

MUNICIPAL BUILDING  
7:30 PM

TOWNSHIP MEETING  
SEPTEMBER 22, 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, Committeewoman Lisa Stevens, Township Attorney Robin LaBue, Township Engineer Jason Worth, Recording Operator Linda Cicco and Township Clerk Diana McCracken. Committeeman John Kehm and Township Administrator Garrett Loesch were absent.

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

Flag Salute - Moment of Silence

*Committeewoman Lisa Stevens read a proclamation designating the month of October as "Domestic Violence Awareness Month." Domestic violence accounts for fifteen percent of all violent crimes.*

*Judy Ollevier, a member of the Daughters of the American Revolution, Great John Mathis Chapter read a proclamation commemorating "Constitution Week" which is September 17 – 23 2016.*

Public Comments

Resolution #2016-193

Appointing Jeanne Connelly as a Member to the Little Egg Harbor Township Environmental Commission [for the unexpired term of R. Lacovara, term expires 12/31/2016] Chairman Donna Doherty gave a brief explanation on this resolution.  
No public comment.

Resolution #2016-194

Authorizing the execution of a change order to the Contract with T&M Associates for the NFWF Marsh Restoration Project [Change Order No. 4, an increase of \$23,240.00 in the contract price, due to an increase for a hydrographic survey, collection of sediment cores, sample analysis and dredge design]  
Committeewoman Lisa Stevens announced this resolution will be tabled until further review.  
No public comment.

Resolution #2016-195

Canceling taxes and authorizing a refund pursuant to N.J.S.A. 54:4-3.30 [totally-disabled veteran]  
No public comment.

Resolution #2016-196

Establishing an accelerated tax sale date of December 13, 2016 [for unpaid taxes or other municipal liens or charges in arrears as of the 11<sup>th</sup> day of the 11<sup>th</sup> month]  
No public comment.



Motion to Introduce: Gormley      Second: Schlick      Roll Call:

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

Resolution #2016-193  
Appointing Jeanne Connelly as a Member to the Little Egg Harbor Township  
Environmental Commission

Motion to Approve: Stevens      Second: Schlick      Roll Call:

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

Resolution #2016-194  
Authorizing the execution of a change order to the Contract with T&M Associates for the  
NFWF Marsh Restoration Project

Motion to Table: Stevens      Second: Gormley      Roll Call:

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

Resolution #2016-195  
Canceling taxes and authorizing a refund pursuant to N.J.S.A. 54:4-3.30

Motion to Approve: Schlick      Second: Stevens      Roll Call:

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

Resolution #2016-196  
Establishing an accelerated tax sale date of December 13, 2016

Motion to Approve: Schlick      Second: Stevens      Roll Call:

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

Resolution #2016-197  
Authorizing tax refunds for 207 Allen Street and 101 North Burgee Drive

Motion to Approve: Stevens      Second: Gormley      Roll Call:

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

## Resolution #2016-198

Awarding a contract to Nassau Capital Advisors, LLC for Professional Consulting Services in the Matter of Adoption of N.J.S.A. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV")

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

## Resolution #2016-199

Bill Resolution	
Current Account	\$815,578.40
Third Party	<u>\$ 45,591.77</u>
Total	\$861,170.17

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

## Miscellaneous Approvals

- Township meeting minutes from September 8, 2016
- Raffle application from Marine Trades Association of New Jersey Foundation 50/50 raffle on October 4, 2016 at Sea Oaks Country Club

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

## Township Engineer

Jason Worth reported the Schedule "C" Paving is wrapped up for now with the exception of a portion of Nugentown Road which should be completed within the calendar year. The Street Scape project is underway on the south side of Radio Road to the old Wawa site. Once complete they will move to the north side of Radio Road then down Mathistown Road. He spoke about a new FEMA Grant the town is working on submitting for.

Deputy Mayor Dave Schlick asked for information regarding the paving of Nugentown Road.

Township Engineer Jason Worth explained the areas to be paved.

Deputy Mayor Dave Schlick asked for an update on the paving of Playhouse Road.

Township Engineer Jason Worth explained he is expecting a schedule from the project manager and work should be done within the next few weeks.

Committeeman Ray Gormley spoke about some water issues in the Parkertown area of town.

#### Township Committee Comments

*Stevens: Thanked the company working on Radio Road for preserving the memorial site for the woman killed years ago.*

*Schlick: We are hosting a Township Clean-up Day October 9, at the Community Center. The Police Department, the PBA and the DART Coalition are hosting a Fall Festival at the Sports Complex on October 30, from 4-8pm. He clarified a rumor about the governing body's salary and asked if the investigative report from previous meetings could be made public.*

*LaBue: Explained under OPRA it is a personnel record and cannot be released to the general public.*

*Schlick: Asked what if the two people involved agree to release it.*

*LaBue: Explained if the members requested in writing it may be possible to release it with redactions.*

*Schlick: Asked the township Animal Control Officer to explain his position to the public.*

*Animal Control Officer George Garbaravage gave an overall report for the month of August.*

*Committeewoman Lisa Stevens asked how the captured animals are handled.*

*Animal Control Officer George Garbaravage explained the process of handling the animals.*

*Mayor Gene Kobryn asked for a yearly animal control report in the future.*

*Deputy Mayor Dave Schlick stated he would like on record that he is asking the firm of Holzepfel, Citta and Zabarsky to move forward on the sexual harassment case that's been pending since last March. If they are not going to move on it, I recommend we hire a new attorney and get rid of the Holzepfel firm all together.*

*Township Attorney Robin LaBue stated she believes the employees union got a new attorney and requested an extension. She will get an update on the case and believes it will take place soon.*

*Deputy Mayor Dave Schlick mentioned giving the firm a time frame. The person that is being sexually harassed is asking questions and does not understand why the township is not moving forward on this.*

#### Public Comments

*Mr. Ed Nuttall: Asked for additional information regarding the contract of Nassau Capital Advisors, LLC.*

*Township Attorney Robin LaBue reviewed the contract and gave a brief explanation.*

*Mr. Tom Meredith: Asked for an update on the Liaison for Pinelands School District.*

*Mayor Gene Kobryn explained he is working on scheduling a meeting date with the Board of Education.*

*Mr. Tom Meredith: Asked for information regarding metal in the drinking water.*

*Township Engineer Jason Worth stated he is aware of it and gave a brief explanation.*

*Mayor Gene Kobryn stated the MUA would have more information on this matter.*

*Deputy Mayor Dave Schlick mentioned the MUA will be addressing the students as well.*

*Mr. Mike Polito: Stated he does not agree with what took place at the last township meeting. He questioned how the Mayor at that time and the CFO paid out money without committee approval. He would like the report made available to the public.*

*Committeewoman Lisa Stevens explained she is looking into how this matter can be reviewed by the state with no cost to the township.*

Mayor Gene Kobryn stated in his opinion the public had a right to know, they paid for the report. If they were able to read it they could come to their own conclusions as to what was done wrong and how it was resolved. We rely on statutes and interpretations however there is no written policy from the town to aid any administrator in the future to understand what he can and cannot do and some guidelines. There are none. The policy doesn't exist in this town and that's something we need to address.

Mr. Mike Polito: Stated he believes in the report it was very clear the job description for a CFO and a Chief Administrative Officer. He disagrees with the way the matter was handled at the last meeting.

Committeewoman Lisa Stevens agrees with Mr. Polito and stated she will be looking into the matter and discussing the options with the Township Attorney.

Deputy Mayor Dave Schlick explained after reviewing the report he believes nothing was done improperly.

Mr. Mike Polito: Stated the report should be made public so they can form an opinion. He is concerned where the committee is going with policy and procedure in the future.

Mayor Gene Kobryn agrees policies are needed to determine what an Administrator can or cannot do. He advised Mr. Polito to read the report and make a determination then.

Mr. Mike Polito: Stated according to the Township Attorney, the report is not available to public.

Township Attorney Robin LaBue explained she will go over the report with the Township Clerk and see what may be available to the public as well as consent from the individuals involved.

Mr. Mike Polito: Spoke about the monthly police reports and animal control reports and would like to see more Departments Heads present their information in the future.

Deputy Mayor Dave Schlick stated there have been discussions regarding the monthly reports.

Mr. Mike Polito: Spoke about his concerns regarding the township meetings being recorded by a private company.

Township Attorney Robin LaBue explained it is a public forum and permitted.

Ms. Eileen Crane: Discussed problems with boaters speeding in the Estuary.

Lieutenant Troy Bezak of the Police Department spoke about the Coast Guard and Marine Police and made some suggestions.

Ms. Eileen Crane: Mentioned the environmental impact of the speeding boaters.

Township Attorney Robin LaBue announced she now has the date for the pending case discussed earlier which is October 18<sup>th</sup>.

Mr. Art Mooney: Asked for clarification on the Council for Affordable Housing.

Township Attorney Robin LaBue explained the process and progression of COAH.

Mr. Art Mooney: Questioned the lack of procedures for an Administrator in the State Statute and asked how the town plans to handle it in the future.

Township Attorney Robin LaBue explained there are statutes however they don't dictate a certain procedure.

Mr. Art Mooney: Spoke about the length of the meetings and hopes the town gets back to the usual meeting business.

Deputy Mayor Dave Schlick asked for the procedure to change the meeting time.

Township Attorney Robin LaBue explained it can be changed by resolution.

Mayor Gene Kobryn stated in the past they took a poll with the HOA's in town which ended in conflicting results.

Committeewoman Lisa Stevens agrees with Mr. Mooney and made some suggestions on how to change the meeting time.

Committeeman Ray Gormley discussed procedures in the past regarding the township meeting times and dates.

*Mr. Art Mooney: Spoke about the importance of transparency.*

*Mayor Gene Kobryn mentioned some ideas involving the residents to determine the meeting time.*

*Mr. Art Mooney: Stated he would like more promotion for the Senior Citizen Advisory Committee meetings. He mentioned recording the township meetings like the School Board does.*

Motion to Close: Gormley

Second: Schlick

All in favor

Executive Session

Resolution #2016-200

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

- Township Administrator/CFO employment contract
- Township Clerk employment contract
- Discussion with Labor Counsel

Being no further business

Motion to Close Executive Session, reconvene Regular Township Meeting and

Adjourn: Stevens

Second: Schlick

All in favor

Respectfully submitted,



Diana K. McCracken, RMC  
Township Clerk