

Egg Harbor Township Committee Meeting  
Municipal Building, Bargaintown Road  
Egg Harbor Township NJ 08234  
Wednesday, May 30, 2012 – 5:00 p.m.

**Minutes**

Mayor McCullough called the meeting Order at 5:02 p.m.

Township Clerk Tedesco read the Opening Statement Pursuant to the Open Public Meetings Act.

Roll Call:	Joe Cafero	present
	John Carman, Jr.	present
	Paul Hodson	present
	Laura Pfrommer	present
	James J. McCullough	present

**Meeting with Township Engineer Mott**

**Veterans Park – Field 6 Reconstruction**

Township Engineer Mott reported bids were received last week. A total of 14 bids were submitted, the lowest responsible bidder is Turfscapes, LLC for \$160,579.40. Following a brief discussion of the work to be performed under this contract including approximately \$30,000 for additional parking and road improvements, landscaping and field improvements. Administrator Miller estimates the final cost to be \$130,000 after anticipated changes orders.

**Old Business**

**ACIA – Affordable Housing Proposal**

Administrator Miller explained the township is required to rehab 2 single family rental units as part of our Affordable Housing plan. The Atlantic County Improvement Authority (ACIA) through their Community Development Block Grant has rehabbed 75 plus low to moderate units in Egg Harbor Township over the past 10 years. Mr. Miller approached the ACIA to rehab 2 rental units in to help the Township meet our Affordable Housing requirements. The ACIA is interested and the Township Committee's gave Mr. Miller direction to proceed.

**New Business**

**128 Briarcliff Drive – Handicap Parking**

Administrator Miller said a request has been made to designate a handicap parking spot on Briarcliff Drive to accommodate a local resident. Mr. Miller said the resident meets all of the criteria to establish a handicap parking spot and Ordinance 30 is listed for introduction for this purpose.

**Scullville Park**

Mayor McCullough advised Committeeman Carman and Committeewoman Pfrommer are both interested in serving on a sub-committee regarding the establishment of Scullville Park. Deputy Mayor Hodson stated he is also interested in attending meetings as a property owner in this area.

**Environmental Commission Vacancies**

Administrator Miller announced 2 individuals have expressed an interest in serving on our Environmental Commission. There is currently 1 regular member vacancy which if filled would result in 1 ex-officio vacancy. Mayor McCullough asked that both individuals be invited to attend the June 20<sup>th</sup> Township Committee meeting to discuss their interest in serving on the Environmental Commission.

**S-1914 – User Fee Cap**

Administrator Miller said because of the 2 percent cap regulations, some municipalities have chosen to charge a user fee for certain services such as, garbage collection. Senate Bill 19-14 is the state’s response to that action. Mr. Miller said he is concerned about the bills affect on the Township’s recreation fees. After discussing our concerns with the state and the New Jersey League of Municipalities he has listed Ordinance 30 opposing S-1914 for consideration.

**Chapter 67 Amendments**

Township Clerk Tedesco explained recommendations to delete food as a permitted sale item as it contradicts the Atlantic County Board of Health regulations. Also, all sales would require written permission from property owners to conduct a sale when the owner is not the applicant and proof of identity.

**Amendment to Tax Sale Assignment**

Resolution 232 listed on the consent calendar amends Resolution 200 is to include the Municipal Utilities Authority fees.

**Recreation By-Laws Revisions**

Township Committee agreed to act upon a resolution at the next meeting to endorse recommended changes to the Recreation by-laws.

**Other Business (not listed on the Agenda)**

Administrator Miller reviewed add-on ordinance authorizing the acquisition of property from Johnnye (Hicks) Johnson, as well as, resolutions authorizing execution of Cooperative Agreement with Atlantic County for Community Development Block Grant program, award of contract to Turfsapes, LLC for reconstruction of Veterans Memorial Park Field 6 reconstruction, extending FMLA Leave to Sharon Riley and appointing Cassandra Cadira to serve as a part-time Communications Officer.

Mayor McCullough recognized John McElhenney and invited him to address the Township Committee.

John McElhenny, 226 Asbury Avenue referred to a recent letter from Administrator Miller regarding Honeysuckle Lane. Administrator advised Mr. McElhenney that he needs to go to Superior Court and let the court decide if the action the Township and Township Planning Board took in this regard in 1987-89 was their beyond scope of authority. Solicitor Friedman said he would need time to research this matter prior to rendering a decision. A brief discussion ensued about the need for the property owner to maintain roadway for fire department access.

**Closed Session**

Number	Title
229	Authorizing the Township Committee to convene into a Closed Executive Session to

	discuss matters involving litigation; Levitt Litigation, South Jersey Builders League v. Egg Harbor Township, Egg Harbor Township v. Foxmoor, Curfew Litigation and Personnel, Police Hires, Part-Time Communications Officer, Police Records Supervisor and Police Chief Employment Agreement
<b>Motion</b>	Motion Hodson, second Carman to approve Resolution 229
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Pfrommer-yes McCullough-yes

Mayor McCullough reconvened the meeting at 5:57 p.m.

Township Clerk Tedesco read the Video Broadcast/Television Statement

Mayor McCullough lead the Pledge of Allegiance

<b>Roll Call:</b>	Joe Cafero	yes
	John Carman, Jr.	yes
	Paul Hodson	yes
	Laura Pfrommer	yes
	James J. McCullough	yes

#### Ordinances – Introduction

Number	Title
30	<b>An ordinance to amend the Code of the Township of Egg Harbor, Chapter 213.34.A thereof entitled Vehicles and Traffic by adding 1 handicapped parking space at 128 Briarcliff Drive</b>
<b>Purpose</b>	The purpose of this ordinance is to permit a handicapped parking space at 128 Briarcliff Drive. <i>Ordinance 30-2012 to be published in <u>The Mainland Journal</u> on June 6, 2012, for further consideration at a Public Hearing to be held on June 20, 2012. Copies of this Ordinance are available without cost to any member of the general public from the Township Clerk's Office during regular business hours until the date of the public hearing.</i>
<b>Motion</b>	Motion Hodson, second Cafero to introduce Ordinance 30
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Pfrommer-yes McCullough-yes
31	<b>An ordinance providing for the acceptance of a deed conveying real property, drainage basin at Homestead Estates, being Lot 7 in Block 6320 of the official tax map in the Township of Egg Harbor, County of Atlantic and State of New Jersey.</b>
<b>Purpose</b>	The purpose of this ordinance is to accept the drainage basin located in the Homestead Estates subdivision. <i>Ordinance 31-2012 to be published in <u>The Mainland Journal</u> on June 6, 2012, for further consideration at a Public Hearing to be held on June 20, 2012. Copies of this Ordinance are available without cost to any member of the general public from the Township Clerk's Office during regular business hours until the date of the public hearing.</i>
<b>Motion</b>	Motion Pfrommer, second Hodson to introduce Ordinance 31
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Pfrommer-yes McCullough-yes
32	<b>An ordinance providing for the acceptance of a deed conveying real property, drainage basin at Cambridge Crossings, being Lot 2.01 in Block 2502, of the official tax map in the Township of Egg Harbor, County of Atlantic and State of New Jersey</b>

<b>Purpose</b>	The purpose of this ordinance is to accept the drainage basin located in the Cambridge Crossings subdivision. <i>Ordinance 32-2012 to be published in <u>The Mainland Journal</u> on June 6, 2012, for further consideration at a Public Hearing to be held on June 20, 2012. Copies of this Ordinance are available without cost to any member of the general public from the Township Clerk's Office during regular business hours until the date of the public hearing.</i>
<b>Motion</b>	Motion Carman, second Cafero to introduce Ordinance 32
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Pfrommer-yes McCullough-yes

<b>33</b>	An ordinance authorizing the acquisition of Lots 4 and 10 in Block 1808, as set forth on the Official Tax Map in the township of Egg Harbor, County of Atlantic and State of New Jersey, from the Estate of Johnnye (Hicks) Johnson
<b>Purpose</b>	Authorizing the acquisition of Block 1808, Lots 4 and 10 <i>Ordinance 33-2012 to be published in <u>The Mainland Journal</u> on June 6, 2012, for further consideration at a Public Hearing to be held on June 20, 2012. Copies of this Ordinance are available without cost to any member of the general public from the Township Clerk's Office during regular business hours until the date of the public hearing.</i>
<b>Motion</b>	Motion Hodson, second Pfrommer to introduce Ordinance 33
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Pfrommer-yes McCullough-yes

#### Ordinances – Public Hearings

Number	Title
22	<b>An ordinance to amend the Code of the Township of Egg Harbor, Chapter 225 thereof, entitled “Zoning” specifically RG-1 through RG-5 Residential Districts</b>
<b>Purpose</b>	The purpose of this ordinance is to amend Chapter 225 to provide for affordable housing within The Pinelands area.
<b>Public Comment</b>	No one came forward
<b>Motion</b>	Motion Hodson, second Cafero to close the public comment portion of Ordinance 22
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Pfrommer-yes McCullough-yes
<b>Comments</b>	Solicitor Friedman referred to a letter with attachments received from Attorney Eric Garrabrandt wherein he is asking that the documents be made a part of the record. Solicitor Friedman said he is unsure if the Township Committee has read this correspondence and that it is not the usual process. Mayor McCullough asked that the letter be circulated to the Governing Body to review and take into consideration prior to the vote on the adoption of this ordinance. Solicitor Friedman said since there are a number of amendments to be considered, that will allow time for Attorney Garrabrandt to appear at the public hearing and make his presentation. Administrator Miller explained sections 4 and 5 of the ordinance contain typographical errors. Section 4-E, RG-4 zone lists 3 units per acre and should read 4 units per acre. Section 5-E should lists 4 units per acre and should list 5 units per acre. Although these amendments are minor in nature, Administrator Miller felt that in light of the recently filed law suit regarding this matter they changes should be treated as an amendment and brought back before Township Committee at their June 20 <sup>th</sup> , 2012 meeting.

<b>Motion</b>	Motion Hodson, second Cafero to amend Ordinance 22 to reflect 4 units per acre and 5 units per acre in Sections 4 and 5 respectively and to circulate Attorney Garrabrandt's correspondence to Township Committee.
<b>Roll Call Vote</b>	Cafero-yes Carman-no, feels ordinance should be voted down Hodson-yes Pfrommer-yes McCullough-yes

<b>23</b>	<b>An ordinance authorizing the acquisition of property known as Block 2915, Lot 9, Manhattan Avenue, as set forth on the official tax map in the Township of Egg Harbor, County of Atlantic and State of New Jersey</b>
<b>Purpose</b>	The purpose of this ordinance is to acquire land for open space purposes.
<b>Public Comment</b>	No one came forward
<b>Motion</b>	Motion Hodson, second Pfrommer to close the public comment portion of Ordinance 23
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Pfrommer-yes McCullough-yes
<b>Motion</b>	Motion Cafero, second Hodson to adopt Ordinance 23
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Pfrommer-yes McCullough-yes

**General Public Discussion**

Chief Fiedor, Scullville Volunteer Fire Company requested a private meeting with Township Committee on June 20, 2012 to discuss personnel issues. Mayor McCullough acknowledged Chief Fiedor's request.

Michael Gelman, Ocean City requested approval from Township Committee to provide basin maintenance prior to adoption of ordinance accepting basin in his development off of Steelmanville Road. Township Administrator Miller advised the Township cannot grant that request.

Howard Stinson, 19 Princeton Avenue said he believes Heritage Propane dumped a large amount of dirt on the roadway in front of his home and requested it be cleaned up. Mayor McCullough asked if Mr. Stinson had proof that the contractor had dumped the dirt. Mr. Stinson advised no. The Mayor advised the Township will contact the contractor in an attempt to have them remove the dirt.

Motion Cafero, second Hodson to close the public portion. Vote: all voted, yes

**Resolutions (Consent Calendar)**

<b>Number</b>	<b>Title</b>
230	Resolution opposing Senate Bill S-1914
231	Resolution authorizing cancellation of unused grant balance
232	Resolution authorizing the amendment of Exhibit A in Resolution 200 of 2012 entitled "Resolution authorizing the assignment of Tax Sale Certificates"
233	Resolution requesting approval of an item of revenue and appropriation pursuant to NJSA 40A:4-87 [Chapter 159] – item of revenue – Clean Communities
234	Resolution authorizing acceptance of improvements of Seashore Solar
235	Resolution granting Farmington Volunteer Fire Company Ladies Auxiliary Charitable Roadway Solicitation Application (July 7, 2012)
236	Resolution authorizing execution of maintenance agreement for Ricoh Americas Corporation c/o Keystone Digital Imaging
237	Resolution authorizing payment of Sports Accident and General Liability Insurance

	to Siracusa-Kaufmann Insurance Agency Inc
238	Resolution authorizing execution of maintenance agreement with Morphotrak Inc
239	Resolution authorizing acceptance of improvements of Cambridge Crossings aka Fernwood North
240	Resolution authorizing refund of curb and sidewalk Permit 1-2011 (Danual Hakes)
241	Resolution authorizing refund of curb and sidewalk Permit 5-2011 (Mixer X LLC)
242	Resolution authorizing refund of curb and sidewalk Permit 3-2012 (Doebly & Dad)
243	Resolution authorizing refund of mercantile license fee to Bankers Life & Casualty
244	Resolution authorizing refund of overpaid taxes (various)
245	Resolution authorizing refunds from developers escrow accounts (various)
246	Resolution amending employment agreement between Township of Egg Harbor and Police Chief Michael Morris
247	Resolution setting salaries for Police Chief Morris and Captains Druding and Ruef
248	Resolution authorizing Pat Naticchione to serve as Acting Zoning Officer
249	Resolution granting paid military leave to Melvin Laramore
<b>Motion</b>	Motion Cafero, second Carman to approve Consent Calendar Resolutions 230 through 249
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Pfrommer-yes McCullough-yes

#### Resolution (Bill List)

Number	Title
250	Authorizing payment of all bills pursuant to Exhibit A
<b>Motion</b>	Motion Cafero, second Carman to adopt Resolution 250
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Pfrommer-yes McCullough-yes

#### Resolutions (Consent Calendar)

Number	Title
252	Resolution authorizing the execution of Cooperation Agreement with Atlantic County for Community Development Block Grant Program
253	Resolution awarding contract for Veterans Park Field 6 Reconstruction(Turfscapes, LLC)
254	Resolution extending FMLA leave without pay to Sharon Riley
255	Resolution appointing Cassandra Cadira to serve the Department of Police as a part-time Communications Officer.
<b>Motion</b>	Motion Cafero, second Pfrommer to approve Consent Calendar Resolutions 252 through 255
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Pfrommer-yes McCullough-yes

#### Reports

##### *Township Committee:*

Committeeman Cafero commented on the Townships outstanding Memorial Day parade. He noted the township website contains useful election information as well as, the Mayors Forum on elections which can be viewed on EHT TV2.

Committeeman Carman echoed Committeeman Cafero's comments regarding the Memorial Day parade.

Deputy Mayor Hodson thanked everyone that participated in the Memorial Day parade and reminded all of Flag Day which is celebrated on June 14<sup>th</sup>. Also, he noted the IMA 2012 World Championship Martial Arts competition was recently held at the community center and was well attended.

Committeewoman Pfrommer added this event included participants from numerous countries and our community center proved to be a great venue for this annual event. Committeewoman Pfrommer also noted 2 of our residents are competing in the Miss New Jersey competition and wished them good luck.

Mayor McCullough reminded the public the Primary Election will be held on June 5<sup>th</sup> and to refer to Sample Ballots for specific polling location information. The Mayor noted that both he and Committeeman Carman's names will appear twice on the ballot and to not be confused as they are listed for both Township Committee and County Committee positions. Mayor McCullough noted the Mayors Forum segment will run again in the Fall for the General Election.

**Approvals**

Motions	
<b>Motion</b>	Motion Hodson, second Pfrommer to approve the Regular Meeting Minutes of the Township Committee meeting of May 9, 2012
<b>Vote</b>	All voted, yes
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<b>Motion</b>	Motion Cafero, second Carman to approve the Closed Session Minutes of the Township Committee meeting of May 9, 2012, pursuant to Resolution No. 212
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Pfrommer-yes McCullough-yes

**Resolution (Release of Executive Session Minutes)**

Number	Title
251	Resolution authorizing the release of executive session minutes
<b>Motion</b>	Motion Carman, second Cafero to adopt Resolution 251
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Pfrommer-yes McCullough-yes

Administrator Miller reminded the public that Municipal Utility Authority fees are due June 1<sup>st</sup>.

**Adjournment**

Motion Cafero, second Hodson to adjourn the meeting at 6:27 p.m.  
 Vote All voted, yes

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**JAMES J. MCCULLOUGH, MAYOR**

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**EILEEN M. TEDESCO, RMC  
 TOWNSHIP CLERK**

*These minutes were approved at the June 20, 2012 Township Committee Meeting.*