley: Explained before Super Storm Sandy they had a small budget used for drive-in movies and other community events.*

*Loesch: Suggested they get together with the township clerk to discuss.*

*Stevens: Commended Police Chief Buzby and his staff on a job well done handling an issue regarding the welfare and safety of our children. Mentioned there are several workshops coming up including AARP income tax preparation, the Community Outreach for flood insurance reduction and the Ocean County Long Term Recovery workshops; our website includes this and other information. She also mentioned the amount of feral cats in town and creating an ordinance.*

*Crea: The next Senior Citizen Advisory Board Meeting will be held this Monday with guest speaker Chief of Police Rich Buzby.*

*Gormley: Attended a presentation yesterday in Ocean County and praised prosecutor Joseph Coronado on the job he is doing and the programs he has put forth for Ocean County. He spoke about property values and new construction in town.*

## PUBLIC COMMENT – any topic

Motion to Open to Public: Schlick

Second: Crea

All in favor

*Mr. Gavin Rossi: Asked if it is a conflict to have Gilmore and Monahan as the township's attorney due to the federal investigation of the firm and asked if the township plans to hire a conflict attorney.*

*Mayor Ray Gormley explained the township always appoints a conflict attorney.*

Township Attorney Jean Cipriani explained at this point there is no conflict and the information requested by subpoena is nothing that could not be obtained through an OPRA Request. The information requested is public documents and at this point there is no conflict.

Mr. Gavin Rossi: Clarified the firms' representation causes no conflict of interest.

Township Attorney Jean Cipriani confirmed she is not aware the firms' representation is under investigation.

Mr. Ed Gautier: Commended the Public Works Department on the last snow storm. Mentioned there are some outstanding items that Robin LaBue was working on for the Zoning Board of Adjustment that they would like addressed. Stated he was made aware that other municipalities in Ocean County were subpoenaed by the FBI and asked if Little Egg Harbor was.

Mayor Gormley stated yes we were.

Township Attorney Jean Cipriani asked if he is referring to the records for Gilmore & Monahan.

Mr. Ed Gautier: Stated he is not sure what the subpoena is for but was told other towns have been subpoenaed.

Township Attorney Jean Cipriani stated subpoenas were issued to towns in Ocean County that Gilmore & Monahan represents.

Mr. Ed Andrews: Questioned the township engineer about an increase in Atlantic City Electric rates.

Township Engineer Jim Oris stated T&M Associates contacted Atlantic City Electric and they confirmed they have increased their transmission charge which affects all rate payers.

Mr. Ed Andrews: Spoke about the Marsh Restoration program and lagoon dredging.

Mayor Gormley explained steps the committee has and will take to get the projects done.

Committeewoman Stevens added the Marsh Restoration Program is a Little Egg Harbor/Tuckerton shared project.

Ms. Pat Johnson: Asked the township engineer when the Oak Lane project is starting.

Township Engineer Jim Oris stated we do not have a start date.

Ms. Pat Johnson: Asked if the recent Supreme Court decision about the gap numbers affects Little Egg Harbors required number for affordable housing.

Township Engineer Jim Oris explained the affordable housing numbers are over a 10-year buildout.

Mayor Gormley explained through the settlement our number of units was reduced. The gap is for the period of time when COAH was not being implemented.

Township Attorney Jean Cipriani explained because the township settled with Fair Share Housing the gap decision does not impact us for the third round.

Ms. Pat Johnson: Announced the DCA is hosting a Sandy meeting with CAFRA next Wednesday in Long Beach Township.

Mr. Ed Gautier: Spoke about the Marsh Restoration program and how it will benefit the town and expressed his frustration for the lack of progress.

Mayor Gormley discussed the obstacles the township has had moving forward with the program.

Township Engineer Jim Oris stated the main issue is finding a location for the dredge material. He spoke about the progress the governing body has made over the years and their concern for the environment.

Mr. Ed Gautier: Asked why the Pinelands Commission cannot approve a temporary spot for the dredge spoils.

Township Engineer Jim Oris explained Pinelands regulations do not allow dredge material from outside the Pinelands to be put in the Pinelands.

*Mr. Richard Longshore: Stated there are deficiencies in the Best Practice Worksheet. He asked Mr. Loesch if there has been any progress on the Tax Assessors obligation to notify the CFO of all tax appeals no later than June 1, of each year.*

*Township Administrator Garrett Loesch explained there has been no progress on that.*

*Mr. Richard Longshore: Asked if the committee plans to address the issue of excluding healthcare coverage for part-time elected and appointed officials.*

*Mayor Ray Gormley explained the employees chose not to go on the state health plan; he believes the current plan is less expensive with better coverage. The governing body discussed it and will not give up their health coverage. This is not a part-time job and we are accessible to the public.*

*Mr. Richard Longshore: Questioned the added and omitted for the last three years and asked when the taxes are levied how much goes to the township and how much is distributed to other taxing jurisdictions.*

*Township Administrator Garrett Loesch explained added omitted taxes stay with the town except for the county's portion. The following year they will be placed into the tax bill.*

*Mr. Richard Longshore: Asked what the town will do to share with the rate payers. He commended the mayor and committee on the efficiency of the meetings and made some suggestions.*

*Mr. David Pharo: Suggested limiting the speaking time to five minutes and spoke about issues he had with his OPRA Request.*

*Mr. Roman Krochmal: Expressed his views on the dog park idea and believes the size of the recycling containers may be too large for some residents.*

*Township Administrator Garrett Loesch explained the research done prior to ordering the recycling containers.*

*Committeeman Dave Schlick asked if it was possible for Mr. Krochmal to buy his own container as long as it can be picked up by the recycling truck.*

*Committeewoman Lisa Stevens suggested a recycling sticker be put on the small blue container. Township Administrator Garrett Loesch mentioned discussing the issue.*

*Mr. Art Mooney: Asked for a breakdown of ratable for residential and commercial.*

*Mayor Ray Gormley explained there is no breakdown.*

*Mr. Art Mooney: Asked for the number of vacant homes in town.*

*Mayor Ray Gormley explained including vacant lots roughly seven hundred.*

*Mr. Art Mooney: Asked for the original number.*

*Mayor Ray Gormley stated originally about two thousand substantially damaged or damaged homes.*

*Mr. Art Mooney: Questioned the maintenance and upkeep of the community center.*

*Mayor Ray Gormley explained the town is looking for a grant through the CDBG to repair the roof or for improvements.*

*Mr. Art Mooney: Asked if the community center is covered under any statute.*

*Township Administrator Garrett Loesch explained the committee designated it by ordinance however there may be some confusion regarding appointing people to it.*

*Mr. Dan Patterson: Spoke about corruption and transparency. He asked if it would be ethical to retain a different law firm.*

*Mayor Ray Gormley stated at this point he does not see the need to do that. There is a conflict attorney already in place. He has the upmost confidence in the township attorney.*

*Committeeman Dave Schlick suggested speaking with the conflict attorney.*

*Township Attorney Jean Cipriani stated she cannot answer that question therefore the governing body should refer to the conflict attorney.*

*Mr. Rich Bethea: As a member of the First Aid Squad, he spoke about their budget, thanked residents for their donations and discussed the vehicles. He gave a brief summary of the operations.*

*Township Administrator Garrett Loesch explained by statute, the town is only allowed to give \$70,000.00 a year for the first aid squad.*

*Mayor Ray Gormley mentioned getting together with Mr. Loesch, Ms. Crea, the first aid squad and the other town representatives to discuss the matter further.*

*Mr. Rich Bethea: Praised the Little Egg Harbor police officers.*

*Mr. Robert Hirth: Expressed his concerns regarding a smoke stack at the original Mystic Island Marina located near a bus stop.*

*Township Administrator Garrett Loesch explained there have been meetings with zoning and code enforcement. He does not believe the town has the ability to force the owner to do an engineering study on the smoke stack. It does not appear to be a code violation.*

*Township Attorney Jean Cipriani explained if it does not pose as a code violation or construction code concern, we would not have the ability to require a study. Even if there were violations or concerns, a court order would be required to get an engineering study done.*

*Mr. Robert Hirth: Stated that smoke stack has never been checked since it was built.*

*Township Attorney Jean Cipriani explained if there is a reason this particular structure is dangerous, action can be taken.*

*Mr. Robert Hirth: Spoke about code violations in town.*

*Mr. Mike Polito: Believes the committee does not follow up on issues discussed at meetings.*

*Committeewoman Lisa Stevens understands what Mr. Polito is saying and explained because some issues are not always addressed does not mean the committee has forgotten. Some things take time.*

Motion to Close to Public: Stevens

Second: Schlick

All in favor

Being no further business,

Motion to Adjourn: Stevens

Second: Schlick

All in favor

Respectfully submitted,

*Diana K. McCracken, RMC*

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Township Clerk