

## Little Egg Harbor Township Committee Meeting Minutes

**JANUARY 12, 2023**

**7:00 P.M.**

Mayor Blaise Scibetta called the Little Egg Harbor Township Committee Meeting to order and President of Frog Pond Elementary School Student Government lead the Pledge of Allegiance. Time: 7:02 p.m.

### **OPEN PUBLIC MEETING STATEMENT**

Township Clerk Kelly Lettera read the Open Public Meeting Statement: *"This meeting is called pursuant to the provisions of the Open Public Meeting Law. Notice of this meeting of January 12, 2023 was duly advertised, posted in the Municipal Complex, and has remained posted as required under the aforesaid statute. The Municipal Clerk is directed to include a record of this statement in the minutes of the meeting."*

### **ROLL CALL:**

Present: Mr. Gormley; Mr. Kehm; Mr. Laney; Mayor Scibetta  
Absent: Mr. Maxwell

### **PRESENTATIONS:**

- Frog Pond Elementary Student Government

*Mayor Scibetta introduced the teachers of the Frog Pond Elementary School Student Government and he then called each student up by name to receive a certification of completion for attending the Township Experience.*

*A brief intermission was provided for the students to exit the meeting if they choose too.*

### **APPROVAL OF MINUTES**

- December 8, 2022
- December 8, 2022 Closed Session
- January 1, 2023

Motion to Approve: Kehm

Second: Laney

All in Favor

### **ORDINANCE 2023-01**

### **[FIRST READING AND INTRODUCTION]**

Amending and Supplementing Chapter 261, Parks, of the Township Code of the Township of Little Egg Harbor So As to Create Article II, Skateboard Park Regulations

Motion to Introduce: Kehm

Second: Laney

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Laney; Mayor Scibetta

Janaury 12, 2023 Committee Meeting Minutes  
Page 2

**ORDINANCE 2023-02**

**[FIRST READING AND INTRODUCTION]**

Amending and Supplementing the Township Code So As to Amend Chapter 217, Licensing

Motion to Introduce: Kehm

Second: Laney

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Laney; Mayor Scibetta

**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.*

*The Municipal Clerk read by title all the Resolutions on the consent agenda.*

**RESOLUTIONS**

- 2023-047 Authorizing the Promotion of Annmarie Papernik to the Position of Clerk 2 *[An appointment promoting existing employee Annmarie Papernik from a Clerk 1 to Clerk 2 position]*
- 2023-048 Authorizing the Promotion of Maureen Waters to the Position of Clerk 2 *[An appointment promoting existing employee Maureen Waters from a Clerk 1 to Clerk 2 position]*
- 2023-049 Authorizing the Promotion of Susan Kramer to the Position of Clerk 3 *[An appointment promoting existing employee Susan Kramer from a Clerk 2 to Clerk 3 position]*
- 2023-050 Setting the Rate of Compensation for Larry Ditzel as Per Diem Plumbing Subcode Official for the Construction/Zoning Department *[Larry Ditzel's rate of compensation is set at \$50/hr as Per Diem Subcode Official in the Construction/Zoning Department]*
- 2023-051 Authorizing the Township Administrator to Advertise and Hire a Payroll Clerk in the Administration/Finance Office
- 2023-052 Authorizing the Chief of Police to Interview and Make Recommendations Regarding Hiring a Special Class I Police Officer
- 2023-053 Reviewing The Little Egg Harbor Board of Fire Commissioners, District No. 3 Compensation in Accordance with N.J.S.A. 40A:14-88
- 2023-054 Authorizing the Execution of a Shared Services Agreement with the County of Ocean for the Narcotic Strike Force *[Shared Services Agreement with the County of Ocean for the purpose of setting the terms and conditions regarding the assignment of police officers employed by the Township to the Narcotic Strike Force for the purpose of combating the growing gang element and enforcing firearm and anti-drug laws of the State of New Jersey]*
- 2023-055 Authorizing the Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2020 – June 2025 *[The Joint Municipal Alliance Committee consists of Eagleswood, Little Egg Harbor and Tuckerton and was established to educate and engage residents, local*

*government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse.]*

- 2023-056 Authorizing the Execution of a Memorandum of Understanding to Participate in the On P.O.I.N.T. Program with Bright Harbor Healthcare *[Bright Harbor Healthcare to provide the provision of on-site social workers to assist the Little Egg Harbor Police Department in handling mental health, substance abuse, and social service related calls that the Little Egg Harbor Police receive and provide day-to-day management of the operations of the On P.O.I.N.T. Program]*
- 2023-057 Authorizing the Execution of a Schedule "C" Agreement with the County of Ocean for 2023 *[It is the desire of the Ocean County Board of Commissioners to assist local governmental units in the repair and maintenance of its streets and property, road overlay, in addition to providing certain materials and supplies in connection therewith. The township engineer has recommended Oak Leaf Drive and Spruce Drive to be included in the work undertaken under the Agreement.]*
- 2023-058 Authorizing the Submission of an Application to the State of New Jersey, Department of Community Affairs, Requesting \$100,000 Local Recreation Grant for Reconstruction of Existing Playground Equipment at Parkertown Beach
- 2023-059 Authorizing the Execution of Change Order No. 1 to the Contract for Mystic Island West Phase 1 & Atlantis Maintenance Dredging Project to JPC Group, Inc. *[Change Order 1 decreases the original contract amount from \$9,350,000.00 to \$9,284,390.09 for Mystic Island West Phase 1 & Atlantis Maintenance Dredging Project to JPC Group, Inc.]*
- 2023-060 Authorizing the Execution of Change Order No. 3 (Final) to the Contract for LEHT Recreation Complex Soccer and Football Field Reconstruction With American Athletic Courts, Inc. *[Change Order 3 increases the contract amount from \$1,600,541.90 to \$1,632,241.90 for LEHT Recreation Complex Soccer and Football Field Reconstruction to American Athletic Courts, Inc.]*
- 2023-061 Authorizing a Tax Refund *[Refund of property tax overpayment on Block 301, Lot 14 in the amount of \$1,000]*
- 2023-062 Authoring the Rescission of Resolution 2022-283 and Authorizing the Release of a Performance Guarantee Posted for Road Opening at 37 Mirror Lake Drive to Gotcha Covered Home Services, LLC *[Rescinding Resolution 2022-283 and authorizing a full cash bond release in the amount of \$4,140.00]*
- 2023-063 Supporting the Mayors Wellness Campaign *[Mayors Wellness Campaign is a statewide community health initiative directed by the NJ Health Care Quality Institute in partnership with the NJ League of Municipalities providing evidence based tools and strategies to help the residents achieve healthier lifestyles and improve the health and wellness in the community.]*
- 2023-064 Authorizing the Appointment of \_\_\_\_\_, Esquire, as Chief Municipal Prosecutor

Janaury 12, 2023 Committee Meeting Minutes  
Page 4

*Township Attorney Melanie Appleby requested that the Mayor ask for a motion to remove Resolution 2023-064 from the Consent Agenda.*

Motion to Remove Resolution 2023-064 from the Consent Agenda: Kehm  
Second: Gormley All in Favor

### **CONSENT AGENDA PUBLIC COMMENT**

Motion to Open to Public: Gormley Second: Kehm All in Favor

*No comment from the public on the Consent Agenda.*

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

Motion to Approve: Kehm Second: Laney

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Laney; Mayor Scibetta

*Committeeman Laney abstained from Resolution 2023-050 and yes to the balance.*

### **BILL RESOLUTION 2023-065**

A Resolution Authorizing the Payment of Bills in the Amount of \$8,266,421.39

Motion to Approve: Kehm Second: Laney

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Laney; Mayor Scibetta

*Committeeman Laney abstained from 22-0026, 23-01007 and 23-01053 and yes to the balance.*

### **MISCELLANEOUS APPROVALS**

- Bingo Application No. 2023-001 for The Baymen's Mens Club Inc., Bingo at 102 Newport Way for various dates in 2023
- Raffle Application No. 2023-001 for The Baymen's Mens Club, Inc., On-Premise 50/50 Raffle at 102 Newport Way for various dates in 2023
- Raffle Application No. 2023-002 for Social Activities Committee of Mystic Shores, On-Premise 50/50 Raffle at 204 Shenandoah Drive for various dates in 2023
- Raffle Application No. 2023-003 for West Tuckerton Fire Co., On Premise Gift Auction at 505 Route 9 South on Saturday, April 1, 2023
- Raffle Application No. 2023-004 for West Tuckerton Fire Co., On-Premise Instant Raffle at 505 Route 9 South on Saturday, April 1, 2023

- Raffle Application No. 2023-005 for West Tuckerton Fire Co., On-Premise 50/50 Raffle at 505 Route 9 South on Saturday, April 1, 2023

Motion to Approve: Gormley

Second: Kehm

All in Favor

### **TOWNSHIP ENGINEER COMMENTS**

*Township Engineer, Jason Worth, reported, as per the Consent Agenda, the Schedule C paving list will be sent to the County and soon they will be coordinating the annual meeting with the County Engineer and County Commissioner to discuss Township and County projects for 2023. He stated the Community Center projects are underway with the skate park nearing completion. Mr. Worth met with the JIF representative this past week and they approved the skate park as is pending signage, grading, drainage and additional paving. He stated the basketball and pickleball courts will be completed by the spring, as weather permits, paving will occur with color coding, sealing and stripping. He stated this week he is coordinating with the fire department a suitable location for the helipad. He continued with Mystic and Parkertown Beach Replenishment projects reporting the in water jetty construction and break water construction is complete and in the latter half of March the Contractor will bring in the sand for the beach replenishment and grading.*

*Mayor Scibetta thanked Mr. Worth for all his hard work and the funding that he has helped bring into the Township.*

*Township Engineer, Jason Worth stated he is looking into multiple applications for grant funding and they are trying to take advantage of every program that is out there and available for the Township.*

### **PUBLIC COMMENT - Any Topic**

Motion to Open to Public: Laney

Second: Gormley

All in Favor

*Ms. Keenan of West Navinsink Drive representing the Environmental Commission, congratulated Mayor Scibetta, Deputy Mayor Maxwell and Committeeman Laney on their appointments. She further thanked the Township Engineer for all his help with the Environmental Commission. She stated the mission for 2023 is to create a hero recognition program, a program with the elementary school children and requested permission to paint the shed at the community center.*

*Committeeman Laney stated there is some carpentry work that needs to be done first but they will be painting the shed.*

*Mr. Edmonds of Spruce Drive provided updates on the Spruce Drive drainage project, Center Street resurfacing and repair project and hiring additional police officers and staff for the betterment of the residents and the community.*

*Mr. Mooney of Windstar Drive congratulated Mayor Scibetta and Committeeman Laney. He thanked the Committee Members for paving various roads in town but stated Leitz Boulevard and the entrance of Sunrise Bay is still in need of paving. He further requested an update on the street lighting on Radio*



Janaury 12, 2023 Committee Meeting Minutes  
Page 6

*Road and thanked the Committee for uploading the feasibility study to the website. He further requested a time frame for road repaving in Sunrise Bay and how the Township determines a time frame for paving.*

*Mayor Scibetta stated Leitz Boulevard is on the list to be paved in the near future.*

*Business Administrator, Rodney Haines stated BPU is looking into the Township's complaint and the former employees that were once working on it were no longer employed by the BPU.*

*Mayor Scibetta provided the public with an explanation and update on the BPU complaint, reach out and progress the town has made at this point. He stated this involves the street lighting on Radio Road in addition to solar on the building.*

*Township Attorney, Melanie Appleby, furthered explained the process stating it is all very fluid with the BPU and she is working trying to get something done.*

*Township Engineer, Jason Worth, stated there is no time frame for paving projects and that it depends on the construction and condition of the roadways. He stated typically after twenty years the roads are looked at to see what needs to be done.*

*Mr. Rizzolo of Kentucky Drive congratulated the Committee Members and asked if the trees will be replaced that were removed for the beach replenishment project. He also questioned if there will be more maintenance at the beaches after the beach replenishments is done. He also asked about a pedestrian walking path along Osbourn Island and Radio Road.*

*Mayor Scibetta stated he will be speaking with Department of Public Works regarding a process and schedule for maintenance of the beaches once they are completed.*

*Township Engineer, Jason Worth stated he has spoken with the county trying to make their roadways more pedestrian friendly and they are open to improvements being done although they leave it up to the Municipalities to undertake those projects. He stated they recently made Radio Road a bit smaller with a wider shoulder so a bike lane could possibly be incorporated in the future. He further stated the Township met with the EDA and discussed grant programs and revitalization projects available which could be incorporated in the town.*

*Mr. Dwyer from Frog Pond Road spoke regarding the speeding in town and requested additional signage, enforcement and awareness on his roadway.*

*Township Engineer, Jason Worth stated they will be applying for the Safe Routes to School grant although it is not guaranteed that the Township will receive funding from year to year. He further stated he spoke with Public Works regarding the signage and they will be putting up more signage for awareness in addition to looking into other avenues to slow the traffic.*

*Ms. Bozarth of Tradewind Drive spoke regarding her fence that was removed without notification from Khovnanian contractor during the construction of the Sandpiper development.*

Janaury 12, 2023 Committee Meeting Minutes

Page 7

*Township Engineer, Jason Worth stated he will reach out to the Khovnanian contractor and meet them onsite to discuss the issues that several property owners have with the removal of fences, trees etc. and require a remedy to get the fences re-installed.*

*Mr. Kuna of Tradewinds Drive stated the original plans showed a fifteen foot buffer zone and he asked if an owner can install a fence in the buffer zone.*

*Township Engineer, Jason Worth stated the buffer zone is not deed restricted and a fence can be installed by the home owner in the buffer zone.*

Motion to Close to Public: Kehm

Second: Gormley

All in Favor

### **TOWNSHIP COMMITTEE COMMENTS**

*Committeeman Ray Gormley stated he has nothing to report this evening.*

*Committeeman Ken Laney thanked the students who participated in tonight's event and for the ones who sat with the Committee at the Dias for the entire meeting.*

*Committeeman John Kehm congratulated Mayor Scibetta on a great first meeting.*

*Deputy Mayor Dan Maxwell was absent although Mayor Scibetta spoke on behalf of him stating he is looking forward to 2023 and thankful for the opportunity. He stated the next Senior Advisory Committee meeting will be on Monday, January 30, 2023 at 10am at the Ocean County Library on Mathistown Road with Chief Hawkins and an AARP representative as guest speakers.*

*Mayor Blaise Scibetta thanked everyone for attending tonight's meeting and the Frog Pond Township Experience event. He further stated he appreciates the residents attending the meeting to provide the Committee with information or issues within the town. He further stated for residents who are looking to report street light outages, they can go online to report them through Atlantic City Electric.*

### **EXECUTIVE SESSION 2023-066**

**A Resolution Authorizing the Convening of an Executive Session in Accordance with the Open Public Meetings Act**

*Township Attorney Melanie Appleby stated the Committee needs to go into Executive Session to discuss Attorney-Client Privilege, Contractual Matters, Pending Litigation and Personnel, formal action is anticipated to be taken.*

Motion to Approve: Gormley

Second: Kehm

All in Favor

Motion to Close Executive Session and Reconvene Regular Township Meeting: Laney

Second: Kehm

All in Favor

Janaury 12, 2023 Committee Meeting Minutes  
Page 8

**RESOLUTION 2023-064**

Authorizing the Appointment of Bonnie Peterson, Esquire, as Chief Municipal Prosecutor

Motion to Approve: Kehm                      Second: Laney

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Laney; Mayor Scibetta

**RESOLUTION 2023-067**

**Authorizing the Execution of A Settlement Agreement and Release with DSC Construction Corporation**

Motion to Approve with Conditions: Kehm Second: Laney

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Laney; Mayor Scibetta

**RESOLUTION 2023-068**

**Authorizing the Sale of One (1) Plenary Retail Consumption Licenses and One (1) Retail Distribution License**

Motion to Approve with Conditions: Laney                      Second: Gormley

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Laney; Mayor Scibetta

Motion to Adjourn: Kehm                      Second: Gormley                      All in Favor

I hereby certify the foregoing Minutes were formally approved by the Little Egg Harbor Township Committee.

Kelly Lettera, RMC  
Township Clerk