

Little Egg Harbor Township Committee Meeting

June 13, 2024

7:30 P.M.

Mayor Blaise Scibetta called the Little Egg Harbor Township Committee Meeting to order and lead the Pledge of Allegiance. Time: 7:30 p.m.

3. OPEN PUBLIC MEETING STATEMENT

Township Clerk Kelly Lettera read the Open Public Meeting Statement:

"This meeting is called pursuant to the provisions of the Open Public Meeting Law. Notice of this meeting of June 13, 2024 was duly advertised, posted in the Municipal Complex, and has remained posted as required under the aforesaid statute. I am directed to include a record of this statement in the minutes of the meeting."

4. ROLL CALL:

Present: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Absent: Mr. Laney

5. PRESENTATIONS:

- Gun Violence Awareness Month and Day

Deputy Mayor Maxwell read the Gun Violence Awareness Month and Day proclamation.

- Alzheimer's Awareness Month

Mayor Scibetta read the Alzheimer's Awareness Month proclamation.

- "What Does Memorial Day Mean to You" Essay Contest Winners

Mayor Scibetta provided certifications to the winners of the "What Does Memorial Day Mean to You" essay contest.

6. APPROVAL OF MINUTES

- May 9, 2024
- May 9, 2024 Executive Session

Motion to Approve: Kehm

Second: Maxwell

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

7. ORDINANCE [FIRST READING AND INTRODUCTION]

Ordinance 2024-02 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 290, Lot 1, 13 Oak Lane. From Kevin J. Schubiger and Connie Callas, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Kehm

Second: Gormley

June 13, 2024 Committee Meeting
Page 2

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-03 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 291.07, Lot 18, 16 Oak Lane, From Joshua T. Huff, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Kehm Second: Maxwell

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-04 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 290, Lot 29, 17 Oak Lane, From John M. Davoren, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Kehm Second: Gormley

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-05 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 291.07, Lot 17, 20 Oak Lane, From Robert M. McCormack, Jr. and Lynsey McCormack, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Kehm Second: Maxwell

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-06 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 290, Lot 28, 21 Oak Lane, From Hannah Bird, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Kehm Second: Maxwell

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-07 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 291.07, Lot 16, 24 Oak Lane, From Richard Sharkey, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Kehm Second: Maxwell

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-08 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 290, Lot 27, 25 Oak Lane, From Robert Pickart and Amanda Shinn, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Kehm Second: Maxwell

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-09 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 291.07, Lot 15, 28 Oak Lane, From Anthony Vinciquarra and Lisa Jane Vinciquarra, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Kehm Second: Gormley

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-10 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 290, Lot 26, 29 Oak Lane, From Woodrow Allen, Bonnie Allen and Patricia Angelus, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Gormley Second: Kehm

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-11 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 290, Lot 25, 33 Oak Lane, From Joseph Catalioto and Sharon Catalioto, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Kehm Second: Maxwell

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-12 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 291.07, Lot 14.01, 36 Oak Lane, From Andrade Margarito and Elena Margarito, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Gormley Second: Kehm

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

June 13, 2024 Committee Meeting
Page 4

Ordinance 2024-13 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 290, Lot 24, 37 Oak Lane, From Matthew W. Rickards and Sharon M. Rickards, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Kehm Second: Gormley

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-14 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 291.07, Lot 14.02, 40 Oak Lane, From FS Properties 152 LLC, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Kehm Second: Maxwell

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-15 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 285.11, Lot 3, 145 Oak Lane, From Kathryn M. Brady and Peggy M. Charlton, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Gormley Second: Kehm

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-16 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 285.11, Lot 16, 179 Oak Lane, From Joel Martin, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Maxwell Second: Kehm

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-17 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Permanent Easement on a Portion of Block 285.11, Lot 6.02, 195 Oak Lane, From Habitat For Humanity of SOC Inc., in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Introduce: Maxwell Second: Kehm

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

June 13, 2024 Committee Meeting
Page 5

Ordinance 2024-18 An Ordinance of the Township of Little Egg Harbor, in the County of Ocean, New Jersey, Amending Chapter 215, "Land Use and Development," Article XII, "Improvement Standards," §215-12.7 of the Township Code of the Township of Little Egg Harbor, Entitled "Trees"

Motion to Introduce: Kehm Second: Gormley

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-19 An Ordinance of the Township of Little Egg Harbor, in the County of Ocean, New Jersey, Amending §215-12.11 of the Township Code of the Township of Little Egg Harbor, Entitled "Stormwater Control Ordinance For Areas That Are Not Within The Pinelands Area"

Motion to Introduce: Maxwell Second: Kehm

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-20 An Ordinance of the Township of Little Egg Harbor, in the County of Ocean, New Jersey, Amending §215-13.5 of the Township Code of the Township of Little Egg Harbor. Entitled "Stormwater Control Ordinance for Areas Within The Pinelands Area"

Motion to Introduce: Kehm Second: Maxwell

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-21 An Ordinance of the Township of Little Egg Harbor, in the County of Ocean, New Jersey, Creating a New Chapter 238 of the Township Code of the Township of Little Egg Harbor Entitled "Memorial Bench Dedication Program"

Motion to Introduce: Gormley Second: Kehm

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Ordinance 2024-22 An 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 2024 and to establish a cap bank pursuant to N.J.S.A. 40A:4-45.14

Motion to Introduce: Kehm Second: Maxwell

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

8. 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.

Mayor Scibetta read by title all the Resolutions on the consent agenda.

RESOLUTIONS

- 2024-141 Supporting S-3142 and A-4256 Which Would Require the New Jersey Office of Attorney General to Repeal Law Enforcement Directive Restricting Law Enforcement Cooperation with Federal Immigration Authorities *[A resolution of support requiring the NJ Attorney General's Office to repeal the Immigrant Trust Directive that prohibits law enforcement from providing notice of a detained individual's upcoming release or continuing the detention of a person past the time the person would be released based solely on a civil immigration detainer request]*
- 2024-142 Supporting the Passage of H.R. 7084, "You Earned It, You Keep It" Act *[A resolution of support of HR 7084 to exempt future Social Security benefits from federal income tax and allow our older adults to keep more of the money they have earned]*
- 2024-143 Requesting Representation by Ocean County on the New Jersey Transit Corporation Board of Directors *[Requesting a qualified OC representative for the NJ Transit Corporation Board of Directors for the interests of the residents and businesses of Ocean County and all shore communities]*
- 2024-144 Authorizing the Township Administrator to Advertise and Hire an Accounts Payable Clerk for the Finance/Administration Office
- 2024-145 Authorizing the Execution of a Change Order Addendum with Barnegat Bay Partnership to Reflect a Reduction in the Amount to Continue Monitoring the Iowa Court Living Shoreline Project *[A resolution authorizing the execution of an addendum to the Agreement with Save Barnegat Bay (Barnegat Bay Partnership) so as to amend the scope of work and reduce the contract amount by \$11,940.00 to \$69,260.00]*
- 2024-146 Authorizing the Filing of an Application for the NJDOT Municipal Aid Road Program FY 2025 for Improvements to Atlantis Boulevard *[Authorizing the filing of an application with NJDOT in the amount of \$862,747.25 for Improvements to Atlantis Blvd]*
- 2024-147 Authorizing the Submission of an Application to the New Jersey Clean Energy Program Requesting \$10,000 for the Community Energy Planning Grant Program *[A resolution authorizing the submission of an application to the State, New Jersey Clean Energy Program to request a Community Energy Planning Grant in the amount of \$10,000]*

June 13, 2024 Committee Meeting

Page 7

- 2024-148 Authorizing the Renewal of Plenary Retail Consumption and Plenary Retail Distribution Licenses for the 2024-2025 Licensing Year *[All LEHT Plenary Retail Consumption and Distribution Liquor Licensees have met state and township requirements for the renewal of the 2024-2025 licensing year]*
- 2024-149 Authorizing the Renewal of Club Licenses for the 2024-2025 Licensing Year *[All LEHT Club Liquor Licensees have met state and township requirements for the renewal of the 2024-2025 licensing year]*
- 2024-150 Authorizing the Execution of a Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964" *[A resolution requiring the Governing Body to certify that LEHT's hiring practices comply with the US EEOC before submitting the approved annual budget to DCA]*
- 2024-151 Authorizing Tax Refund *[Authorizing a tax refund in the amount of \$2,471.35 for tax overpayment for the property located at Block 285.01, Lot 15]*
- 2024-152 Awarding a Contract for Demolition of Structure Located at 360 Route 9 South (Block 291, Lot 8) *[Awarding a contract to Mathis Construction for the demolition of the structure located at 360 Route 9 South, for a total amount not to exceed \$27,273.00]*
- 2024-153 Awarding a Contract for Replacement and Installation of One (1) Chiller Unit Located at Little Egg Harbor Township Municipal Building to Kaser Mechanical, LLC. *[Awarding a contract to Kaser Mechanical, LLC for the replacement and installation of one chiller unit at the Municipal Building, for a total amount not to exceed \$181,167.00]*
- 2024-154 Certifying Tax Liens for Costs Incurred in Accordance with the Property Maintenance Code
- 2024-155 Certifying the Governing Body has Reviewed, as a Minimum, Sections of the Annual Audit
- 2024-156 Introduction of the 2024 Municipal Budget

9. CONSENT AGENDA PUBLIC COMMENT

Motion to Open to Public: Kehm Second: Gormley All in Favor

No public comment.

Motion to Close to Public: Kehm Second: Gormley All in Favor

Motion to Approve: Kehm Second: Maxwell

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

June 13, 2024 Committee Meeting
Page 8

10. BILL RESOLUTION 2024-157

A Resolution Authorizing the Payment of Bills in the Amount of \$4,844,881.98

Motion to Approve: Kehm

Second: Gormley

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

11. MISCELLANEOUS APPROVALS

- Raffle Application No. 2024-028 for Italian American Social Club; On-Premise 50/50 Raffle at LBI National Golf Resort on July 27 and December 15, 2024
- Raffle Application No. 2024-029 for Sunshine Foundation; On-Premise Gift Raffle at 420 Radio Road on July 6, 2024
- Raffle Application No. 2024-030 for Italian American Social Club; On-Premise Pull Tab Tickets at 105 Falcon Drive for Various Dates from September 1, 2024 through August 31, 2025

Motion to Approve: Kehm

Second: Gormley

All in Favor

12. TOWNSHIP ENGINEER COMMENTS

Township Engineer, Jason Worth, reported that a pre-construction meeting was held on June 5th for the township 2023 road improvement project and drainage work should start in August and milling and paving should start in September/October. He further stated the easement ordinances that are on tonight's agenda was for sidewalks for the Oak Lane project. He stated plans are being sent to DOT for comment and as long as DOT approves and all the easements get signed, the project should be going out to bid late summer. He reported that he sat in on the MUA pre-construction meeting pertaining to Mystic Island Phase II work which will be done by P&A Construction and includes replacement of all the sanitary sewer and water mains. The schedule will be provided after the 4th of July holiday and last three to four months. Shortly after the township will be able to begin work on the same streets finish by 2025 hopefully.

13. PUBLIC COMMENT - Any Topic

Motion to Open to Public: Kehm

Second: Gormley

All in Favor

Mr. Mazek of S. Forecastle Drive reported that Staysail and Forecastle Drive roads are in very bad condition and he asked if DPW could fill the pot holes just to get through until the road is paved. He also requested cars park on the opposite side of the street while school bus is picking up and dropping off kids at the intersection of Playhouse and Radio Road.

Committeeman Kehm stated Mr. Mazek needs to report the school bus issue to the School District. He stated the Township Administrator can reach out to the school to see if the bus stop can be moved.

June 13, 2024 Committee Meeting
Page 9

Ms. McHugh of Lake Heron Drive asked about the house at Calabreeze and the status of having it cleaned up. She also asked where the town is with the bond for the dredging. She also asked when Lake Heron is being paved.

Mr. Haines stated he will speak to Code Enforcement and find out the status of the violations issued at Calabreeze. He stated a public hearing needs to be held in July or August for the dredging bond.

Township Engineer, Jason Worth, stated Lake Heron is part of the 2023 Road Improvements and drainage should be completed by August and paving should start in September.

Ms. Petruzzelli of Vincent Court requested more recycling cans for her development.

Mayor Scibetta stated if additional cans are needed the Clerk's Office has them for purchase.

Mr. Haines stated he will speak with DPW on how many can be provided to the development free of charge.

Ms. McHugh of Lake Heron Drive asked if water and sewer is more because of the amount garbage being used.

Mr. Haines stated everyone pays the same amount for garbage regardless of what they use.

Motion to Close Public Comment: Gormley Second: Kehm All in Favor

14. TOWNSHIP COMMITTEE COMMENTS

Committeeman Gormley stated due to high temperatures be sure to check on neighbors and loved ones and ensure their ok and cooling systems are working properly.

Committeeman Kehm wished everyone a Happy Father's day and safe Fourth of July.

Deputy Mayor Maxwell thanked the County for the stripping at Mystic Beach. He reported the fourth annual yard sale will be held on July 20 & 21 with the list of addresses that will be added to the website the week prior. He stated the next Senior Advisory Board meeting will be on Monday, June 24 at 10am at Cranbury Creek. He stated the memorial bench ordinance is a great addition in town to remember loved ones and application s will be in the Clerk's Office after the July Committee meeting. He also wished everyone a Happy Father's Day and Fourth of July.

Mayor Scibetta thanked the kids for participating in the essay contest and for attending tonight's meeting. He also thanked everyone who attended the Memorial Day parade stating it was a great event. He thanked several volunteers who helped out with the event. He also thanked all who participated and attended the Community Center event. He wished everyone a Happy Father's day and Fourth of July.

15. EXECUTIVE SESSION 2024-158

A Resolution Authorizing the Convening of an Executive Session in Accordance with the Open Public Meetings Act

June 13, 2024 Committee Meeting
Page 10

Township Attorney Melanie Appleby stated the Committee needs to go into Executive Session to discuss Contractual Matters, Personnel and attorney-client privilege, formal action maybe be taken.

Motion to Approve: Kehm Second: Gormley All in Favor

Motion to Close Executive Session and Reconvene Regular Township Meeting: Kehm
Second: Gormley All in Favor

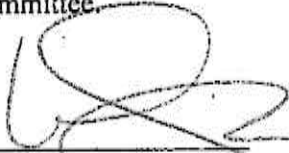
Resolution 2024-159 Authorizing the Execution of a Settlement Agreement as to Township of Little Egg Harbor V. Harborview Estates, LLC ET AL, Docket OCN-L-939-20

Motion to Approve: Kehm Second: Gormley

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta

Motion to Adjourn: Kehm Second: Gormley All in Favor

I hereby certify the foregoing Minutes were formally approved by the Little Egg Harbor Township Committee.



Kelly Lettera, CMC, RMG
Township Clerk

** "Any invocation that may be offered before the official start of the Committee meeting is offered by a person who is expressing private thoughts as governed by his or her own conscience, to and for the benefit of the Committee. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Committee and do not necessarily represent the religious beliefs or views of the Committee in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to participate actively in the business of the Committee."*