

MEETING PARTICIPATION INFORMATION

LEHT Township Meeting
 Thu, Nov 12, 2020 7:00 PM - 10:00 PM (EST)

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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.

Township Attorney Jean Cipriani explained the protocol for this evenings meeting.

ROLL CALL: Yes Ms. Stevens Yes Mr. Scibetta Yes Mr. Gormley

Yes Mr. Kehm Yes Mrs. Crea

APPROVAL OF MINUTES

➤ October 8, 2020

Motion to Approve: Stevens

Second: Kehm

All in favor

- 2020-177 Authorizing a Separation Agreement and compensation of accumulated time to Joy MacDonald
(This Resolution authorizes the execution of an agreement with Joy MacDonald, allowing her to retire if eligible and delineating terms for separation.)
- 2020-178 Authorizing a Collective Bargaining Agreement with PBA
(This Resolution authorizes the execution of a collective bargaining agreement with the PBA awarded through arbitration to be effective from January 1, 2019 to December 31, 2023.)
- 2020-179 Authorizing various tax refunds
15. PUBLIC COMMENT – Consent Agenda Only
16. BILL RESOLUTION
- 2020-180 Authorizing the payment of bills in the amount of \$5,812,887.28
17. MISCELLANEOUS APPROVALS
- Raffle application for Women’s Club by the Bay monthly 50/50 Raffle for calendar year 2021
18. PUBLIC COMMENT – Any Topic
19. Parkertown Drive sewer connection waiver request
(Owner of 215 Parkertown Drive is seeking a waiver from requirements of Township Code Section 282-5 and must demonstrate compelling reasons for such waiver or extension of time or that an extreme hardship exists and that the granting of the waiver or extension of time will not have an adverse effect upon the water quality or environment of the immediate area.)
20. TOWNSHIP ENGINEER
21. TOWNSHIP COMMITTEE COMMENTS
22. EXECUTIVE SESSION
- 2020-XXX Authorizing the convening of an Executive Session in accordance with the Open Public Meetings Act
23. ADJOURN

Ordinance 2020-14 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, in the County of Ocean, New Jersey, providing for township-wide drainage projects in and for the Township of Little Egg Harbor and appropriating \$455,000 therefor and providing for the issuance of \$432,250 in bonds or notes of the Township of Little Egg Harbor to finance the same.

(A bond ordinance for storm drainage improvements in various roadways of the Township including the replacement of drainage easement outfalls and installation of tide valves.)

Motion to Open to Public: Kehm Second: Scibetta All in favor

No public participation.

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

Motion to Adopt: Gormley	Second: Kehm	Roll Call:	Stevens	<u>Yes</u>
			Scibetta	<u>Yes</u>
			Gormley	<u>Yes</u>
			Kehm	<u>Yes</u>
			Crea	<u>Yes</u>

Ordinance 2020-15 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending Chapter 274 entitled "Property Pending Foreclosure Registration" of the Township Code of the Township of Little Egg Harbor

(The ordinance repeals and replaces the Township's current Ordinance CH 274 Property Pending Foreclosure, Registration of" The previous ordinance required a creditor that was foreclosing on a residential property to register with the Township. Furthermore, it required the creditor to be responsible for and fix any nuisance or violation occurring on the property within 30 days of notification. If the creditor failed to repair or correct, the Township could repair or correct and charge the creditor for the work completed. The revised ordinance expands and strengthen the previous ordinance. The ordinance establishes a process to address violations and deterioration of foreclosed mortgaged properties. The ordinance establishes a registration program and corresponding fees for these properties; it requires multiple inspections of the property throughout the foreclosure process; it holds creditors accountable for the maintenance and security of these properties and provides a mechanism to avert foreclosure actions through timely intervention, education, or counseling of property owners.)

Motion to Open to Public: Kehm Second: Scibetta All in favor

No public participation.

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

Motion to Adopt: Stevens	Second: Scibetta	Roll Call:	Stevens	<u>Yes</u>
			Scibetta	<u>Yes</u>
			Gormley	<u>Yes</u>
			Kehm	<u>Yes</u>
			Crea	<u>Yes</u>

Ordinance 2020-16 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending and supplementing Chapter A380 of the Municipal Code entitled "Cable Television Franchise"

(Ordinance authorizing a 10-year Renewal Term with Comcast for the provision of a cable television and communications system. These services are non-exclusive and would not prevent another provider from supplying services during the ten-year term. The Township will receive a one-time \$116,500 PEG Capital Grant payable within 6 months of the adoption of the Certificate of Approval by the New Jersey Board of Public Utilities. Comcast will also continue courtesy cable service at the certain Township and public facilities including volunteer fire and EMS facilities Comcast and the Township agree to partner on Public Service Announcements for the Economic Revitalization Committee. Comcast will provide 5 Public Service Announcements a month for a period of 3 years which the Township, through the Commercial Revitalization Advisory Board, will allocate to local businesses. Comcast will also consider any application by the non-profit Commercial Revitalization Action Board for provision of additional Public Service Announcements for local businesses or funds connected to the provision of same.)

Township Attorney Jean Cipriani stated we received late notice from Comcast that revisions are needed to this ordinance which she briefly discussed. At this time, it is asked that we make this first reading therefore second reading and final adoption will take place at the December 10, 2020 Township Meeting. This will not change the terms the township is receiving.

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

Ordinance 2020-17 [SECOND READING AND ADOPTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending and supplementing Chapter 323, entitled "Vehicles and Traffic" so as to lower the speed limit on Frog Pond Road to 25 MPH and create a No-Passing Zone

(This Ordinance creates a 25 mph speed limit, as well as a no-passing zone for the entire length of Frog Pond Road)

Motion to Open to Public: Scibetta Second: Stevens All in favor
No public participation.

Motion to Close to Public: Kehm Second: Scibetta All in favor

Motion to Adopt: Gormley	Second: Stevens	Roll Call:	Stevens	<u>Yes</u>
			Scibetta	<u>Yes</u>
			Gormley	<u>Yes</u>
			Kehm	<u>Yes</u>
			Crea	<u>Yes</u>

Ordinance 2020-18 [FIRST READING AND INTRODUCTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending Chapter 134 of the Township Code of the Township of Little Egg Harbor, entitled "Animals" to create Article III, "Registration to Keep or Raise Fowl" *(This ordinance amends Chapter 134, "Animals" so as to create a new Article III, to delineate the standards for the keeping of ducks (drakes and hens) as well as chickens (hens only) in certain residential areas, under specified conditions.)*

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

Ordinance 2020-19 [FIRST READING AND INTRODUCTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending Chapter 65 of the Township Code of the Township of Little Egg Harbor, entitled "Hospitalization Plan" so at to remove payment for waiver of enrollment in township health benefit plan

(This ordinance amends Chapter 65 of the Township Code so as to omit Section 65-3 and to no longer authorize a payment to an employee if they waive health benefit coverage.)

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

Ordinance 2020-20 [FIRST READING AND INTRODUCTION]

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending Chapter 65 of the Township Code of the Township of Little Egg Harbor, entitled "Alcoholic Beverages"

(This ordinance is amended in accordance with N.J.S.A. 40:48-1.2, which allows municipalities to adopt ordinances prohibiting the possession and consumption of alcoholic beverages by underage people on private property. Starting January 1, 2021, the statute will no longer allow for the suspension of a violator's license, which is reflected in this ordinance.)

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

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- 2020-166 Certifying the Governing Body has reviewed, as a minimum, section of the Annual Audit
(The Committee must acknowledge that they have reviewed certain sections of the annual audit.)
- 2020-167 Authorizing standard procedures and requirements for public comments made during a remote public meeting in accordance with N.J.A.C. 5:39-1.4
(This Resolution delineates procedures required to be adopted pursuant to the regulations, for remote public meeting participation by the public and submission of materials to the Committee during the public health emergency.)
- 2020-168 Approving the person-to-person transfer of Plenary Retail Consumption License Number 1516-33-005-006 Pine Bay Liquors Inc.
(Transfer of liquor license, sale of property Pine Bay Liquors Inc. to Christopher Rampone.)
- 2020-169 Authorizing the transfers of appropriations in accordance with N.J.S.A. 40A:4-58
(Transfers are permitted in the final 2 months of the fiscal year. Transfers requested are for items related to the public emergency related to COVID and to cover the expenses of the electronic tax sale necessary due to the limitations of attendance in public buildings.)
- 2020-170 Authorizing an amendment to the 2020 budget to allow for the insertion of a Special Item of Revenue and Appropriation pursuant to N.J.S.A. 40A:4-87 [FY2020 Clean Communities Grant, \$52,720.73]
(The Township has received these funds and a resolution is required to amend the budget in order to spend the funds.)
- 2020-171 Authorizing an amendment to the 2020 budget to allow for the insertion of a Special Item of Revenue and Appropriation pursuant to N.J.S.A. 40A:4-87 [2020 Safe and Secure Communities Program, \$60,000.00]
(The Township has received these funds and a resolution is required to amend the budget in order to spend the funds.)
- 2020-172 Awarding a contract for the Electric Vehicle Charging Station Improvements to Timothy P. Bryan Electric Co., Inc.
(Awarding a contract for the installation of a dual port electric vehicle charging station at the Municipal Complex in the amount of \$29,900.00. The project is partially funded via an It Pay\$ to Plug In Grant from the State of New Jersey.)
- 2020-173 Awarding a contract for Fence Replacement at the Community Center to Abhzeen Design
(Awarding a contract for the replacement of site fencing at the Community Center along West Calabreeze Way and Lake St. Claire Drive in the amount of \$44,463.00. The project is partially funded via a Community Development Block Grant from Ocean County.)

- 2020-174 Authorizing vacation carryover of “use or lose” 2019 vacation hours due to impact on COVID-19 Pandemic
(This Resolution allows carryover of unused 2019 vacation time to 2021 as allowed under N.J.S.A. 11A:6-3, due to a state of emergency.)

- 2020-175 Authorizing the execution of a change order to the contract for FY 2019 NJDOT Municipal Aid Program Improvements to Great Bay Blvd
(Final Change Order No. 1 for the project adjusting the final contract price based on as-built quantities for the project.)

- 2020-176 Authorizing the execution of a change order to the contract for FY 2019 NJDOT Municipal Aid Program Improvements to Iowa Court
(Final Change Order No. 1 for the project adjusting the final contract price based on as-built quantities for the project. The change order is a reduction from the original contract price of \$445,314.00 to \$420,143.68, which is a 5.65% decrease.)

- 2020-177 Authorizing a Separation Agreement and compensation of accumulated time to Joy MacDonald
(This Resolution authorizes the execution of an agreement with Joy MacDonald, allowing her to retire if eligible and delineating terms for separation.)

- 2020-178 Authorizing a Collective Bargaining Agreement with PBA
(This Resolution authorizes the execution of a collective bargaining agreement with the PBA awarded through arbitration to be effective from January 1, 2019 to December 31, 2023.)

- 2020-179 Authorizing various tax refunds

PUBLIC COMMENT – Consent Agenda Only

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

Mr. Ed Andrew: Asked why there is a fence around the community center.

Deputy Mayor Kehm explained the fence has been there for many years and it does help with the safety of the children at the center.

Township Engineer Jason Worth explained the new fence will be a six foot high chain link fence with black vinyl coating which will give it a softer appearance.

Ms. Pat Johnson: Asked for details on the PBA contract.

Township Administrator Matt Spadaccini stated he will email Ms. Johnson a copy of the contract information tomorrow.

Motion to Close to Public: Gormley Second: Scibetta All in favor

Motion to Approve:	Second:	Roll Call:	Stevens	Yes
Stevens	Scibetta			
			Scibetta	Yes
			Gormley	Abstain on 2020-177
				Yes to balance

Kehm	Abstain on 2020-177
	Yes to balance
Crea	Yes

BILL RESOLUTION

2020-180 Authorizing the payment of bills in the amount of \$5,812,887.28

Motion to Approve: Stevens Yes
Second: Kehm

Scibetta	Yes
Gormley	Yes
Kehm	Yes
Crea	Abstain on 11021/11022
	Yes to balance

MISCELLANEOUS APPROVALS

➤ Raffle application for Women's Club by the Bay monthly 50/50 Raffle for calendar year 2021

Motion to Approve: Kehm Second: Scibetta All in favor

PUBLIC COMMENT – Any Topic

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

No public participation.

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

Mayor Crea announced she is removing herself from the Parkertown Drive sewer connection waiver request as she is one of the employees that gave a recommendation on this application.

Township Attorney Jean Cipriani briefly explained the following waiver request.

Parkertown Drive sewer connection waiver request

(Owner of 215 Parkertown Drive is seeking a waiver from requirements of Township Code Section 282-5 and must demonstrate compelling reasons for such waiver or extension of time or that an extreme hardship exists and that the granting of the waiver or extension of time will not have an adverse effect upon the water quality or environment of the immediate area.)

Mr. Jeremy Price: Announced he is serving as counsel for the applicant and is also a related party. At this time he is requesting a brief adjournment on this matter for a few reasons. One is to secure a few quotes so the committee may see the full extent of the cost of this project in relation to the hardship application. Secondly he would like to clarify and modify the application to include a request for a qualified waiver which he explained. The third reason involves the poor health of the applicant who is in the hospital at this time. We are asking for more time regarding this application for the reasons stated.

Township Attorney Jean Cipriani stated it is her recommendation the adjournment request is granted until the February meeting which she briefly discussed.

Attorney Debra Rumpf: Asked the governing body not to grant any further adjournments since this matter has been ongoing for over two years which she briefly explained.

Deputy Mayor Kehm asked the governing body if they would prefer to adjourn the matter until February.

Township Attorney Jean Cipriani explained the issue tonight is whether to grant the adjournment request or not. If the request is not granted, it would be appropriate to discuss whether or not to grant the waiver or any modifications.

Committeeman Ray Gormley asked Mr. Price if his client could gather the necessary quotes by the December township meeting.

Attorney Jeremy Price: Explained he will try to get the quotes done in a timely fashion however he cannot determine how long it will take to get the quotes from contractors.

Township Attorney Jean Cipriani suggested coming to a decision on either granting an adjournment request until the February township meeting, grant a thirty-day request until the December meeting or no adjournment at all.

Deputy Mayor Kehm suggested giving the matter until the December township meeting.

Committeewoman Lisa Stevens does not believe that is much time considering the upcoming holidays and suggested not giving the waiver.

Committeeman Blaise Scibetta agrees with the thirty-day extension due to the applicant being hospitalized and to give him a chance to speak as well.

Deputy Mayor Kehm asked if the client will be able to speak on the matter at the December meeting.

Township Attorney Jean Cipriani mentioned that is the decision of the governing body which she briefly explained. She asked if anyone is willing to move that the adjournment request be granted until the December 10, township meeting with the proviso that any additional documentation or modified request be put in writing by Mr. Price and sent to her office and she will disperse it to the governing body no later than December 3, 2020.

Committeeman Ray Gormley agrees and would like to make it in the form of a motion.

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

TOWNSHIP ENGINEER

Jason Worth reported on the tree clearing in the Railroad Avenue area due to the beginning phases of a residential development. He discussed an upcoming meeting with NJNG and the MUA with regard to the projects on East and West Delaware, East and West Mullica and East and West Mohawk. Lastly, he gave an update on the FEMA flood mapping. He wished everyone a happy, healthy and safe Thanksgiving.

Committeeman Blaise Scibetta mentioned with regard to Sports Complex, he was asked by the soccer and football members if any grants are available for improvements to the fields and any permit information that is available.

Township Engineer Jason Worth explained the township had a permit for additional lighting at the baseball and soccer fields; however it has since expired. He discussed the process for reapplying for the permits and possible future grant opportunities.

Committeewoman Lisa Stevens asked if she is correct in the matter of the FEMA maps not being available until 2023.

Township Engineer Jason Worth stated 2023 will be the earliest that they will generate what is called "work maps" which he briefly explained.

TOWNSHIP COMMITTEE COMMENTS

Stevens: Wished everyone a Happy Thanksgiving and asked everyone to be safe during this time. She congratulated Committeeman Gormley and Deputy Mayor Kehm on the recent election.

Scibetta: Gave the details of the Calvary Baptist Church food pantry and discussed how to cope with the stress of the pandemic. He wished everyone a Happy Thanksgiving.

Gormley: Thanked all Veteran's for their service and discussed future dredging plans. He wished all a safe and Happy Thanksgiving.

Kehm: Spoke about the community center's last drive-in-movie of the season and will keep everyone informed if any holiday events will occur. Happy Thanksgiving.


Crea: Thanked all Veteran's for their service and announced Interfaith will be opening a satellite office in Little Egg Harbor. She will provide an update once more information is available. She spoke briefly about the rising Covid19 numbers and wished everyone a Happy Thanksgiving.

Being no further business,
Motion to adjourn: Stevens

Second: Kehm

All in favor

Respectfully submitted,



Diana K. McCracken, RMC
Township Clerk