

**Little Egg Harbor Township Committee Meeting
Agenda**

April 26, 2018

7:00 P.M.

1. MEETING CALLED TO ORDER
2. PLEDGE OF ALLEGIANCE
3. OPEN PUBLIC MEETING STATEMENT
4. ROLL CALL: _____ Mr. Schlick _____ Mr. Kehm _____ Ms. Stevens
 _____ Mrs. Crea _____ Mr. Gormley
5. PROCLAMATION
 ➤ Older Americans Month
6. ORDINANCE **Anticipated Action for this evening**
 - Second Reading and Final Adoption**
 - 2018-03 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending Chapter 293 of the Township Code of the Township of Little Egg Harbor, entitled "Solid Waste and Recycling Collection"
 - Second Reading and Final Adoption**
 - 2018-04 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending and supplementing the Township Code of the Township of Little Egg Harbor, so as to amend Chapter 15, Entitled "Land Use Regulation" so as to delete sections pertaining to Solid Waste Management *[amend §15-11.18 Solid Waste Management]*
 - Second Reading and Final Adoption**
 - 2018-05 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, authorizing the increase of final appropriations to exceed the municipal budget appropriation limits for CY 2018 and to establish a cap bank pursuant to N.J.S.A. 40A:4-45.14

ORDINANCE Anticipated Action: May 10, 2018

 - Second Reading and Final Adoption**
 - 2018-06 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending and supplementing Chapter 15 of the Township Code of the Township of Little Egg Harbor, Entitled "Land Use and Development" *[Water Supply and Sanitary Sewer Facilities]*

7. 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.

2018-113 A Resolution adopting the 2018 Municipal Budget

2018-114 A Resolution authorizing a 24 month extension of the Agreement for provision of Energy Supply Services *[Tri-Eagle Energy has offered the Township a lower extension rate of \$.09835/kwh]*

2018-115 A Resolution awarding a professional services contract to T&M Associates to provide Bathymetric Survey *[survey of the lagoons located off Rose Creek from North Burgee Drive to East Anchor Drive in an amount not exceed \$9,550.00]*

2018-116 A Resolution appointing Maryann O'Neill as Alternate No. 1 of the Senior Citizens Advisory Board

2018-117 A Resolution authorizing tax refunds for *[140 South Commodore Drive, the refund is due to an applied Homestead credit on an exempt veterans home]*

8. PUBLIC COMMENT – Consent Agenda Only

9. BILL RESOLUTION

2018-118 A Resolution authorizing the Payment of Bills in the Amount of \$579,418.58
 > Current Account: \$534,340.66
 > Third Party Account: \$45,077.92

10. MISCELLANEOUS APPROVALS

> Raffle license application for St. Theresa Church monthly 50/50 raffle

11. TOWNSHIP ENGINEER COMMENTS

12. PUBLIC COMMENT – any topic

13. TOWNSHIP COMMITTEE COMMENTS

14. EXECUTIVE SESSION

2018-119 A Resolution authorizing the convening of an Executive Session in accordance with the Open Public Meetings Act, matters of discussion to include Contracts and Police Promotions and Formal Action May Be Taken

15. ADJOURN

Little Egg Harbor Township Committee Meeting

April 26, 2018

7:00 P.M.

MEETING CALLED TO ORDER

PLEDGE OF ALLEGIANCE

OPEN PUBLIC MEETING STATEMENT

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

Deputy Mayor Barbara Jo Crea read a proclamation designating the month of May, 2018 as "Older Americans Month."

Committeewoman Lisa Stevens explained both she and Township Engineer Jason Worth had the pleasure of meeting with a group of veterans the other day to discuss the Veterans Park.

Mayor Ray Gormley stated the following ordinances are for anticipated action this evening. With regard to Ordinance 2018-03 and Ordinance 2018-04 he explained he will be stepping down from the dais and will not participate or comment in any way, shape or form. At this time he will turn the meeting over to Committeeman Kehm.

Deputy Mayor Crea announced at this time she will also be leaving the dais.

ORDINANCE Anticipated Action for this evening

Second Reading and Final Adoption

2018-03 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending Chapter 293 of the Township Code of the Township of Little Egg Harbor, entitled "Solid Waste and Recycling Collection"

Motion to Open to Public: Stevens Second: Schlick All in favor
 Mr. Ed Andrew: Asked if a cost analysis was done and what the ordinance will require of the town.

Township Attorney Jean Cipriani explained this ordinance will codify existing practice and will grandfather in commercial, non-profit and government agencies currently getting pick-up. She further explained the changes that will occur when a business changes ownership, use or abandonment of use. There will now be one chapter that encompasses all of the solid waste regulations for the township.

Mr. Ed Andrew: Asked the committee to explain why commercial establishments will be grandfathered and new commercial will have to pay for their own pick up.

Committeeman John Kehm stated many of the businesses in town have been here over forty years. He discussed the growing costs and tipping fees associated with new businesses.

Committeeman Dave Schlick read a portion of an ordinance from 2001 and 2007 that states all commercial establishments shall provide for private garbage collection. He believes these businesses have been in violation for many years.

Mr. Ed Andrew: Believes if one commercial business pays for pick-up they all should. Committeeman John Kehm explained the process of phasing out garbage pick-up for existing businesses.

Committeeman Dave Schlick asked the township attorney if the town could get sued by the businesses not receiving trash pick-up.

Township Attorney Jean Cipriani cannot speculate however believes the ordinance is defensible.

Mr. Art Mooney: Read the ordinance and believes it's not clear. He proposed the red lines and strike out method.

Township Attorney Jean Cipriani is familiar with the process and will change the method if the governing body requests it.

Mr. Peter Ferwerda: Reiterated Mr. Mooney's comments.

Mr. Michael Hart: Asked for the number of businesses in town.

Committeeman Dave Schlick explained seventy have mercantile licenses and there are one hundred and eighty six occupied commercial pieces of property.

Mr. Michael Hart: Asked what qualifies a business to go on the list for dumpster pick-up. There are businesses here less than ten years receiving dumpster pick-up and some with fifteen to twenty years not receiving it.

Township Attorney Jean Cipriani clarified approximately seventeen businesses receive dumpster pick-up. There was a list created by Public Works. Some businesses were afforded municipal pick-up through the Planning Board.

Mr. Ed Andrew: Expressed his concerns about passing this ordinance and made some suggestions.

Committeeman John Kehm spoke about the cost and time involved on this ordinance and believes it is fair.

Mr. Ed Andrew: Sits on the Planning Board and they were asked not to be involved in garbage.

Township Attorney Jean Cipriani explained it does not change the authority of the Planning Board.

Mr. Peter Ferwerda: Asked who on the Planning Board is responsible for overseeing any violations of Chapter 15.

Township Attorney Jean Cipriani explained the general review of the application and compliance should be reviewed by the professionals and board members.

Mr. Art Mooney: Discussed his views on commercial trash pick-up.

Mr. Michael Hart: Questioned the issues that may arise with many businesses due to this ordinance.

Mr. Fred Mallot: Questioned how other municipalities handle their commercial pick-up.

Township Attorney Jean Cipriani explained trash pick-up varies from town to town.

Mr. Fred Mallot: Stated either all trash is picked up or none.

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

Committeeman Dave Schlick stated he believes this is an unfair business practice that may open the town up for lawsuits.

Committeewoman Lisa Stevens mentioned voting yes with the option to modify down the line if needed.

Motion to Adopt: Kehm	Second: Stevens	Roll Call:	Schlick	No
			Kehm	<u>Yes</u>
			Stevens	<u>Yes</u>
			Crea	_____
			Gormley	_____

Second Reading and Final Adoption

2018-04 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending and supplementing the Township Code of the Township of Little Egg Harbor, so as to amend Chapter 15, Entitled " Land Use Regulation" so as to delete sections pertaining to Solid Waste Management *[amend §15-11.18 Solid Waste Management]*

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

No public participation.

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

Motion to Adopt: Kehm Second: Stevens Roll Call: Schlick No
 Kehm Yes
 Stevens Yes
 Crea _____
 Gormley _____

Second Reading and Final Adoption

2018-05 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, authorizing the increase of final appropriations to exceed the municipal budget appropriation limits for CY 2018 and to establish a cap bank pursuant to N.J.S.A.

40A:4-45.14

Township Administrator Garrett Loesch explained we have not used any of the cap bank however it is proper to establish.

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

No public participation.

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

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

ORDINANCE Anticipated Action: May 10, 2018

Second Reading and Final Adoption

2018-06 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending and supplementing Chapter 15 of the Township Code of the Township of Little Egg Harbor, Entitled " Land Use and Development" *[Water Supply and Sanitary Sewer Facilities]*

Mayor Gormley announced we are inserting Resolution 2018-113A to the municipal budget resolution.

Township Administrator Garrett Loesch gave a brief summary of the resolution.

Township Auditor Kevin Frenia explained the adjustment of \$5,200.00 in state aid to the budget.

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

Township Attorney Jean Cipriani explained Resolution 2018-113 will be removed from the consent agenda and considered now separately.

2018-113 A Resolution adopting the 2018 Municipal Budget

Township Administrator Garrett Loesch gave a brief explanation of the budget.

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

Mr. Art Mooney: Asked what the "average household" means in the budget.

Township Administrator Garrett Loesch explained the amount per household based on its value.

Mr. Art Mooney: Discussed the growing cost of living and its affect on senior citizens, township employee healthcare costs and contract negotiations.

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

2018-113A A Resolution amending the 2018 Municipal Budget

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

No public participation.

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

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

2018-113 A Resolution adopting the 2018 Municipal Budget

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

CONSENT AGENDA

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2018-115 A Resolution awarding a professional services contract to T&M Associates to provide Bathymetric Survey *[survey of the lagoons located off Rose Creek from North Burgee Drive to East Anchor Drive in an amount not exceed \$9,550.00]*

2018-116 A Resolution appointing Maryann O'Neill as Alternate No. 1 of the Senior Citizens Advisory Board

2018-117 A Resolution authorizing tax refunds for *[140 South Commodore Drive, the refund is due to an applied Homestead credit on an exempt veterans home]*

2018-118 A Resolution amending Resolution 2017-193 authorizing a Shared Service Agreement with the County of Ocean for the Driving While Intoxicated Enforcement Program

Township Attorney Jean Cipriani explained the amendment to the resolution for the Driving While Intoxicated Enforcement Program.

Motion to Approve: Stevens Second: Crea Roll Call:

Schlick	<u>Yes</u>
Kehm	<u>Yes</u>
Stevens	<u>Yes</u>
Crea	<u>Yes</u>
Gormley	<u>Yes</u>

PUBLIC COMMENT – Consent Agenda Only

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

Mr. George Lang: In reference to Resolution 2018-114, Energy Supply Services, he asked if residents can opt out at any time to receive a better rate.

Township Engineer Jason Worth stated yes and explained residents will automatically receive the lowest rate.

Mr. George Lang: Asked if the township uses LED lighting.

Township Administrator Garrett Loesch explained we are looking into and in the process of transferring some lighting over to LED.

Mr. Dave Fuller: Asked if the bathymetric surveys were ever done via the NFWF grant.

Township Engineer Jason Worth stated certain areas were done via the NFWF grant and he explained.

Mr. Dave Fuller: Expressed his concerns that the original application with the DEP has been changed.

Township Engineer Jason Worth explained we will know more once we receive the survey information back.

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

BILL RESOLUTION

2018-118 A Resolution authorizing the Payment of Bills in the Amount of \$579,418.58

➤ Current Account: \$534,340.66

➤ Third Party Account: \$45,077.92

Motion to Approve: Kehm Second: Stevens Roll Call:

Schlick	<u>Yes</u>
Kehm	<u>Yes</u>
Stevens	<u>Yes</u>
Crea	<u>Yes</u>
Gormley	<u>Yes</u>

MISCELLANEOUS APPROVALS

➤ Raffle license application for St. Theresa Church monthly 50/50 raffle

Motion to Approve: Kehm Second: Stevens All in favor

TOWNSHIP ENGINEER COMMENTS

Jason Worth reported on the townships Bulkhead Project on South Boom Way, the application for the Living Shoreline on Iowa Court, and work on Leitz Boulevard and Wisteria Lane has begun. Paving and repairs will begin on the roads in Harbor Bay.

Committeeman Dave Schlick asked for an update on the Twin Lakes Boulevard Paving Project. Township Engineer Jason Worth explained the project will be re-advertised on May 10, bids accepted on May 22, with an award on May 24.

Committeeman Dave Schlick asked for an update on the Park-N-Ride.

Township Engineer Jason Worth explained the Park-N-Ride is still on track to bid in the spring.

Committeewoman Lisa Stevens mentioned the residents of Park Plaza have requested a crosswalk to the bus stop on Mathistown Road.

Township Engineer Jason Worth stated he will talk to the County about it.

PUBLIC COMMENT – any topic

Motion to Open to Public: Crea

Second: Stevens

All in favor

Mr. Art Mooney: Questioned the roadwork in Harbor Bay.

Township Engineer Jason Worth explained the developer is doing the roadwork.

Mr. Art Mooney: Asked if there are plans to repair the damaged roads in town.

Township Administrator Garrett Loesch explained Public Works has a crew that addresses the potholes.

Mr. Joe Sorrentino: Thanked the committee on behalf of the American Legion 493, VFW Post 316 and Cranberry Creek Veteran's Group for their efforts in the Veteran's Park. He gave a special thanks to Committeewoman Steven's and discussed the importance of the park.

Mr. Anthony DiAndrea: Mentioned due to the project on Leitz Boulevard and Wisteria Lane the fire hydrant is outside the typical utility easement.

Township Engineer Jason Worth explained it is still within the right of way however we can discuss it with the MUA.

Ms. Joy MacDonald: Requested a left turn signal be installed at the intersection of Radio Road and Oak Lane by the new apartments.

Township Engineer Jason Worth explained it is a county road and he will look into it.

Mr. George Lang: Expressed his opinion on the commercial trash ordinance and a committee member endorsing a business.

Motion to Close to Public: Crea

Second: Kehm

All in favor

TOWNSHIP COMMITTEE COMMENTS

Schlick: Asked the Township Administrator for information on the new school budget.

Loesch: Explained he has no official comment on the schools tax increase and traditionally receives the itemized list from the County sometime in June.

Kehm: No comment.

Stevens: Announced this is the second annual Paint the Town Pink for Little Egg Harbor and thanked Township Clerk Diana McCracken. Thanked Public Works for a nice job on the new carpet in the court room.

Crea: Mentioned she is pleased the Veteran Park is moving forward. She welcomed a new member to the Senior Citizen Advisory Board and announced their next meeting is April 30, at Cranberry Creek. Thanked Earth Day clean-up volunteers and remember the elderly during older Americans month.

EXECUTIVE SESSION

2018-120 A Resolution authorizing the convening of an Executive Session in accordance with the Open Public Meetings Act, matters of discussion to include Contracts and Police Promotions and No Formal Action May Be Taken

Motion to Approve: Stevens

Second: Kehm

Roll Call:	Schlick	<u>Yes</u>
	Kehm	<u>Yes</u>
	Stevens	<u>Yes</u>
	Crea	<u>Yes</u>
	Gormley	<u>Yes</u>

Being no further business,

Motion to Close Executive Session, Reconvene Regular

Township Meeting: Stevens

Second; Schlick

All in favor

Motion to Adjourn: Stevens

Second: Kehm

All in favor

Respectfully submitted,

Diana K. McCracken, RMC

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Township Clerk

