

Little Egg Harbor Township Committee Meeting

SEPTEMBER 28, 2017

7:00 P.M.

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.

ROLL CALL: Mr. Schlick Yes Mr. Kehm Yes Ms. Stevens Yes
Mrs. Crea Absent Mr. Gormley Yes

PROCLAMATION:

Committeewoman Lisa Stevens read a Proclamation proclaiming October as Domestic Violence Awareness Month and presented a copy of the proclamation to the ZONTA Club.

APPROVAL OF MINUTES:

> September 14, 2017 Township Meeting
Motion to Approve: Kehm Second: Stevens All in Favor

ORDINANCE **Second Reading and Adoption**

2017-10 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending and supplementing Chapter 269 of the Township Code to regulate the practice of real estate solicitations and establish a "No Knock" Registry

Committeewoman Lisa Stevens requested this ordinance be tabled or carried until Deputy Mayor Crea is available.

Township Attorney Jean Cipriani explained this could be carried until the October 12th meeting.

Motion to Carry: Stevens Second: Kehm Roll Call: Schlick No
Kehm Yes
Stevens Yes
Crea Absent
Gormley Yes

2017-11 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending Chapter 194 of the Township Code of the Township of Little Egg Harbor, entitled "Grading and Drainage" [amend §194-4 entitled "Plan standards"]

Motion to Open to Public: Kehm Second: Stevens All in Favor
Mr. Peter Ferwerda: Spoke in favor of the grading and drainage and is pleased this ordinance was passed.

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

Motion to Adopt: Kehm

Second: Stevens

Roll Call: Schlick	Yes
Kehm	Yes
Stevens	Yes
Crea	Absent
Gormley	Yes

ORDINANCE First Reading and Introduction

2017-12 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending Chapter 29 of the Township Code of the Township of Little Egg Harbor, entitled "Economic Development Advisory Board" *[increase numbers of members from seven members to nine members]*

Committeeman Dave Schlick asked for clarification on the Advisory Board.

Township Attorney Jean Cipriani explained it is the will of the committee to determine how many members are on any Advisory Board.

Committeeman Dave Schlick requested again that the Economic Development Advisory Board come to a township meeting to discuss their work.

Committeeman John Kehm stated the public is welcome to attend their meetings if they are interested.

Motion to Introduce: Schlick

Second: Kehm

Roll Call: Schlick	Yes
Kehm	Yes
Stevens	Yes
Crea	Absent
Gormley	Yes

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.

2017-205 A Resolution authorizing the purchase of vehicles for the Township motor pool *[two basic model 2017 Ford Explorer utility vehicles - total cost \$53,096, purchased through the Ocean County Cooperative Purchasing System]*

2017-206 A Resolution awarding a contract to Premier Enterprises LLC for Community Center, Administration Building and former Municipal Building Roof Improvements *[contract award amount \$761,540.00]*

2017-207 A Resolution awarding a contract to Cascade Engineering, Inc. for roll-out refuse collection containers comb-lift fully automated or equivalent *[contract award amount \$24,860.00 purchased with recycling funds]*

2017-208 A Resolution expressing opposition to legislative proposals regarding the Open Public Meetings Act and Open Public Records Act

2017-209 A Resolution approving the Operating Manual for the Administration of the Housing Rehabilitation Program and the Affordability Assistance Programs

- 2017-210 A Resolution authorizing the Planning Board to provide an advisory opinion pursuant to N.J.S.A. 40:55D-25 *[the Township Committee requests the Planning Board undertake an investigation and provide an advisory opinion regarding the proposed installations and proposed locations of the attachments to the utility poles within the Township's Right-of-Ways]*
- 2017-211 A Resolution authorizing the filing of an application for State Aid to Municipalities under the New Jersey Transportation Trust Fund Authority Act for FY2018
Municipal Aid Program – Improvements to Maryland Road
- 2017-212 A Resolution authorizing an amendment to the 2017 Budget to allow for the insertion of a Special Item of Revenue and Appropriation pursuant to N.J.S.A. 40A:4-87 *[\$400,000.00 from the State of New Jersey Department of Environmental Protection 2017 Water Quality Restoration Grant for "Construction of a Living Shoreline at Iowa Court]*
- 2017-213 A Resolution authorizing an amendment to the 2017 Budget to allow for the insertion of a Special Item of Revenue and Appropriation pursuant to N.J.S.A. 40A:4-87 *[\$6,182.40 from the New Jersey Office of Emergency Management for FY2018]*
- 2017-214 A Resolution authorizing an amendment to the 2017 Budget to allow for the insertion of a Special Item of Revenue and Appropriation pursuant to N.J.S.A. 40A:4-87 *[\$9,849.02 from the Ocean County Recycling Revenue Sharing Program]*
- 2017-215 A Resolution authorizing the partial release of a performance guarantee posted by K. Hovnanian at Little Egg Harbor II, LLC with the Township Clerk conditioned on the posting of a new surety guarantee *[Four Seasons at Harbor Bay Phase 6]*
- 2017-216 A Resolution authorizing the partial release of a performance guarantee posted by K. Hovnanian at Little Egg Harbor II, LLC with the Township Clerk conditioned on the posting of a new surety guarantee *[Four Seasons at Harbor Bay Phase 7]*
- 2017-217 A Resolution authorizing T&M Associates for a scope and budget for permitting and engineering services related to lagoon dredging within Mystic Island
- 2017-218 A Resolution authorizing receipt of bids for tipping fees in conjunction with dredging project and authorizing T&M Associates to draft specifications for such bid *[it is necessary that the specifications for such project be drafted in a manner ensuring compliance with DEP requirements and in such a manner as to provide consistency in future bids associated with this project]*
- 2017-219 A Resolution authorizing the Township of Little Egg Harbor to modify the existing New Jersey Department of Environmental Waterfront Development Permit #1516-11-0012.1 (WFD110001), issued upon approval by the Osborne Island Residents Association, to provide for alternative dredge disposal locations and to increase the quantity of material to be dredged, with anticipated project costs not to exceed \$4,000,000.00 *[modify the existing NJDEP Waterfront Development Permit issued to the Osborne Island Residents to provide for alternative dredge disposal locations and to increase the quantity of material to be dredged]*

- 2017-220 A Resolution authorizing the Mayor of the Township of Little Egg Harbor as signing authority for the application for a Coastal GP 24 to address the creation of a living shoreline within the area of Iowa Court that will re-establish a portion of the shoreline back to the 1977 tidelands claim line
- 2017-221 A Resolution authorizing the Chief Financial Officer to explore financial avenues for the purchase of an ambulance for the use of Great Bay Emergency Medical Services
- 2017-222 A Resolution approving participation in the H-GAC Commission Cooperative Purchasing System *[state statute permits municipalities to participate in cooperative purchasing systems for goods and services]*
- 2017-223 A Resolution authorizing a refund of taxes paid to Joseph T. Mezzina *[940 Nugentown Road for tax years 2015 and 2016]*
- 2017-224 A Resolution cancelling taxes and authorizing a refund pursuant to N.J.S.A. 54:4-3.30 *[totally-disabled Veterans Property Tax Exemption]*
- 2017-225 A Resolution authorizing tax refunds for 31 Briarwood Drive *[the refund is due to a payment made in error on an exempt property with disabled veterans status]*, 31 South Ensign Drive *[the refund is due to duplicate payments made by the mortgage company and the property owner]*, and 110 North Ensign Drive *[the refund is a duplicate payment by the title company and the lien holder]*
- Mayor Ray Gormley discussed the resolutions and read an email from the State regarding the Marsh Restoration Project. He spoke about Great Bay EMS and ways to assist them in getting another ambulance.

PUBLIC COMMENTS CONSENT AGENDA ONLY

Motion to Open: Stevens

Second: Kehm

All in Favor

Ms. Pat Johnson: Asked where the money will come from in reference to Resolution 2017-219, the NJDEP Waterfront Development Permit.

Mayor Ray Gormley explained there is a cap on this project not to exceed four million dollars. He stated the township would bond for the project and explained the process.

Township Attorney Jean Cipriani gave a brief explanation on the project.

Ms. Pat Johnson: Asked if T&M Associates are doing the estimate on the cost of the project and how they will be paid.

Township Engineer Jim Oris explained the work is part of the special assessment and the township has the option to include it in the assessment or pay it outside the assessment. He referred to Resolution 2017-217.

Ms. Pat Johnson: Asked if the NTWF project is not going to go through.

Mayor Ray Gormley explained with regard to the Marsh Restoration Project, the thin layer deposition on the fifty acre broadcast cannot be approved by the DEP in its current form.

Township Engineer Jim Oris explained the Marsh Restoration Project will not be approved in its current form. The DEP is considering options in working with the townships on what they might approve; however in its current form they will not approve it. We are looking for other options.

Mr. Ed Andrew: On behalf of the Osborn Island Residents Association he discussed bonding on all waterfront communities at once and not piecemeal.

Mayor Ray Gormley explained what will always come into play is the availability of placing the material.

Mr. Ed Andrew: Explained this job was bid just before Storm Sandy with the intention of trucking the materials to Cape May. Including all fees at that time we were at between seven hundred thousand and a million dollars. He believes the amount of four million dollars seems odd and wants the town to be as frugal as possible. He spoke about the permit obtained by Osborn Island in the amount of one hundred thousand dollars through private donations and the willingness to work with the town on the project.

Mayor Ray Gormley agrees with Mr. Andrews and discussed how the bidding process works.

Mr. Art Mooney: Asked if the assessment would be for the bay-front properties only.

Mayor Ray Gormley stated yes, only the ones affected by the dredging. We truly don't know the cost at this time and it will be done through the bid process which is open to the public.

Mr. Art Mooney: Thanked the governing body for their efforts in trying to be fair with the tax payers.

Mayor Ray Gormley mentioned the history of the lagoons and they have not been dredged in sixty years. He invited the public to review the map.

Mr. Art Mooney: Asked for clarification on Resolution 2017-209.

Township Attorney Jean Cipriani explained this manual is a requirement for the Housing Rehabilitation Program and hopefully the last step for Little Egg Harbor. It is for existing housing stock.

Committeewoman Lisa Stevens explained this is for homeowners in the low to moderate range.

Mr. Art Mooney: It is his understanding that the PILOT program does not have to share with the school systems.

Township Attorney Jean Cipriani explained the PILOT allows the municipality to not have a portion for the schools and cut the county down to ten percent.

Mr. Art Mooney: Mentioned the cost impact per student in the schools and asked if a vote was taken on the PILOT program and when.

Mayor Ray Gormley stated it was voted on over eight months ago.

Ms. Victoria Simon: Asked for clarification on Resolution 2017-217 and if new locations have been added to the dredging list and additional cost.

Mayor Ray Gormley explained the cost will not be determined until we have established the cost to get rid of the material; however before that we must get an approved permit. Once we have it we can go out to bid for the cost of the project. He explained the difference between the Osborn Island permit and the other permits.

Mr. Robert Hirth: Asked what is going on with the Mystic Island dredging.

Mayor Ray Gormley explained the engineer will prepare a budget and scope to move forward with Mystic Island after Osborn Island is complete.

Ms. Ann Mikas: Asked if town hall is included in the roof improvements.

Township Attorney Jean Cipriani explained yes, all three buildings are included.

Ms. Ann Mikas: Asked when work on the community center will begin.

Township Engineer Jim Oris stated in about three or four weeks work should begin.

Committeeman John Kehm hopes the center will be finished by Thanksgiving.

Mr. Ed Gautier: Gave a detailed explanation of Resolution 2017-217 for the residents to better understand.

- Raffle application for the PTO of Little Egg Harbor Inc. gift raffle on November 17, 2017 at the Frog Pond School
- Bingo application for the PTO of Little Egg Harbor Inc. on November 17, 2017 at the Frog Pond School

Motion to Approve: Schlick

Second: Kehm

All in Favor

TOWNSHIP ENGINEER COMMENTS

Jim Oris reported on the MUA project on Twin Lakes Boulevard, the design and survey work for the improvements of Pinehurst Drive and Seminole Drive and an update on the Energy Aggregation Program.

Mayor Ray Gormley mentioned resident's requests for additional sidewalks along Mathistown Road around the library and Walgreens. There are also concerns for the right turn lane on Mathistown Road and Center Street in front of Walgreens.

Township Engineer Jim Oris will look into the issues in question.

Committeewoman Lisa Stevens asked if the Holly Lake dam issue has been looked into.

Township Engineer Jim Oris stated they reached out to the homeowners association and are waiting for a response.

Committeewoman Lisa Stevens thanked Township Engineers Mr. Worth and Mr. Oris for all their hard work on the Marsh Restoration Project

Mayor Ray Gormley reiterated Committeewoman Stevens's comments.

PUBLIC COMMENTS – any topic

Motion to Open: Stevens

Second: Kehm

All in Favor

Ms. Maylou Myron: Asked if it is true that a methadone clinic will open near the new affordable housing.

Mayor Ray Gormley stated no.

Ms. Maylou Myron: Asked if there is a uniform allowance of \$1,000.00 for fireman.

Committeeman Dave Schlick explained the police have a clothing allowance.

Ms. Maylou Myron: Expressed her concerns regarding access to the lagoons for boaters.

Mayor Ray Gormley invited Ms. Myron to speak with him after the meeting.

Mr. Art Mooney: Asked how new residents will receive information to participate in the Energy Aggregation Program.

Township Engineer Jim Oris mentioned including the information on the township website.

Mr. Art Mooney: Asked if there has been progress on the website.

Mayor Ray Gormley will make it a priority when he speaks with Mr. Loesch.

Mr. Art Mooney: Asked for an update on the veteran's park.

Committeewoman Lisa Stevens gave a brief update on the plan for the veteran's park.

Mr. Robert Hirth: Made some suggestions regarding parking, fishing and dogs at the end of Radio Road. He mentioned enforcing the curfew and spoke about drugs in town.

Committeeman John Kehm explained the curfew is 10pm and discussed future meetings to address the drug problem.

Mr. Tony Petrac: Expressed concerns for standing water in the drainage ditches by the new townhomes on Radio Road and Spinnaker Drive which are producing mosquitos.

Township Engineer Jim Oris will look into it.

Mr. Mark Sobiak: Questioned the need for new dump trucks and not used ones considering the townships budget. Asked if there is truth to Wal-Mart's taxes being \$507,700.00 this year. Mayor Ray Gormley explained they pay about \$260,000.00 a year in taxes with 25% of it staying in the town.

Mr. Mark Sobiak: Spoke in detail about his views on the No Knock Registry. Township Attorney Jean Cipriani explained the ordinance is on the next meeting for second reading.

Mr. Ed Andrew: Asked the governing body to watch the budget.

Motion to Close: Stevens

Second: Kehm

All in Favor

TOWNSHIP COMMITTEE COMMENTS

Schlick: No comment.

Kehm: Thanked Mayor Gormley for all his hard work. Spoke about the upcoming annual haunted maze event at the community center.

Gormley: Credited Manahawkin Chrysler for sponsoring the event.

Stevens: Spoke about the recent Senior Advisory Meeting and speaker Joseph Coronato.

Mentioned how the governing body is a family and works together.

Gormley: Gave an update on recycling, an event at the Pulaski monument and a resolution requested by the Board of Chosen Freeholders to support the state and extend the 2% property tax cap.

Being no further business

Motion to Adjourn: Stevens

Second: Schlick

All in Favor

Respectfully submitted,

Diana K. McCracken, RMC

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Township Clerk