

JULY 8, 2021

MINUTES

7:00 PM

**MEETING CALLED TO ORDER**

**PLEDGE OF ALLEGIANCE**

**OPEN PUBLIC MEETING STATEMENT**

*Deputy Township Clerk Susan Farrell read the Open Public Meeting Statement and opened the meeting.*

|                         |                           |                      |                        |
|-------------------------|---------------------------|----------------------|------------------------|
| <b><u>ROLL CALL</u></b> | <u>Absent</u> Ms. Stevens | <u>Yes</u> Mrs. Crea | <u>Yes</u> Mr. Gormley |
|                         | <u>Yes</u> Mr. Scibetta   | <u>Yes</u> Mr. Kehm  |                        |

**APPROVAL OF MINUTES**

➤ June 10, 2021 Township Meeting

Motion to Approve: Crea                      Second: Gormley                      All in Favor

Mayor Kehm introduced the winners of the 6<sup>th</sup> Grade Mayor for the Day Essay winners Emily & Dillon

**ORDINANCE NO. 2021-08                      [SECOND READING AND ADOPTION]**

**An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, vacating all of the right, title and interest of the Township in a portion of 6<sup>th</sup> Avenue, off County Route 539, that traverses Block 251 Lots 1.02 & 3 and Block 254 Lot 5**

Motion to Open: Crea                      Second: Gormley                      All in Favor

Pat Johnson, Sandpaper: Asked the reason for the vacation.

|                          |                  |            |                       |
|--------------------------|------------------|------------|-----------------------|
| Motion to Close: Crea    | Second: Scibetta |            | All in Favor          |
| Motion to Adopt: Gormley | Second: Scibetta | Roll Call: | Stevens <u>Absent</u> |
|                          |                  |            | Crea <u>Yes</u>       |
|                          |                  |            | Gormley <u>Yes</u>    |
|                          |                  |            | Scibetta <u>Yes</u>   |
|                          |                  |            | Kehm <u>Yes</u>       |

**ORDINANCE NO. 2021-12                      [SECOND READING AND ADOPTION]**

**An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending Chapter 90 entitled Personnel Policies and Procedures of the Township Code of the Township of Little Egg Harbor**

Motion to Open: Gormley                      Second: Scibetta                      All in Favor

No Public Comment

Motion to Close: Scibetta                      Second: Gormley                      All in Favor

Motion to Adopt: Crea

Second: Gormley

|            |          |               |
|------------|----------|---------------|
| Roll Call: | Stevens  | <u>Absent</u> |
|            | Crea     | <u>Yes</u>    |
|            | Gormley  | <u>Yes</u>    |
|            | Scibetta | <u>Yes</u>    |
|            | Kehm     | <u>Yes</u>    |

**ORDINANCE NO. 2021-13**      **[SECOND READING AND ADOPTION]**  
**An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending and supplementing the Township Code so as to create Chapter 250, entitled "Outdoor Special Events, Private Property"**

Motion to Open: Crea                                      Second: Gormley                                      All in Favor

Pat Johnson, Sandpaper: Asked for an explanation of the ordinance.

Motion to Close: Crea  
Motion to Adopt: Crea

Second: Gormley  
Second: Scibetta

|            |          |               |
|------------|----------|---------------|
| Roll Call: | Stevens  | <u>Absent</u> |
|            | Crea     | <u>Yes</u>    |
|            | Gormley  | <u>Yes</u>    |
|            | Scibetta | <u>Yes</u>    |
|            | Kehm     | <u>Yes</u>    |

**ORDINANCE NO. 2021-14**      **[SECOND READING AND ADOPTION]**  
**An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending and supplementing the Municipal Code of the Township of Little Egg Harbor, so as to amend Chapter 286, entitled "Smoking"**

Motion to Open: Crea                                      Second: Gormley                                      All in Favor

Pat Johnson, Sandpaper: Asked for an explanation of the ordinance.

Joseph Mauro, Buckhorn Lake Drive: Asked for clarification on the "Violations and penalties" section of the ordinance.

Keith Hornberger, Zelus Street: Asked if the penalties applied to individuals with a medical marijuana card.

Motion to Close: Crea  
Motion to Adopt: Crea

Second: Scibetta  
Second: Gormley

|            |          |               |
|------------|----------|---------------|
| Roll Call: | Stevens  | <u>Absent</u> |
|            | Crea     | <u>Yes</u>    |
|            | Gormley  | <u>Yes</u>    |
|            | Scibetta | <u>Yes</u>    |
|            | Kehm     | <u>Yes</u>    |

**Mayor John Kehm read the following statement on the Township Committees decision on cannabis.**

*"Since the announcement that the State would permit certain types of cannabis based business in New Jersey, this Committee has actively investigated the types of businesses and what these businesses might mean for Little Egg Harbor Township.*

*Although the State has provided some guidance, there remains many unknowns. We are still awaiting further guidance from the Cannabis Regulatory Commission, or the CRC. Recently, this committee authorized the Township Planner to review the township zoning and development ordinances to determine if these businesses could be suitable for Little Egg Harbor. After a thorough review, it was determined there are areas within the community that may be suitable; however, more guidance from the State, the Pinelands Commission and the CRC are needed before a final decision can be made.*

*A decision must be made by August 21, 2021 to either ban these businesses, permit them, or do nothing. As previously stated, there may be cannabis businesses suitable for the township but more time is needed to research the proposed areas of possible locations of these proposed businesses.*

*So based on the current completed research at this time, it would stand to reason that banning these businesses would allow our professionals and the Governing Body the time needed to complete our investigation and hopefully get the much needed guidance from the State so that we may act appropriately."*

**Ordinance No. 2021-15 [FIRST READING AND INTRODUCTION]  
An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, adding Chapter 155 of the Township Code of the Township of Little Egg Harbor, entitled "Cannabis" so as to prohibit the operation of any class of cannabis businesses within its geographical boundaries**

|                      |         |         |      |            |          |               |
|----------------------|---------|---------|------|------------|----------|---------------|
| Motion to Introduce: | Gormley | Second: | Crea | Roll Call: | Stevens  | <u>Absent</u> |
|                      |         |         |      |            | Crea     | <u>Yes</u>    |
|                      |         |         |      |            | Gormley  | <u>Yes</u>    |
|                      |         |         |      |            | Scibetta | <u>Yes</u>    |
|                      |         |         |      |            | Kehm     | <u>Yes</u>    |

**CONSENT AGENDA**

*A Consent Agenda includes Resolutions 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.*

- 2021-145 Authorizing the appointment of Anna Nelson as Clerk 1 for the Township Construction Office
- 2021-146 Authorizing the appointment of Jeffrey Delapena as Laborer 1 (full-time) for the Department of Public Works

- 2021-147 Authorizing the appointment of Michael-Anthony DiMauro as Laborer 1, Clean Communities (Seasonal) for the Department of Public Works
- 2021-148 Authorizing the appointment of William Gruss as Per Diem Plumbing Inspector
- 2021-149 Authorizing the appointment of Susan Farrell as Temporary Registrar of Vital Statistics
- 2021-150 Authorizing the appointment of Kasey Powers as Temporary Purchasing Agent
- 2021-151 Awarding a contract for Mystic Island Drainage Improvements – Phase 2 to Earle Asphalt Company  
*[Four bids were received and Earle Asphalt Company submitted the lowest responsible bid in accordance with the bid specifications, said bid being \$1,528,813.13.]*
- 2021-152 Amending Resolution No. 2021-138 so as to amend application for a grant from the State of New Jersey, Safe and Secure Communities Grant Program  
*[Subsequent to the approval of Resolution 2021-138 the NJ Department of Law & Public Safety, Office of the Attorney General advised that the Safe and Secure grant amount for 2021 would be \$32,400.]*
- 2021-153 Authorizing participation in the State grant program, SFY21 Body-worn Camera Grant Program and accepting State funds  
*[The award period is for five years in the amount of \$101,900.00 for body-worn cameras.]*
- 2021-154 Authorizing the submission of the Sustainable Communities Grant Application funded by Atlantic City Electric  
*[The grant application is for an information kiosk at Mystic Beach/Graveling Point.]*
- 2021-155 Amending the 2021 Introduced Budget
- 2021-156 Acknowledging payment in full and authorizing execution of Discharge of Mortgage as to Block 97, Lot 91, Block 100, lots 45, 91 and 111, and Block 104, Lots 33, 35 and 45  
*[In 1989 the Township conveyed said properties by Deed and accepted a purchase-money mortgage upon the sale of the municipal property. A review of archived Township documents indicates that the open mortgages were added to the mortgages receivable on the Township Current Fund balance in 1989, and by 2005, the mortgage receivable balance on the Township balance sheet was zero.]*

- 2021-157 Certifying tax liens for costs incurred in accordance with the Property Maintenance Code  
*[Tax liens are for work performed by the Public Works Department to abate violations for the preservation of the public health, safety and general welfare or to eliminate a fire hazard.]*

**PUBLIC COMMENT – Consent Agenda Only**

Motion to Open: Gormley Second: Crea All in Favor

Pat Johnson, Sandpaper: Asked for an explanation of Resolution No. 151 and Resolution No. 156; and asked what is being amended in the budget.

Motion to Close: Gormley Second: Crea All in Favor  
 Motion to Approve: Gormley Second: Crea Roll Call: Stevens Absent  
 Crea Yes  
 Gormley Yes  
 Scibetta Yes  
 Kehm Yes

**BILL RESOLUTION**

2021-158 Authorizing the payment of bills in the amount of \$4,765,252.72

Motion to Approve: Gormley Second: Scibetta Roll Call: Stevens Absent  
 Crea abstained  
 on 07036, 07037,  
 07038, 07039  
 Yes to balance  
 Gormley Yes  
 Scibetta Yes  
 Kehm Yes

**RESOLUTION NO. 2021-127**

Resolution adopting the 2021 Municipal Budget

*[The budget has total general appropriations of \$24,451,462.03. The amount to be raised by taxation to support the budget will be \$19,378,350.09.]*

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

**PUBLIC COMMENT – Any Topic**

Motion to Open: Gormley Second: Scibetta All in Favor

Kate Goode, Schooner Court: Referenced her recent Letter to the Editor in the Sandpaper on FEMA loan forgiveness; she questioned why Mrs. Crea is the only

committee member to abstain on items on the bill resolution and asked if Little Egg Harbor was contributing to the dredging projects and suggested looking into what Ocean City is doing.

Charles Griffin, Lake Superior Drive: As a recipient of medical marijuana he would like to see a dispensary closer to Little Egg Harbor. He also asked if there are any tax advantages for the township.

Joseph Mauro, Buckhorn Lake Road: Asked if the ban on cannabis will be five years after approving Ordinance No. 2021-15.

John Edmunds, Spruce Drive: Shared his interpretation of the letter from the County regarding the speed limit on Center Street, and asked Mr. Haines if he has heard from the State Police on weight limits. He shared that the County expects to go out to bid in September for the Center Street work. He also voiced his concerns regarding fireworks in his neighborhood.

Motion to Close: Gormley

Second: Scibetta

All in Favor

### **TOWNSHIP ENGINEER**

Township Engineer Jason Worth gave updates on the Mystic Beach DEP Waterfront permit and Army Corp of Engineer approval; Bid opening is set for the Mystic Island West Phase 1 and Atlantis Dredging projects; bid opening is also set for the Municipal Aid Road Program FY 2021 for Tradewinds Drive and Seabreeze Drive.

### **CHIEF FINANCIAL OFFICER**

Rodney Haines, CFO reported on July 1, 2021 there was a BAN sale of 4.9 million dollars. He was able to secure a renewal of the Bond Anticipation Notes on the \$4.9 million with a .26% interest rate.

### **TOWNSHIP COMMITTEE COMMENTS**

Crea: Reported she and Committeeman Scibetta attended the ribbon cutting ceremony at the Freedom Fields dog park. The next Senior Citizen Advisory Board meeting is July 26 at the Community Center.

Gormley: Wished everyone a happy summer season and expressed kudos to Rodney on the interest rate.

Scibetta: The Township-wide yard sale is this weekend and the Environmental Commission will receive Sustainable Jersey credits for the event. He unveiled the new reusable shopping bags with the "shop local" insignia, available at the recycling center. Mentioned open enrollment has started for youth sports.

Kehm: No Comment

### **EXECUTIVE SESSION**

2021-159 Authorizing the convening of an executive session in accordance with the Open Public Meeting Act matters of discussion to include police personnel

Motion to Approve: Scibetta

Second: Gormley

All in Favor

Motion to Close Executive Session and Reconvene Regular Township Meeting

Motion: Scibetta

Second: Gormley

All in favor

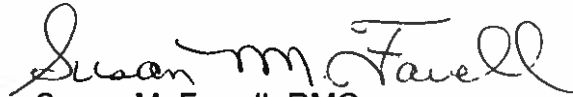
**ADJOURN**

Motion to Adjourn: Gormley

Second: Crea

All in Favor

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



Susan M. Farrell, RMC

Deputy Township Clerk