Little Egg Harbor Township Committee Meeting Minutes

DECEMBER 8, 2022

7:00 P.M.

Mayor John Kehm called the Little Egg Harbor Township Committee Meeting to order and lead the Pledge of Allegiance. Time: 7:00 p.m.

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 December 8, 2022 was duly advertised, posted in the Municipal Complex, and has remained posted as required under the aforesaid statute. The Municipal Clerk is directed to include a record of this statement in the minutes of the meeting."

ROLL CALL:

Present: Mr. Gormley, Mr. Laney, Mr. Maxwell, Mr. Scibetta, Mayor Kehm

PRESENTATIONS:

➤ Jersey Shore Cadette Troop 50457 Bronze Award

Committeeman Laney read the Jersey Shore Cadette Troop 50457 Bronze Award Proclamation and presented it to Jersey Shore Cadette Troop 50457.

APPROVAL OF MINUTES

- November 10, 2022
- November 10, 2022 Executive Session
- December 2, 2022 Special Meeting
- December 2, 2022 Special Meeting Executive Session

Motion to Approve: Scibetta

Second: Maxwell

All in Favor

RESOLUTION 2022-297

Appointing Daniel Sahin, Esq. as Judge of the Municipal Court of the Township of Little Egg Harbor and for the Township of Eagleswood in Accordance with a Shared Services Agreement

Motion to Approve: Scibetta

Second: Laney

Roll Call:

All Yes: Mr. Gormley; Mr. Laney, Mr. Maxwell; Mr. Scibetta; Mayor Kehm

ORDINANCE 2022-14 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Amending and Supplementing Chapter 110, Senior Citizens Advisory Board, of the Township Code of the Township of Little Egg Harbor

Motion to Open to Public: Laney

Second: Maxwell

All in Favor

No comment from the public.

Motion to Close to Public: Laney

Second: Gormley

All in Favor

Motion to Adopt: Gormley

Second: Maxwell

Roll Call:

All Yes: Mr. Gormley; Mr. Laney, Mr. Maxwell; Mr. Scibetta; Mayor Kehm

ORDINANCE 2022-15 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Temporary Construction Easement and Permanent Easement on a Portion of Block 325.100, Lot 2, 1 West Raritan Drive, From Douglas and Denise Bleidorn, in Accordance with N.J.S.A.

40A:12-5(a)(1)

Motion to Open to Public: Laney

Second: Scibetta

All in Favor

No comment from the public.

Motion to Close to Public: Gormley

Second: Laney

All in Favor

Motion to Adopt: Gormley

Second: Laney

Roll Call:

All Yes: Mr. Gormley; Mr. Laney, Mr. Maxwell; Mr. Scibetta; Mayor Kehm

ORDINANCE 2022-16 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Temporary Construction Easement and Permanent Easement on a Portion of Block 298, Lot 10, 299 Great Bay Boulevard, From Paul and Regina Bonfiglio, in Accordance with N.J.S.A.

40A:12-5(a)(1)

Motion to Open to Public: Laney

Second: Scibetta

All in Favor

No comment from the public.

Motion to Close to Public: Maxwell

Second: Scibetta

All in Favor

Motion to Adopt: Laney

Second: Scibetta

Roll Call:

All Yes: Mr. Gormley; Mr. Laney, Mr. Maxwell; Mr. Scibetta; Mayor Kehm

ORDINANCE 2022-17 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Temporary Construction Easement and Permanent Easement on a Portion of Block 301, Lot 1, 114 Flax Court, From Walter and Margaret Davies, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Open to Public: Gormley

Second: Laney

All in Favor

Motion to Close to Public: Maxwell

Second: Scibetta

All in Favor

Motion to Adopt: Gormley

Second: Scibetta

Roll Call:

All Yes: Mr. Gormley; Mr. Laney, Mr. Maxwell; Mr. Scibetta; Mayor Kehm

ORDINANCE 2022-18 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Temporary Construction Easement and Permanent Easement on a Portion of Block 325.93, Lot 34, 101 East Delaware Drive, From Evona Dilks, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Open to Public: Laney

Second: Gormley

All in Favor

No comment from the public.

Motion to Close to Public: Laney

Second: Gormley

All in Favor

Motion to Adopt: Maxwell

Second: Scibetta

Roll Call:

All Yes: Mr. Gormley; Mr. Laney, Mr. Maxwell; Mr. Scibetta; Mayor Kehm

[SECOND READING AND ADOPTION] ORDINANCE 2022-19

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Temporary Construction Easement and Permanent Easement on a Portion of Block 299, Lot 1, 205 Flax Court, From Laura B. Erber, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Open to Public: Maxwell

Second: Laney

All in Favor

No comment from the public.

Motion to Close to Public: Laney

Second: Scibetta

All in Favor

Motion to Adopt: Laney

Second: Gormley

Roll Call:

All Yes: Mr. Gormley; Mr. Laney, Mr. Maxwell; Mr. Scibetta; Mayor Kehm

[SECOND READING AND ADOPTION] ORDINANCE 2022-20

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Temporary Construction Easement and Permanent Easement on a Portion of Block 325.90, Lot 2, 102 East Mullica Road, From Robert and Helene Kurz, in Accordance with N.J.S.A.

40A:12-5(a)(1)

Motion to Open to Public: Laney

Second: Gormley

All in Favor

Motion to Close to Public: Maxwell

Second: Scibetta

All in Favor

Motion to Adopt: Gormley

Second: Maxwell

Roll Call:

All Yes: Mr. Gormley; Mr. Laney, Mr. Maxwell; Mr. Scibetta; Mayor Kehm

ORDINANCE 2022-21 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Temporary Construction Easement and Permanent Easement on a Portion of Block 325.84, Lot 2, 1 Silver Lake Court, From Ken and Diana LaBarca, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Open to Public: Laney

Second: Maxwell

All in Favor

No comment from the public.

Motion to Close to Public: Laney

Second: Scibetta

All in Favor

Motion to Adopt: Scibetta

Second: Laney

Roll Call:

All Yes: Mr. Gormley; Mr. Laney, Mr. Maxwell; Mr. Scibetta; Mayor Kehm

ORDINANCE 2022-22 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Temporary Construction Easement and Permanent Easement on a Portion of Block 325.308, Lot 34, 1 South Dayton Drive, From Eileen Marra, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Open to Public: Laney

Second: Maxwell

All in Favor

No comment from the public.

Motion to Close to Public: Laney

Second: Scibetta

All in Favor

Motion to Adopt: Scibetta

Second: Gormley

Roll Call:

All Yes: Mr. Gormley; Mr. Laney, Mr. Maxwell; Mr. Scibetta; Mayor Kehm

ORDINANCE 2022-23 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Temporary Construction Easement and Permanent Easement on a Portion of Block 326.25, Lot 69, 102 North Spinnaker Drive, From Eugene and Shirley McCann, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Open to Public: Scibetta

Second: Maxwell

All in Favor

Motion to Close to Public: Scibetta

Second: Maxwell

All in Favor

Motion to Adopt: Scibetta

Second: Laney

Roll Call:

All Yes: Mr. Gormley; Mr. Laney, Mr. Maxwell; Mr. Scibetta; Mayor Kehm

ORDINANCE 2022-24 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Temporary Construction Easement and Permanent Easement on a Portion of Block 326.26, Lot 1, 101 North Burgee Drive, From Michael and Doris Ogden, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Open to Public: Laney

Second: Maxwell

All in Favor

No comment from the public.

Motion to Close to Public: Laney

Second: Scibetta

All in Favor

Motion to Adopt: Laney

Second: Gormley

Roll Call:

All Yes: Mr. Gormley; Mr. Laney, Mr. Maxwell; Mr. Scibetta; Mayor Kehm

ORDINANCE 2022-25 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Temporary Construction Easement and Permanent Easement on a Portion of Block 325.95, Lot 2, 1 West Mohawk Drive, From Scott Bryson, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Open to Public: Maxwell

Second: Scibetta

All in Favor

No comment from the public.

Motion to Close to Public: Gormley

Second: Maxwell

All in Favor

Motion to Adopt: Scibetta

Second: Maxwell

Roll Call:

All Yes: Mr. Gormley; Mr. Laney, Mr. Maxwell; Mr. Scibetta; Mayor Kehm

ORDINANCE 2022-26 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Temporary Construction Easement and Permanent Easement on a Portion of Block 325.85, Lot 29, 28 Mirror Lake Road, From Peter Schulack IV, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Open to Public: Gormley

Second: Laney

All in Favor

Motion to Close to Public: Laney Second: Scibetta All in Favor

Motion to Adopt: Gormley Second: Scibetta

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

ORDINANCE 2022-27 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Temporary Construction Easement and Permanent Easement on a Portion of Block 325.96, Lot 59, 2 West Potomac Drive, From Robert and Viola Tiller, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Open to Public: Laney Second: Maxwell All in Favor

No comment from the public.

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

Motion to Adopt: Gormley Second: Maxwell

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

ORDINANCE 2022-28 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Authorizing the Acquisition of a Temporary Construction Easement and Permanent Easement on a Portion of Block 325.305, Lot 2, 2 South Miami Drive, From John Woods and Rosanne Finley, in Accordance with N.J.S.A. 40A:12-5(a)(1)

Motion to Open to Public: Scibetta Second: Maxwell All in Favor

No comment from the public.

Motion to Close to Public: Laney Second: Maxwell All in Favor

Motion to Adopt: Laney Second: Scibetta

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

ORDINANCE 2022-29 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, Amending and Supplementing Ordinance 2022-01 (Salary Ordinance) to Establish the Compensation of Sub-Code Official (Per Diem)

Motion to Open to Public: Scibetta Second: Maxwell All in Favor

No comment from the public.

Motion to Close to Public: Laney

Second: Gormley

All in Favor

Motion to Adopt: Scibetta

Second: Gormley

Roll Call:

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

Abstain:

Mr. Laney

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.

The Municipal Clerk read by title all the Resolutions on the consent agenda.

RESOLUTIONS

2022-274	Authorizing the Appointment of Kathryn Weitz as a Clerk 1 for the Police Records
	Department [The appointment of Kathryn Weitz as Clerk I for police records effective
	January 3, 2023 at a rate of \$14/hr]

- 2022-275 Accepting the Retirement of and Authoring the Compensation of Accumulated Time to Anne Berberena [Anne Berberena will be retired as of January 1, 2023 with a total payout of \$13,703.20 for unused time]
- Amending Resolution 2022-254 [Resolution to amend the annual rate of pay in the amount of \$65,994.00 for Police Officer Tyler Galgano]
- 2022-277 Authorizing the Township Administrator to Advertise and Hire a Clerk 1 in the Tax Assessor's Office
- 2022-278 Authorizing the Execution of a Memorandum of Agreement and Collective Bargaining Agreement with USWU Local 255 [The agreement term for USWU Local 255 is from January 1, 2022 through December 31, 2025]
- Authorizing the Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Cycle
 July 2020 June 2025 [The joint Municipal Alliance Committee consists of Eagleswood,
 Little Egg Harbor and Tuckerton and was established to educate and engage residents,
 local government and law enforcement officials, schools, nonprofit organizations, the
 faith community, parents, youth and other allies in efforts to prevent alcoholism and drug
 abuse. The application submission is for year two grant term.]
- 2022-280 Awarding a Contract for Upgrade and Expansion of Township Property Security

 Cameras to Sentry One Security LLC [Awarding a contract to Sentry One Security for the

 Upgrade and Expansion of Township Property Security Cameras in the amount of \$142,000.00]

2022-291

Authorizing an Agreement with Verizon Connect NWF Inc. through Sourcewell National 2022-281 Cooperative Contract #020221-NWF [Awarding a contract under Sourcewell State Contract #020221-NWF for Fleet Services, parts, equipment and GPS with Verizon Connect NWF Inc. in the amount of \$2,300.00 per month for twelve months] Authorizing the Execution of Change Order No. 1 to the Contract for FY2021 NJDOT 2022-282 Municipal Aid Road Program Improvements to Sea Breeze Drive and Tradewinds Drive to Earle Asphalt Company [Change Order 1 decreases the original contract amount by \$35,830.51 for the improvements to Sea Breeze and Tradewinds Drive with Earle Asphalt. The final contract amount is \$541,082.62] Authorizing the Release of a Performance Guarantee Posted for Road Opening at 37 2022-283 Mirror Lake Drive to Gotcha Covered Home Services LLC [The release of a Performance Guarantee in the amount of \$4,140.00 to Gotcha Home Services for the road opening at 37 Mirror Lake Drive] Authorizing the Sale of Surplus Real Property by Open Public Auction in Accordance 2022-284 with N.J.S.A. 40A:12-13 and N.J.A.C. 5:34-5.9 [Authorizing the sale of nine surplus properties through Sourcewell National Cooperative, GovDeals, Inc., public auction] Authorizing the Tax Collector to Cancel Taxes and Provide a Refund Pursuant to N.J.S.A 2022-285 54:4-3.30 on Property Qualifying for Veterans Property Tax Exemption (William J. Glenn, Block 124, Lot 9.22) Authorizing the Tax Collector to Cancel Taxes and Provide a Refund Pursuant to N.J.S.A 2022-286 54:4-3.30 on Property Qualifying for Veterans Property Tax Exemption (Eric Shaw, Block 301, Lot 14) Authorizing the Tax Collector to Cancel Taxes and Provide a Refund Pursuant to N.J.S.A 2022-287 54:4-3.30 on Property Qualifying for Veterans Property Tax Exemption (Robert Seibel, Block 326.100, Lot 109) Authorizing the Tax Collector to Remove Various Properties from Tax Sale [Authorizing 2022-288 the removal of five properties from the tax sale list due to legal demolition process] Authorizing the Circulation of a Preliminary Official Statement and Final Official 2022-289 Statement in Connection with the Sale of Certain of the Township's Bond Anticipation Notes and Approving a Continuing Disclosure Certificate with Respect to Said Notes of the Township, and Authorizing and/or Ratifying Other Actions in Connection Therewith Authorizing the Transfers of Appropriations in Accordance with N.J.S.A. 40A:4-58 2022-290 Authorizing an Amendment to the 2022 Budget to Allow for the Insertion of a Special

Item of Revenue and Appropriation Pursuant to N.J.S.A. 40A:4-87 [Chapter 159 in the

amount of \$116,500.00 from the Comcast Franchise Renewal Grant]

2022-292 Authorizing an Amendment to the 2022 Budget to Allow for the Insertion of a Special Item of Revenue and Appropriation Pursuant to N.J.S.A. 40A:4-87 [Chapter 159 in the amount of \$8,589.00 from the FY 2022 Patrick Leahy Bulletproof Vest Partnership Grant]

2022-293 Authorizing the Adoption of a Floodplain Management Plan [Floodplain Management Plan was adopted by Planning Board on December 1, 2022]

2022-294 Opposing the Proposed Toll Increases by the New Jersey Turnpike Authority and South Jersey Transportation Authority [A Resolution opposing NJ Turnpike Authority and South Jersey Transportation Authority's 3% toll increase, effective January 1, 2023]

Authorizing the Execution of a Memorandum of Agreement with USWU Local 255 2022-298

CONSENT AGENDA PUBLIC COMMENT

Motion to Open to Public: Scibetta

Second: Gormley

All in Favor

Mr. Mooney of Windstar Drive requested further information on the Comcast negotiations Resolution 2022-291 and HOA. He also asked what involvement and impact the Township has on the HOA's.

Mayor Kehm explained that the Comcast Franchise is strictly to municipalities not Home owners Associations.

Township Attorney Melanie Appleby stated the franchise is statutorily driven and their isn't a lot of room for the municipalities to move. She stated this is for the municipal end of it and what Comcast does on a private level is not going to impact anything in the town. She further stated it is a non-inclusive franchise so Verizon or whomever can come into the town. She stated the private end has no impact on the Townships obligations and has no involvement in the private end of it.

Motion to Close to Public: Laney

Second: Gormley

All in Favor

Motion to Approve: Scibetta

Second: Maxwell

Roll Call:

All Yes: Mr. Gormley; Mr. Laney, Mr. Maxwell; Mr. Scibetta; Mayor Kehm

BILL RESOLUTION 2022-295

A Resolution Authorizing the Payment of Bills in the Amount of \$4,230,580.72

Motion to Approve: Scibetta

Second: Laney

Roll Call:

All Yes: Mr. Gormley; Mr. Laney, Mr. Maxwell; Mr. Scibetta; Mayor Kehm

Abstain from 2022-283 and yes to the remaining: Mr. Laney

BEST PRACTICES

Business Administrator/CFO, Rodney Haines stated every year the state of New Jersey requires the Township to fill out the best practices checklist which he has completed and the inventory is in accordance with the guidelines. He stated the Township scored 28.5 and the state aid will not get reduced since it was above a score of 15. He also stated no vote is required and the checklist will be uploaded to the website after the meeting.

PUBLIC COMMENT - Any Topic

Motion to Open to Public: Scibetta Second: Laney All in Favor

Mr. Mooney of Windstar Drive asked about the bus shelter and the maintenance of them.

Twp. Administrator Rodney Haines stated he will ask Public Works when they are able to install now that the church has removed the bench. He further stated he know they were looking to get additional brackets because the church removed them with the bench.

Committeeman Gormley stated DOT has done away with many bus shelters due to the amount of trash and glass that accumulates and replaced with only a sign. He further stated he put a bench at the bus stop in front of his store and there is always a bunch of trash that he has to pick up.

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

TOWNSHIP ENGINEER COMMENTS

Township Engineer, Jason Worth, reported that twelve of the fourteen Ordinance Easements that are on tonight's agenda have been signed by the property owners. He stated the skate park continues to be underway in the hopes of the opening of that and the pickle ball and basketball courts by early spring. He updated the Committee with the current grant funding that was received and wished everyone a Merry Christmas and a Happy New Year.

Mayor Kehm thanked the Township for all his hard work and for having an excellent and productive 2022.

TOWNSHIP COMMITTEE COMMENTS

Committeeman Dan Maxwell thanked the committee and Jason Worth for their guidance during his first year in office and further expressed his gratitude to the township employees and professionals. He stated the next Senior Citizen Advisory Committee meeting will be meeting on January 30 at the Community Center. He wished everyone a Merry Christmas and Happy New Year and stated he looks forward to 2023 will bring.

Committeeman Ray Gormley spoke on the dredging projects and further thanked the employees and professional for all their hard work in 2022. He expressed his gratitude for the team they have in place and is looking forward to 2023. He wished everyone a Merry Christmas and a Healthy Happy Holiday.

Committeeman Ken Laney thanked all the residents, employees and professionals for all their hard work. He further stated pictures with Santa will be on Saturday December 10 from 6-8pm. He wished everyone a Merry Christmas and happy New Year.

Deputy Mayor Blaise Scibetta stated he is thankful for Little Egg Harbor staff, employees, professionals and residents. He provided the residents with a recap of 2022 and all the great events the town has participated in. He wished everyone a very Merry Christmas and Happy New Year.

Mayor John Kehm thanked all staff and professionals for all their hard work and how aggressive everyone was to push forward in the towns. He stated everything has worked out very well the last few years and he thanked everyone for attending the meeting. He wished everyone a Merry Christmas and looks forward to seeing everyone on January 1 Reorganization meeting.

EXECUTIVE SESSION 2022-296

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

Township Attorney Melanie Appleby stated the Committee needs to go into Executive Session to discuss Attorney-Client Privilege, contractual matters and personnel, no formal action is anticipated to be taken.

Motion to Approve: Scibetta

Second: Laney

All in Favor

Motion to Close Executive Session and Reconvene Regular Township Meeting: Maxwell

Second: Scibetta

All in Favor

Motion to Adjourn: Scibetta

Second: Maxwell

All in Favor

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

Kelly Lettera, RMC

Township Clerk