

DECEMBER 10, 2020

MINUTES

7:00 PM

MEETING PARTICIPATION INFORMATION

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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 – Virtual public meeting procedure & protocol statement

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

Yes Mr. Kehm Yes Mrs. Crea

APPROVAL OF MINUTES

➤ November 12, 2020

Motion to Approve: Gormley

Second: Kehm

All in favor

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.)+

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

Township Attorney Jean Cipriani gave a brief explanation of this ordinance.

No public participation.

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

Motion to Adopt: Scibetta	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 2020-18 [SECOND READING AND ADOPTION]

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 Open to Public: Stevens Second: Kehm All in favor

Mr. Warren Vallario: Asked for the definition of "waterway" in this ordinance.

Township Attorney Jean Cipriani stated within the DEP regulations the definition of waterway would be a navigable body of water which she briefly explained.

Resident of Stage Road: Questioned why this ordinance was not available on the website.

Township Clerk Diana McCracken explained the ordinance was advertised as required and posted in the municipal building for review. She will look into why it wasn't posted on the website.

Resident of Stage Road: Asked why the fine with regard to this ordinance is \$2,000.00 a day.

Township Attorney Jean Cipriani briefly explained the process.

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

Motion to Adopt: 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 [SECOND READING AND ADOPTION]

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 as 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 Open to Public: Gormley Second: Kehm All in favor
No public participation.

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

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

Ordinance 2020-20 [SECOND READING AND ADOPTION]

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

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

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

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.

2020-181 Authorizing the appointment of Eric Hahn as Mechanic Helper
[Mr. Hahn is filling a vacancy from August and will be compensated at the rate of \$17.85 per hour, in accordance with the township salary ordinance]

- 2020-182 Authorizing the execution of an Agreement with Comcast of New Jersey, Inc.
[This Resolution authorizes the execution of an Agreement with Comcast of New Jersey, Inc. in conjunction with the Cable Franchise Renewal, Ordinance 2020-173, Chapter A380 of the Township Code entitled "Cable Television Franchise" to provide for Public Service Announcements for local businesses, and for student and senior rates. A technology grant in the amount of \$116,500]
- 2020-183 Authorizing the execution of a Shared Services Agreement with Ocean Township (Waretown) for Finance Services
[Agreement provides financial services by the Township's Chief Financial Officer]
- 2020-184 Authorizing Chief Financial Officer, Rodney R. Haines, to receive an annual stipend for providing services to Ocean Township (Waretown) under a Shared Services Agreement with Ocean Township for Finance Services
[Authorizing an annual stipend to Mr. Haines for providing financial services to Ocean Township (Waretown) under the Shared Services Agreement]
- 2020-185 Authorizing the execution of a Shared Services Agreement with the County of Ocean for the Drug Recognition Expert Callout Program
[This is a traffic safety program run by the Ocean County Prosecutor's Office for the purpose of utilizing a DRE callout program to assist with identifying and removing intoxicated drivers from the roadway]
- 2020-186 Authorizing the execution of a Shared Services Agreement with the County of Ocean for the Driving While Intoxicated Enforcement Program
[This is a traffic safety program run by the Ocean County Prosecutor's Office for the purpose of identifying and removing intoxicated drivers from the roadways]
- 2020-187 Authorizing the execution of an Agreement with Pinelands Regional School District Board of Education
[the Pinelands School District English Club will donate a structure to house a "free library" at Little Treasures Park. The township will install the structure and the Pinelands School District English Club will maintain the library, including repairing any damage]
- 2020-188 Cancelling certain Capital Improvement appropriation balances
[There is a total of \$4,912,512.41 in funded/unfunded General Capital Appropriations that can be cancelled and returned to each respective Fund or Reserve or credited to Capital Fund Balances, any unused debt authorizations may be cancelled]
- 2020-189 Authorizing the transfers of appropriations in accordance with N.J.S.A. 40A:4-58

2020-190 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 (*Body Armor Grant, in the amount of \$4,193.12*)

2020-191 Authorizing various tax refunds

2020-192 Cancelling taxes and authorizing a refund pursuant to N.J.S.A. 54:4-3.30

PUBLIC COMMENT – Consent Agenda Only

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

Ms. Pat Johnson: Asked how many days CFO Rodney Haines will be working with Ocean Township.

Mayor Crea believes it is based on work as needed.

CFO Rodney Haines believes it may be about eight hours a week however that may not be exact.

Ms. Pat Johnson: Asked how much will he receive in a stipend.

Township Attorney Jean Cipriani stated the yearly payment is \$60,000.00 which is \$15,000.00 quarterly. Mr. Haines will receive a portion of that amount.

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

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

BILL RESOLUTION

2020-193 Authorizing the payment of bills in the amount of \$3,432,434.14

Motion to Approve: Stevens	Second: Kehm	Roll Call:	Stevens	<u>Yes</u>
			Scibetta	<u>Yes</u>
			Gormley	<u>Yes</u>
			Kehm	<u>Yes</u>
			Crea	<u>Abstain on 20-12046 & 12064, yes to balance</u>

MISCELLANEOUS APPROVALS

- Raffle application for The Baymens Mens Club Inc. monthly 50/50 raffles for calendar year 2021

Motion to Approve: Scibetta Second: Kehm All in favor

PUBLIC COMMENT – Any Topic

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

Mr. Shaun Moran: Explained he is a Public Policy Student and he discussed his ideas with regard to changing the format of the election ballots to provide more fairness for all the candidates.

Mr. John Edmunds: Spoke about ongoing issues with traffic on Center Street.

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

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.)

Township Attorney Jean Cipriani briefly explained this waiver request and asked if Edward Rodgers Attorney Jeremy Price would like to speak on the matter.

Attorney Jeremy Price: Stated Mr. Rodgers could not attend this evenings meeting. He spoke at length about the matter and asked the application be granted.

MUA Attorney Debra Rumpf: Gave a brief history of the matter and explained this has been ongoing since 2016 and needs to be resolved.

Township Attorney Jean Cipriani stated we have an existing ordinance in place which is part of the code and any determination made by the committee must be made on the basis of the existing code which she explained. She discussed the waiver request at length and asked Deputy Mayor Kehm if he would like to address the committee with any questions or a motion to grant or deny the waiver request.

Deputy Mayor Kehm asked the committee if they have any questions for the attorney's regarding this matter.

Committeewoman Lisa Stevens believes to grant this extension may open the township up for future waiver requests. At this time she is not in the position to grant the waiver.

Committeeman Blaise Scibetta asked if anyone on that street has received a waiver.

Township Attorney Jean Cipriani is not aware of anyone on that street requesting a waiver in her time as township attorney.

MUA Attorney Debra Rumpf stated it is her understanding that this is the first waiver request in the township.

Committeeman Blaise Scibetta spoke about the hardships of many people during this pandemic and asked if the MUA has any kind of help to ease the burden in cases like this one.

Township Attorney Jean Cipriani stated on the townships side, there is no way to do a loan program for an individual under these circumstances.

Committeeman Blaise Scibetta asked if the MUA has any programs available.

MUA Attorney Debra Rumpf stated they do not and referred to one of the estimates that is considerably lower than the others.

Committeeman Ray Gormley mentioned times are tough for everyone and we need to figure out how to get Mr. Rodger's sewer hooked up yet give him appropriate time for payment.

Deputy Mayor Kehm believes this matter should go to Executive Session for further discussion.

Township Attorney Jean Cipriani explained a hearing cannot be conducted in Executive Session. The governing body may adjourn this matter for further discussion if they desire.

Committeewoman Stevens understands there is a hardship issue here however she believes this matter keeps getting pushed down the road and should be resolved.

Township Attorney Jean Cipriani asked the governing body if they feel it's appropriate to deny the waiver request or grant the waiver for a certain period of time or until a certain condition occurs.

Deputy Mayor Kehm stated there is a lot of literature to review and questions to be asked.

Committeeman Ray Gormley suggested Deputy Mayor Kehm and another person form a committee of two take up this matter. We can postpone it until the January 14, township meeting and at that time it needs to be resolved.

Motion to Approve: Gormley	Second: Scibetta	Roll Call:	Stevens	<u>No</u>
			Scibetta	<u>Yes</u>
			Gormley	<u>Yes</u>
			Kehm	<u>Yes</u>
			Crea	<u>Yes</u>

BEST PRACTICES

CFO Rodney Haines gave a report on the Township's Best Practices and announced it will be posted next week on the township website.

TOWNSHIP ENGINEER

Jason Worth reported on the 2021 Community Development Block Grant Program, the 2020 Drainage Improvement Project and wished everyone a happy holiday.

TOWNSHIP COMMITTEE COMMENTS

Stevens: Spoke about Covid and wished everyone a happy holiday.

Scibetta: Discussed the PBA meeting he attended and the importance of youth sports.

Gormley: Gave a brief update on the dredging project and wished everyone a Merry Christmas and happy healthy New Year.

Kehm: Wished everyone a happy and healthy holiday and New Year.


Crea: Spoke about the Interfaith Program and wished everyone a safe and blessed holiday.

Being no further business,
Motion to Adjourn: Stevens

Second: Scibetta

All in favor

Respectfully submitted,


 Diana K. McCracken, RMC
 Township Clerk