

Little Egg Harbor Township Committee Meeting Minutes

APRIL 13, 2023

7:00 P.M.

Mayor Blaise Scibetta called the Little Egg Harbor Township Committee Meeting to order and lead the Pledge of Allegiance. Time: 7:00 p.m.

Pastor Ryan Bowen from Great Bay Gospel Fellowship said an opening prayer.

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 April 13, 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; Mr. Maxwell; Mayor Scibetta

PRESENTATIONS:

- National Autism Acceptance Month
- National Volunteer Week (April 16-22, 2023)
- National Library Week (April 23-29, 2023)
- Earth Day (April 22, 2023)
- Local Environmental Hero Award presented by Erica Napolitano, LEHT Environmental Commission

Mayor Blaise Scibetta read the National Autism Acceptance Month proclamation and presented the proclamation to Keith, Donna and Gavin Green from the Autism MVP Foundation New Jersey.

Committeeman John Kehm read the National Volunteer Week proclamation.

Committeeman Kenneth Laney read the National Library Week proclamation and presented the proclamation to Dorothy Uhl, Branch Manager of the Little Egg Harbor Township Ocean County Library.

Deputy Mayor Daniel Maxwell read the Earth Day proclamation.

Mayor Scibetta stated Little Egg Harbor received the Sustainable Jersey Bronze Award for 2023 through 2025.

Erica Napolitano, LEHT Environmental Commission presented the Local Environmental Hero Award to Julie Barchetta and Peter Marcellino.

APPROVAL OF MINUTES

➤ March 9, 2023

Motion to Approve: Kehm

Second: Laney

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

Chief James Hawkins provided a professional background and recommendation to the Mayor and Committee to hire Michael DiFrancia as Police Officer for Little Egg Harbor Police Department.

RESOLUTION 2023-119

Appointing Michael DiFrancia as Police Officer for the Township of Little Egg Harbor Police Department

Motion to Approve: Kehm

Second: Laney

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

Township Attorney, Melanie Appleby, administered the oath of office to Police Officer Michael DiFrancia.

Chief James Hawkins provided a professional background and recommendation to the Mayor and Committee to hire Vincent Grosso as Police Officer for Little Egg Harbor Police Department.

RESOLUTION 2023-120

Appointing Vincent Grosso as Police Officer for the Township of Little Egg Harbor Police Department

Motion to Approve: Gormley

Second: Kehm

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

Township Attorney, Melanie Appleby, administered the oath of office to Police Officer Vincent Grosso

ORDINANCE 2023-08**[SECOND READING AND ADOPTION]**

Authorizing the Execution of a Lease Agreement with Pinelands Youth Jersey Shore Baseball Association for the Use of Fields at Sports Complex Drive

Motion to Open to Public: Kehm

Second: Maxwell

All in Favor

No public comment.

Motion to Close to Public: Gormley

Second: Laney

All in Favor

Motion to Adopt: Gormley

Second: Laney

April 13, 2023 Committee Meeting Minutes

Page 3

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

ORDINANCE 2023-09

[SECOND READING AND ADOPTION]

Authorizing the Execution of a Lease Agreement with Pinelands Soccer Association, as Members of New Jersey Youth Soccer Association, for the Use of Fields at Sports Complex Drive

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

No public comment.

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

Motion to Adopt: Kehm Second: Maxwell

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

ORDINANCE 2023-10

[SECOND READING AND ADOPTION]

Authorizing the Execution of a Lease Agreement with Cape Atlantic Ocean Church Softball League (Calvary Baptist Church) for the Use of Fields at Sports Complex Drive

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

No public comment.

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

Motion to Adopt: Kehm Second: Laney

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

ORDINANCE 2023-11

[SECOND READING AND ADOPTION]

Authorizing the Execution of a Lease Agreement with American Youth Football Association, Inc. and American Youth Cheer, as Members of Pinelands Jr. Wildcats for the Use of Fields at Sports Complex Drive

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

No public comment.

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

Motion to Adopt: Kehm Second: Laney

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

ORDINANCE 2023-12**[SECOND READING AND ADOPTION]**

Authorizing the Exchange of Lands with The County of Ocean in Accordance with N.J.S.A. 40A:12-16

Motion to Open to Public: Kehm

Second: Gormley

All in Favor

Mr. Andrews of Osborn Island questioned what is the exchange of lands ordinance.

Township Engineer, Jason Worth, explained the swap of lands between Ocean County and Little Egg Harbor Township.

Township Business Administrator, Rodney Haines, stated the Township has not decided what they are going to do with the properties referenced.

Motion to Close to Public: Kehm

Second: Gormley

All in Favor

Motion to Adopt: Gormley

Second: Kehm

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Laney; Mr. Maxwell; 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.

Mayor Scibetta read by title all the Resolutions on the consent agenda.

RESOLUTIONS

- 2023-121 Appointing Daniel Sahin, Esquire as Judge of the Municipal Court of the Township of Little Egg Harbor and for the Township of Eagleswood in Accordance with a Shared Services Agreement *[The appointment of Daniel Sahin as LEHT and Eagleswood Twp. Judge for a three-year term from April 22, 2023 to April 22, 2026]*
- 2023-122 Appointing Carol Miller-True as Alternate Member No. 2 of the Little Egg Harbor Township Planning Board
- 2023-123 Authorizing the Promotion of Jeffrey Dalapena to the Position of Heavy Truck Driver *[An appointment promoting existing employee Jeffrey Delapena from a Laborer I to Heavy Truck Driver position]*
- 2023-124 Authorizing the Promotion of Matthew Way to the Position of Heavy Truck Driver *[An appointment promoting existing employee Matthew Way from a Laborer I to Heavy Truck Driver position]*

April 13, 2023 Committee Meeting Minutes

Page 5

- 2023-125 Authorizing the Promotion of Todd Wersinger to the Position of Heavy Truck Driver *[An appointment promoting existing employee Todd Wersinger from a Laborer II to Heavy Truck Driver position]*

- 2023-126 Authorizing the Appointment of Susan Kramer as Registrar of Local Vital Statistics *[The appointment of Susan Kramer as Registrar of Local Vital Statistics effective immediately]*

- 2023-127 Authorizing the Appointment of Michael Brescia as Laborer 1 for the Department of Public Works *[The appointment of Michael Brescia as a Laborer 1, effective April 5, 2023, at a rate of \$19.35/hr]*

- 2023-128 Authorizing the Appointment of Anna Nelson as Payroll Clerk for the Finance Administration Office *[The appointment of Anna Nelson as Payroll Clerk, effective April 19, 2023]*

- 2023-129 Authorizing the Appointment of Frederick Cramer as Housing/Bulkhead Inspector for the Construction/Zoning Department *[The appointment of Frederick Cramer as Housing/Bulkhead Inspector, effective April 19, 2023, at a rate of \$21.50/hr]*

- 2023-130 Authorizing the Township Administrator to Advertise and Hire up to Four (4) Clean Communities (Seasonal) Employees for the Department of Public Works

- 2023-131 Authorizing the Township Administrator to Advertise and Hire a Clerk I for the Construction/Zoning Department

- 2023-132 Accepting the Resignation of and Authorizing the Compensation of Accumulated Time to Susan Farrell *[Susan Farrell resigned as of March 24, 2023 with a total payout of \$4,339.78 for unused time]*

- 2023-133 Authorizing the Purchase of Trash Cans and Components with Cascade Engineering under National Cooperative Purchasing Agreement with Sourcewell Contract 041521-CEI *[Allows LEHT to purchase trash cans and components through a National Cooperative Purchasing Agreement through April 12, 2024]*

- 2023-134 Authorizing the Release of Performance Guarantees Posted by K. Hovnanian at Little Egg Harbor Township II, LLC for Phases 1, 2, 4, 5, 6, 7, 9 and 10 at Four Seasons at Harbor Bay *[A total release of \$2,773,653.68 in Performance Guarantees to K. Hovnanian for Four Seasons at Harbor Bay Phase 1, 2, 4, 5, 6, 7, 9, and 10]*

- 2023-135 Authorizing the Execution of Change Order No. 1 (Final) to the Contract for 2022 Drainage Improvement Project to West Bay Construction *[Change Order 1 increases the original contract amount from \$386,947.75 to \$411,290.80 for the 2022 Drainage Improvement Project with West Bay Construction]*

- 2023-136 Authorizing the Execution of an Indemnification and Hold Harmless Agreement with George Wager and Vanessa Gong and Execution of a General Permit 6 CAFRA Application as to Block 325.86, Lot 16.01

- 2023-137 Authorizing the Execution of a Grant Award Agreement with U.S. Department of Housing and Urban Development for FY2022 Community Project Funding Grant Award for \$1,000,000 [*U.S. Department of Housing and Urban Development awarded LEHT \$1,000,000 in FY2022 Community Project Funding (CPF) for the rehabilitation of the LEHT Recreation Complex*]
- 2023-138 Awarding a Contract for 2022 Bulkhead Improvement Project to Albert Marine Construction [*Awarding the bid to Albert Marine Construction for the 2022 Bulkhead Improvement Project for the base amount of \$731,695.40, \$324,703.20 for Alternate Bid "A" and \$88,441.92 for Alternate Bid "B", totaling \$1,144,940.52*]
- 2023-139 Adopting Procedure for Administration and Inspection of Federal Aid Highway Projects [*LEHT, as required by NJDOT, developed a Policy outlining the required procedures for the Administration of Federally Funded Transportation projects administered through NJDOT*]
- 2023-140 Authorizing the Township to Become a Member of the Little Egg Harbor Chamber of Commerce
- 2023-141 Supporting the New Jersey Forest Fire Service and Fuels Mitigation Projects Using Prescribed Fire and Other Treatments [*LEHT supports the efforts of the NJ Forest Fire Service in mitigating threats from wildfires using ongoing fuel mitigation projects and by improving the maintenance of fire breaks for the safety of the residents*]
- 2023-142 Urging the State Legislature to Not Support Assembly Bill A4106 (S2537) and Protect Age-Restricted Communities [*A resolution urging State Legislature to not support A4106 (S2537) and continuing to allow community associations autonomy in determining the make-up of 55 and older age-restricted communities in compliance with Federal Law*]
- 2023-143 Urging the Swift Passage of S-330 which Restores Energy Tax Receipts to Municipalities [*A resolution urging State Legislature to swiftly pass S-330 prior to the FY2024 State Budget to restore energy tax receipts to municipalities*]
- 2023-144 Authorizing the Adoption of an Emergency Temporary Budget for the year 2023 [*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.*]
- 2023-145 Authorizing a Tax Refund [*Refund of property tax overpayment on Block 282, Lot 1.19 in the amount of \$2,140.94*]
- 2023-146 Authorizing the Appointment of Thomasjohn Maffia as a Special Class I Police Officer for the Little Egg Harbor Township Police Department
- 2023-147 Authorizing the Appointment of Timothy Cushman as a Special Class I Police Officer for the Little Egg Harbor Township Police Department

CONSENT AGENDA PUBLIC COMMENT

Motion to Open to Public: Kehm

Second: Maxwell

All in Favor

Mr. Mooney of Windstar Drive requested an explanation of Resolution 2023-142 and Resolution 2023-144.

Township Attorney, Melanie Appleby, provided a full explanation of Resolution 2023-142 and the intention of the resolution is to open the HUD restrictions on ownership of age-restricted communities.

Township Business Administrator, Rodney Haines, stated there is no emergency in the budget. He stated he is still working to finalize the 2023 budget so the resolution is needed for a months worth of expenditures until the budget is adopted. He stated the temporary budget is only for first three months of the year.

Motion to Close to Public: Gormley

Second: Kehm

All in Favor

Motion to Approve: Kehm

Second: Gormley

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta
Mr. Laney abstained from Resolution 2023-129 and yes to the remaining

BILL RESOLUTION 2023-148

A Resolution Authorizing the Payment of Bills in the Amount of \$3,746,503.08

Motion to Approve: Maxwell

Second: Kehm

Roll Call: All Yes: Mr. Gormley; Mr. Kehm; Mr. Maxwell; Mayor Scibetta
Mr. Laney abstained from 23D04101 and yes to the remaining bills

MISCELLANEOUS APPROVALS

- Raffle Application No. 2023-013 for St. Theresa's Church, Off-Premise 50/50 Raffle at LBI National, 99 Golf View Drive on May 20, 2023
- Raffle Application No. 2023-014 for American Legion Post 493, Off-Premise 50/50 Raffle at 420 Radio Road on June 15, 2023

Motion to Approve: Kehm

Second: Maxwell

All in Favor

TOWNSHIP ENGINEER COMMENTS

Township Engineer, Jason Worth, reported the work at the Community Center is wrapping up soon. He stated the skate park opened last week, the contractor is grading around all of the courts, hydro seeding will be done within the next couple of days, the basketball and pickle ball courts will be top paved and color coded within the next few weeks, the parking lot will be restriped then everything should be

complete. The replenishment of the beaches are coming along nicely and will be wrapping up within the next few weeks. He stated Stage Road is ready to go to bid and the notice will be going out within the next few days with the bid opening on May 3 in order to get on the May 11 agenda. He stated Ocean County is out to bid for Otis Bog Bridge between Stage Road and Nugentown Road with a bid opening of May 18. He stated he thinks the County will have that complete by the end of the summer. He finished by stating the township received Recreation Improvements grant funding in the amount of \$70,000 for play equipment for Parkertown Beach.

PUBLIC COMMENT - Any Topic

Motion to Open to Public: Kehm

Second: Gormley

All in Favor

Ms. McHugh of Lake Huron Drive thanked the Committee for the revitalization of the beaches and parks. She stated potholes need to be filled on Lake Huron Drive and Lakewood Drive. She expressed concern for those who walk and ride bikes especially while it is raining when the potholes are not visible. She also asked about the when the dredging bills will be going out to residents. Ms. McHugh also questioned the status of the dilapidated house on Lake Michigan.

Mayor Scibetta stated now that the weather is getting nicer, public works is able to go out and fill potholes throughout the township.

Township Engineer, Jason Worth, stated the township has applied to the CDBG for drainage improvemnts at the intersection of Lakewood and Lake Huron Drive and that area will be addressed.

Township Business Administrator, Rodney Haines, stated he is working with the Township Engineer to ensure that all expenditures have been addressed and certified then the Tax Assessor will certify the properties and a public hearing will take place. He is hoping to set the bond in June or July in order to set the interest rate by Resolution then shortly after that bills will go out to the project residents.

Township Attorney, Melanie Appleby, provided an update of all the dilapidated houses and what stage they are in.

Ms. Vought of West Susquehanna Drive requested a status on the infrastructure project and when the projects will be started.

Township Engineer, Jason Worth, stated the \$18,000,000 infrastructure project is expected to be done within the next year and will cover her street as well as many others.

Cindy of Osborn Island asked if there will be accountability for the tragic loss that occurred last week and what can be done to never have a tragedy like that happen again. She stated she will volunteer to help with whatever is needed to keep the kids who ride motorcycles safe in the community.

Mayor Scibetta expressed his extreme sympathy in the loss and stated the Committee will try to put their heads together to come up with some ideas or a plan that the kids can go to to ride their motorcycles.

Mr. Ollivier of Lake Huron Drive stated the potholes and telephone pole in front of his house is damaging their cars.

Mayor Scibetta stated public works will be out there by the end of the week to look into what can be done about the potholes on Lake Huron.

Mr. Bruno of Kansas Road asked who owned the property and what accountability will be done regarding the tragic loss that occurred. He stated the kids are in vigilantly mode and are looking to go after whoever put up the chain. He also asked if there are regulations on the chain going up and what is legal. He also stated his road is in need of repair.

Mayor Scibetta stated information will be provided once it is able to be released on the tagedy that occured.

Township Attorney, Melanie Appleby, expressed great sympathy to the family and all those involved. She stated a full investigation is still ongoing in addition to a review of internal policies regarding the blocking of roadways and pathways to ensure something like this never happens again.

Township Engineer, Jason Worth, stated he will go out and assess Kansas Road and report back to the township.

Mr. Mooney of Windstar Drive complimented the Committee on the beautiful beach at the end of Radio Road although he questioned what will be done for parking accommodations.

Mayor Scibetta stated the police department is involved to ensure it is safe and people can get in and out of the area and that parking is adequate.

Motion to Close to Public: Kehm

Second: Gormley

All in Favor

TOWNSHIP COMMITTEE COMMENTS

Committeeman Ray Gormley stated the Committee is ecstatic that the beaches are being utilized and enjoyed by residents. He stated he is so happy that people are finally able to enjoy what the community is all about. He stated once the Parkertown Beach is completed he feels the parking should balance itself out. He finished with thanking the Township Engineer on an outstanding job with the beach replenishment projects.

Committeeman Ken Laney congratulated the newly appointed police officers and reiterated what a great event the "cops with crayons" was at the Little Egg Harbor Library. He also expressed his excitement on the residents utilizing the beach replenishment project and hoped everyone had a great Easter holiday.

Committeeman John Kehm stated the beach looks really nice and brings back great memories of when he was young. He stated even when he was young the parking was on the street and they walked, rode their bike, skateboarded to the beach to enjoy it. He stated back in 2019 when the plans came into play the intention was to have the community come back to life and enjoy the waterfront community. He

further stated there are additional plans that are being discussed for the revitalization and vision of the town.

Deputy Mayor Dan Maxwell congratulated the newly appointed police officers. He stated his excitement on the 19th annual senior expo that will be taking place on Thursday, May 4 from 9am to noon at the community center. He continued with the community center reopening and bbq that will be taking place on May 27 then the Memorial Day parade is on May 29th starting at 10am at St. Theresa's Church. He stated he took a ride around town today stopping first at the skate park, which everyone was having a great time and a lot of fun. His second stop was at the beaches and everyone truly was enjoying the day and the beaches. He finished with stating what it honor it has been to be involved in a small part of these major projects in town.

Mayor Blaise Scibetta reported on March 21, Mayor and Deputy Mayor met with meals on wheels, Father John from St. Theresa's Church and Pastor Mike from Calvary Baptist to come up with ideas to get more resources to those seniors who need it in the town. He stated on March 24, he, Deputy Mayor Maxwell and Committeeman Laney toured Great Bay EMS to meet the members, view the facility and equipment. He stated himself and Deputy Mayor Maxwell had a meet the Mayor event at Seacrest then met the Memorial Day parade committee to discuss the event. He stated on April 4 he met with Family Promise to get involved and help homeless families in town get on their feet. He, the Township Engineer and the Business Administrator also met with Save Barnegat Bay regarding grants that are available and how to best utilize funding to better the community. He also stated April 8 was opening day where he threw the first pitch of the season with over 200+ residents at the event. For the future he stated, on April 18, Deputy Mayor and himself will be meeting with Just Believe Ink which is transitional living for veterans to help with the homeless issues in town and throughout Ocean County. He stated he had a meeting with a local teacher who is interested in teaching kids how to skateboard at the skatepark. He stated on April 22 is the Township wide clean-up event which the township professionals donated the seedlings for. He announced that on April 23, there will be a teen suicide fundraiser at the American Legion Post 493 in memory of Adriana Kush. He stated on April 28, students from Stockton University Public Relations Club will be at the township building to meet with the police department for a hero campaign to bring awareness against drunk driving. He continued by stating if there are businesses in town who are interested in having a Meet the Mayor event, please reach out to Katie Baker at extension 223 in the Administration Office for scheduling. Lastly, he requested that residents do not believe everything they read on social media and that things that are stated are not always positive or true and if you have questions, reach out to the Administrator for accurate answers.

Township Engineer, Jason Worth, stated a list of 20+ projects was provided to Congressman Van Drew office for funding. He stated that one of the projects was to increase bicycle and pedestrian safety by providing pathways the entire length of Radio Road and that Congressman Van Drew's office had reached out to approve funding for the project.

Mayor Scibetta stated a walkability study was done on Radio Road which is up on the township website for those who are interested.

EXECUTIVE SESSION 2023-149

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 Contractual Matters, Pending Litigation, Attorney-Client Privilege, formal action is not anticipated to be taken.

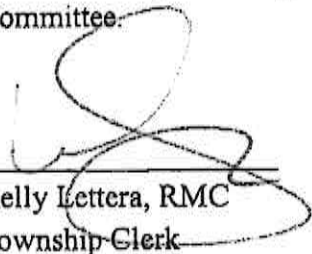
Motion to Approve: Maxwell Second: Gormley All in Favor

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

Second: Maxwell All in Favor

Motion to Adjourn: Gormley Second: Kehm All in Favor

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



Kelly Lettera, RMC
Township Clerk

