

MAY 13, 2021

MINUTES

7:00 PM

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MEETING CALLED TO ORDER

PLEDGE OF ALLEGIANCE

OPEN PUBLIC MEETING STATEMENT

Deputy Township Clerk Susan Farrell read the Open Public Meeting Statement and opened the meeting.

TOWNSHIP ATTORNEY – Virtual public meeting procedure & protocol statement

ROLL CALL:	<u>Yes</u> Ms. Stevens	<u>Yes</u> Mr. Gormley	<u>Yes</u> Mrs. Crea
	<u>Yes</u> Mr. Scibetta	<u>Yes</u> Mr. Kehm	

APPROVAL OF MINUTES

> April 8, 2021 Township Meeting

Motion to Approve: Stevens	Second: Scibetta	All in Favor
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Ordinance 2021-08 **[SECOND READING AND ADOPTION]**

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, vacating all of the right, title and interest of the Township in a portion of 6th Avenue, off County Route 539, that traverses Block 251 Lots 1.02 & 3 and Block 254 Lot 5

Motion to Carry the public hearing and vote to the June 10 township meeting: Stevens	Second: Crea	Roll Call:	Stevens	<u>Yes</u>
			Crea	<u>Yes</u>
			Gormley	<u>Yes</u>
			Scibetta	<u>Yes</u>
			Kehm	<u>Yes</u>

Ordinance 2021-09 **[FIRST READING AND INTRODUCTION]**

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, providing for the mechanical maintenance dredging of various tidal lagoon and inlet areas of Great Bay in the Mystic Island (West Phase I) section of the Township and related expenses so as to provide navigable access to Great Bay from the several lagoons, benefitting properties abutting said lagoons, and appropriating \$8,550,000 therefor, and providing for the issuance of \$8,550,000 in bonds or notes of the Township of Little Egg Harbor to finance the same, and directing the special assessment of the cost thereof

Motion to Introduce: Gormley Second: Stevens Roll Call:

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

Ordinance 2021-10 **[FIRST READING AND INTRODUCTION]**

An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, providing for the mechanical maintenance dredging of various tidal lagoon and inlet areas of Great Bay in the Atlantis section of the Township and related expenses so as to provide navigable access to Great Bay from the several lagoons, benefitting properties abutting said lagoons, and appropriating \$1,525,000 therefor, and providing for the issuance of \$1,525,000 in bonds or notes of the Township of Little Egg Harbor to finance the same, and directing the special assessment of the cost thereof

Motion to Introduce: Gormley Second: Stevens Roll Call:

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

Ordinance 2021-11 **[FIRST READING & INTRODUCTION]**

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 2021 and to establish a cap bank pursuant to N.J.S.A. 40A:4-45.14

Motion to Introduce: Gormley Second: Crea Roll Call:

Stevens	<u>Yes</u>
Crea	<u>Yes</u>
Gormley	<u>Yes</u>
Scibetta	<u>Yes</u>
Kehm	<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.

- 2021-104 Authorizing the execution of a Memorandum of Agreement and Collective Bargaining Agreement with American Federation of State, County & Municipal Employees, New Jersey (AFSCME) Local 3304D (White Collar)
[The Memorandum of Agreement is for a period of time retroactive from January 1, 2020 to December 31, 2023]
- 2021-105 Authorizing the adoption of an emergency temporary budget for the year 2021
[N.J.S.A. 40A:4-20 provides that, in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for the current fiscal year.]
- 2021-106 To anticipate miscellaneous revenues in the 2021 Budget using the three-year average of realized revenues from the prior three years
[The Director of the Division of Local Government Services promulgated new standards for the anticipation of COVID-19 affected revenues in the FY2021 budget.]
- 2021-107 Introduction of the 2021 Municipal Budget
[The budget has total general appropriations of \$24,479,062.03. The amount to be raised by taxation to support the budget will be \$19,378,350.09.]
- 2021-108 Making application to the Local Finance Board pursuant to N.J.S.A. 40A:2-11(c) and N.J.S.A. 40A:2-7(d)
[The township desires to make application to the LFB for its review and approval of a waiver of a down payment for the mechanical maintenance dredging in the Mystic Island (West Phase I) section]
- 2021-109 Making application to the Local Finance Board pursuant to N.J.S.A. 40A:2-11(c) and N.J.S.A. 40A:2-7(d)
[The township desires to make application to the LFB for its review and approval of a waiver of a down payment for the mechanical maintenance dredging in the Atlantis section]
- 2021-110 Authorizing the execution of an Addendum to the Land Lease and Tower Revenue Sharing Agreement with CTI Towers Assets II, LLC
[The original lease approved in 2000 was a twenty year lease with a right to renew for two ten year terms. This renewal extension will expire on August 30, 2030.]

- 2021-111 Authorizing the execution of a Shared Services Agreement with the Little Egg Harbor School District
[This agreement is for materials for snow and ice events and to repair and maintain equipment and vehicles.]
- 2021-112 Authorizing the execution of a Municipal Services Agreement with Qualified Private Communities
[N.J.S.A. 40:67-23.5 requires the Township to enter into a written agreement to annually reimburse the Association in an amount not to exceed the cost that would be incurred by the Township in providing such services directly.]
- 2021-113 Authorizing the submission of an application to the State of New Jersey, Department of Community Affairs, requesting \$250,000 grant for Sport Court Reconstruction at the Edward Thornton Little Egg Harbor Community Center
[The grant will be used to reconstruct the three (3) existing basketball courts and one existing volleyball court.]
- 2021-114 Authorizing use of Township property for Atlantic City Regional Stand Down for Veterans: Mobile on May 28, 2021
[The governing body grants permission to the Wilmington VA Medical Center to hold an event in the outside area of 7 Gifford Road to reach veterans who may need assistance.]
- 2021-115 Authorizing the purchase of a 2022 Ford F350 4WD pickup truck under State Contact #A88758, T2101
[The total amount of the truck is not to exceed \$40,614.00.]
- 2021-116 Supporting Pinelands Municipal Council Resolution 2020-01 opposing State of New Jersey cut of PILOT payments under the Garden State Preservation Trust Act after municipal tax rates have been set
[Cutting the PILOT payment under the Garden State Preservation Trust Act is an approximate loss of \$80,907.00 to Little Egg Harbor and the cutting of the funding after the setting of the tax rate is contrary, unlawful and inequitable and should be reversed.]
- 2021-117 Requesting the New Jersey Board of Public Utilities reject New Jersey Natural Gas Company's petition for a 25% customer rate increase
[New Jersey Natural Gas Company has petitioned the New Jersey Board of Public Utilities for a 25 percent customer rate increase.]
- 2021-118 Strongly urging Governor Murphy to eliminate outdoor gathering limits for school graduation ceremonies
[Outdoor gatherings still have limits that will restrict graduation ceremonies.]
- 2021-119 Amending the appointment of Alternate Township Prosecutor in accordance with N.J.S.A. 2B:25-4(e)
[Paul Granick, Esq. is no longer with the Law Firm Citta, Holzapfel & Zabarsky, P.C. and is no longer performing prosecutorial duties.]

- 2021-120 Appointing Louis Mankowski as a Member to the Little Egg Harbor Township Zoning Board of Adjustment
[Board appointment shall expire on December 31, 2023.]
- 2021-121 Authorizing a township-wide garage sale for the weekend of July 10-11, 2021
[Any person who desires to participate in the Township-wide garage sale on either of those dates will be exempt from the regulations and permit fees as designated in Chapter 191 of the Township Code.]
- 2021-122 Certifying tax liens for costs incurred in accordance with the Property Maintenance Code
[Tax liens are for work performed by the Public Works Department to abate violations for the preservation of the public health, safety and general welfare or to eliminate a fire hazard.]
- 2021-123 Authorizing various tax refunds

PUBLIC COMMENT – Consent Agenda Only

Motion to Open: Stevens

Second: Gormley

All in Favor

Ms. Pat Johnson: With regard to the budget, she asked if it increases the tax rate and if so, how much.

CFO Rodney Haines stated the \$24,479,062.03 is an increase to the tax levy and the total tax levy will be \$19,378,350.09 which will be a tax increase of 2.9 cents on the tax rate which he explained.

Ms. Pat Johnson: Asked what the increase will be for an average home.

CFO Rodney Haines explained for a \$200,000 property it would be about \$58.00 in a year. The tax rate will be 83 cents.

Ms. Pat Johnson: Asked for details on the agreement with the white collar workers.

CFO Rodney Haines explained on average it comes out to approximately a 2% increase.

Ms. Pat Johnson: Asked how much the township will receive for the lease with CTI Towers Assets II, LLC.

CFO Rodney Haines asked Ms. Johnson to reach out to him and he will give her the information. He gave a brief review of the terms.

Mr. Art Mooney: Asked if there will be an in person budget meeting this year.

CFO Rodney Haines explained we are required to hold a public hearing at the next meeting prior to adopting the budget.

Mayor Kehm stated the meeting in June will be in person at 7:30pm.

Mr. Art Mooney: Asked for the approximate percentage of increase on the budget.

CFO Rodney Haines explained the increase on the tax levy itself is 2.9 cents which equates to a 3.6% increase.

Mr. Art Mooney: Asked if the payout on the Super Storm Sandy cleanup is incorporated in that amount.

CFO Rodney Haines explained that is still out there.

Mayor Kehm stated that is not included and we are hoping to work with Congressman Van Drew on the matter.

CFO Rodney Haines stated the loan will be due in 2023 and at that point we will re-negotiate the loan and extend it for five more years which he explained.

Mr. Art Mooney: Believes the town is expecting about two million dollars in municipal stimulus and asked if that is incorporated in the budget.

CFO Rodney Haines stated none of those funds are incorporated into this budget which he discussed.

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

Motion to Approve: Gormley Second: Scibetta Roll Call:

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

BILL RESOLUTION

2021-124 Authorizing the payment of bills in the amount of \$5,903,334.34

Motion to Approve: Crea Second: Gormley Roll Call:

Stevens	<u>Yes</u>
Crea	Abstain on 2105034, 2105073 <u>Yes to balance</u>
Gormley	<u>Yes</u>
Scibetta	<u>Yes</u>
Kehm	<u>Yes</u>

MISCELLANEOUS APPROVALS

❖ Ocean County Foundation for Vocation and Technical Education 50/50 raffles on June 12, 2021 and September 25, 2021 at Cuisine on the Green

Motion to Approve: Crea Second: Stevens All in Favor

PUBLIC COMMENT – Any Topic

Motion to Open: Scibetta Second: Crea All in Favor

Mr. Art Mooney: Spoke about the Cannabis Regulatory Enforcement Assistance and Marketplace Modernization Act.

Ms. Kate Goode: With regard to Resolution 2021-90, authorizing curbside collection of solid waste for Harbourtown Villas, she asked if it will be amended to drop the curbside reference.

Township Attorney Melanie Appleby explained the language in that resolution is terminology consistent with the statute however it will not affect what will occur in that community.

Ms. Kate Goode: Spoke about the success of Earth Day in the Township. She mentioned the various ordinances regarding litter and who enforces them, including the issue with the delivery of the local paper.

Mayor Kehm explained the process for eliminating the delivery of the weekly paper and the responsibility of the Code Enforcement Officer.

Township Attorney Melanie Appleby stated with regard to the delivery of the weekly paper, you cannot ban its distribution however you can sign up to stop delivery at an individual's property.

Committeewoman Lisa Stevens explained the process of opting out of the paper delivery through the Township Clerk's office.

Ms. Jodi Stewart: Explained she is working with the congressional members and they are trying to get the CDL loans forgiven which she discussed.

Mr. John Edmunds: Mentioned he does not see a change in the Little Egg Harbor section of Center Street.

Township Administrator Rodney Haines stated he will speak with the Police Department tomorrow to get an update.

Committeewoman Lisa Stevens has been involved with the issues on Center Street and will continue to work with the Police Department on it.

Mr. Art Mooney: Spoke about the "Do Not Deliver" paperwork available at the Township Clerk's Office.

Motion to Close: Crea

Second: Stevens

All in Favor

TOWNSHIP ENGINEER

Jason Worth reported on various grant opportunities such as the NJDOT Municipal Aid Grant 2022, NJ Department of Environmental Protection Green Acres Grant as well as some small Sustainable New Jersey Grants.

Deputy Mayor Scibetta asked if a meeting was set up yet with the president of Atlantic City Electric.

Township Engineer Jason Worth stated at this time an official date has not been set and he will follow up on it.

Committeewoman Lisa Stevens asked the Mr. Worth if he received an email she forwarded him about an environmental issue.

Township Engineer Jason Worth explained he will look it over and speak with her later.

TOWNSHIP COMMITTEE COMMENTS

Stevens: Spoke about breast cancer awareness and gave an update on the vegetable garden at the Senior Citizen Center which will be utilized for the food pantry.

Crea: Mentioned there will be a Senior Citizen Advisory Board meeting in June. She will provide an update once available.

Gormley: No comment.

Scibetta: Commended the Environmental Commission for hosting a successful Earth Day.

Kehm: Spoke about Congressman Van Drew's recent visit to Little Egg Harbor, the summer township meeting schedule and asked people to remember the families that were affected by the recent house fires. Donations are being accepted.

EXECUTIVE SESSION

2021-125 Authorizing the convening of an executive session in accordance with the Open Public Meeting Act; matters of discussion are collective bargaining

agreements and safety issues with regard to cannabis regulation. Formal action may be taken.

Motion to Approve: Stevens

Second: Scibetta

All in Favor

Being no further business,

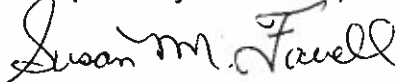
Motion to Close Executive Session, Reconvene Regular Township Meeting & Adjourn:

Motion: Scibetta

Second: Crea

All in Favor

Respectfully submitted,



Susan M. Farrell, RMC

Deputy Township Clerk