

Egg Harbor Township Committee Meeting
Municipal Building, Bargaintown Road
Egg Harbor Township NJ 08234

Wednesday, February 13, 2008 – 5:30 p.m.

Minutes

Mayor McCullough called the Meeting to Order at 5:35 p.m.

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

Roll Call: John Carman, Jr.-yes
 Stanley Glassey-yes
 Paul Hodson-yes
 John Risley-yes
 James J. McCullough-yes

Also in attendance were Administrator Miller, Deputy Administrator Miller, Assistant Solicitor Garry, Assistant Engineer Bob Watkins, and Deputy Township Clerk Perez.

Meeting with Assistant Township Engineer Watkins

In Engineer Mott's absence, Administrator Miller reported on the following agenda items:

Change Orders

Farmington. Resolution No. 111 is on the agenda this evening for approval of Change Order 1 to the contract awarded to Arawak Paving Co., Inc. for Contract No. 49 (Farmington Roads). The Change Order is for an increase of \$85,119.57.

2007 Road Improvement Program. Resolution No. 110 is on the agenda this evening for approval of Change Order 1 to the contract awarded to Jersey Construction Inc. for Contract No. 51 (Road Improvement Program). The Change Order is for an increase of \$15,856.60.

Atlantic Electric R.O.W. Bike Path

Administrator Miller reported that Atlantic Electric had reservations about the Township using their right of way as their bike path. Mayor McCullough stated that he has reached out to Atlantic Electric to discuss the matter.

Mystic Drive Street Vacation

Administrator Miller indicated the portion of Mystic Drive that was being vacated was a cul de sac that was no longer needed. Ordinance 11 is on the agenda this evening for introduction to vacate the portion of Mystic Drive no longer needed.

West Jersey and Spruce Avenues Design Agreement

Administrator Miller advised there is a draft agreement circulating for the County and the Township to share in the costs 50/50 for improvements of West Jersey and Spruce Avenue. Administrator Miller stated he guessed the cost would be somewhere around \$1 Million and would be happy if it comes in at somewhere around

\$800,000.

Old Business

Community Center Change Orders

Deputy Administrator Goodreau advised that Change Order 4 on this evening's agenda was pre-approved for three HVAC units which have already been installed. The internal heat is now on in the Community Center.

Administrator Miller advised the Committee that the first phase of the Community Center is expected to be completed February 29 and that the ribbon cutting ceremony could be discussed during the first meeting in March with an expectation of mid May for the ceremony.

Committeeman Risley asked whether the CRDA has volunteered to help. Administrator Miller stated we were in the wrong County.

New Business

New Jersey State Health Benefits

Administrator Miller gave the Township Committee an overview of the NJ State Health Benefits Programs. He indicated that the state has always offered a dozen different programs and have decided to compact or reduce the number of plans and have come up with new plans, NJDirect 10 and NJDirect 15. They have also reduced their HMOs from seven to two. The new programs will still be administered by Horizon. Administrator Miller said that there will be no increase in costs for the year 2008. Administrator Miller also advised the Township Committee that the Township has the ability to make a decision to elect to have all employees go into either the NJDirect 10 or 15. Administrator Miller circulated a proposed resolution to the Township Committee regarding automatically enrolling employees in the preferred provider organization NJ Direct 10 as of April 1.

Rail Line Upgrade

Administrator Miller advised that Resolution 104 on tonight's agenda is to support the upgrade of rail lines. The upgrade of rail lines will deliver certain traffic to customers located across West Washington Avenue and has the potential to eliminate over 10,000 trucks from the streets of Egg Harbor Township and surrounding municipalities.

Atlantic County Open Space Grant Application

Deputy Administrator Goodreau gave a synopsis of the Atlantic County Open Space Grant Applications that are on for tonight (Resolutions 105 and 106). The County of Atlantic has established a County Municipal Open Space Financial Assistance program to provide grants to municipalities for the acquisition and development of open space. As a result, the Township is requesting assistance for Bargaintown Park and for the Childs-Kirk Field House.

ABC License Transfers

Administrator advised the Township Committee that one individual is purchasing two pocket licenses for investment purposes. The individual in question is developing a site along English Creek Avenue and wants to be able to market his sites with liquor licenses.

Recreation Department Volunteers

Administrator Miller explained to the Township Committee that in the past some individuals would volunteer their time to the Department of Parks and Recreation without being appointed by the Township. In order for the volunteers to be protected and at the same time, the Township, it is necessary to have them appointed as

volunteers. As a result, Resolution No. 123 is on this evening's agenda appointing several volunteers to serve the Department of Parks and Recreation.

Other Business (not listed on the Agenda)

Closed Session

Number	Title
101A	Authorizing the Township Committee to convene into a Closed Executive Session to discuss matters which may involve litigation and/or personnel. Personnel: R. Bergeron grievance (1 yr); C. Beale transfer (1 mo); Dispatcher appointment (3 mos); C. Mozitis (1 yr). Litigation: SJTA LEO Agreement (6 mos); Faustino v EHT et al (1 yr); Chodnoff v EHT Bd of Adjustment (1 yr); Scott Nell (1 yr).
Motion	Motion Hodson, second Risley to convene into Closed Executive Session.
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes

Video Broadcast/Television Statement

The Video Broadcast Statement was read by Deputy Township Clerk Perez.

Pledge of Allegiance

The Pledge of Allegiance was lead by Mayor McCullough.

Ordinance Public Hearings

Number	Title
1	An Ordinance to exceed the Municipal Budget appropriation limits and to establish CAP bank (N.J.S.A. 40A:4-45.14).
Purpose	To exceed the municipal budget appropriation limit.
Public Comment	None
Motion	Motion Hodson, second Glassey to close the public hearing
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes
Motion	Motion Glassey, second Hodson to adopt Ordinance 1-2008
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes
2	An Ordinance to amend the Code of the Township of Egg Harbor, Chapter 225 thereof, entitled <u>Zoning</u> , Section 225-37, HB Highway Business District, 225-38, RCD Regional Commercial Development District, and 225-56, Minimum Parking Requirements.
Purpose	To permit home improvement stores to be located in highway business and regional commercial district zones and establishing requisite parking requirements for same.

Public Comment	None
Motion	Motion Carman, second Glassey to close the public hearing
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes
Motion	Motion Glassey, second Risley to adopt Ordinance 2-2008
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes
3	An Ordinance to amend the Code of the Township of Egg Harbor, Chapter 225, Section 225-5, Zoning Map, Regional Commercial Zone.
Purpose	To re-zone a portion of Mill Road from NB to RCD.
Public Comment	None
Motion	Motion Glassey, second Carman to close the public hearing
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes
Motion	Motion Glassey, second Risley to adopt Ordinance 3-2008
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes
4	An Ordinance to amend the Code of the Township of Egg Harbor, Chapter 225, Section 225-5, Zoning Map, Neighborhood Business.
Purpose	To re-zone a portion of English Creek Avenue from PO-1 to NB.
Public Comment	William Breschen of 5052 English Creek Road spoke regarding some concerns and specifically wanted to know whether AtlantiCare was the reason for the zoning change. Administrator Miller answered his questions and explained that AtlantiCare has come before the Township with a conceptual review only. Mr. Breschen was satisfied with the clarification received by Administrator Miller. Administrator Miller asked him if he supported the Ordinance and Mr. Breschen replied in the affirmative.
Motion	Motion Glassey, second Risley to close the public hearing
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes
Motion	Motion Glassey, second Hodson to adopt Ordinance 4-2008
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes
5	An Ordinance to rescind Ordinance 31 of 2007.

Purpose	To rescind Ordinance 31 of 2007 entitled An ordinance providing for the dedication of a certain Deed of Easement conveying real property for the purpose of constructing, improving, operating and maintaining a sanitary sewer pump station, said Easement dedicating a portion of Block 1030, Lot 4, of the Official Tax Map in the Township of Egg Harbor, County of Atlantic and State of New Jersey.
Public Comment	None
Motion	Motion Hodson, second Glassey to close the public hearing
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes
Motion	Motion Hodson, second Glassey to adopt Ordinance 5-2008
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes
6	An Ordinance to amend Ordinance 54 of 2007 for the exchange of certain lands owned by the Township of Egg Harbor and identified on the Egg Harbor Township Tax Map, in exchange with, to, and for lands which are owned by SI-HY, Inc., as set forth on the official tax in the Township of Egg Harbor, County of Atlantic and State of New Jersey, <u>as amended</u> .
Purpose	To amend the properties originally agreed upon for exchange through Ordinance 54 of 2007, specifically lands owned by the Township located on Mayflower Court, Seneca Court and Dorothy Avenue, which lands are not needed for public purposes.
Public Comment	None
Motion	Motion Glassey, second Hodson to close the public hearing
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes
Motion	Motion Risley, second Glassey to adopt Ordinance 6-2008, as amended, with the removal of Lot 13 from the original ordinance.
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes
7	An Ordinance authorizing an Agreement for Tax Abatement with Risley Commons, LLC, located at 6106 Black Horse Pike.
Purpose	To grant a tax abatement for a 10,336 square foot office//retail building.
Pubic Comment	None
Motion	Motion Carman, second Hodson to close the public hearing
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes
Motion	Motion Hodson, second Glassey to adopt Ordinance 7-2008
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: abstain McCullough: yes

Public Hearings – Open Space Development – County of Atlantic Municipal Open Space Financial Assistance Program

Deputy Administrator Goodreau explained to the public the purpose of the public hearings as a return on taxpayer dollars for municipal projects.

Bargaintown Park

Purpose	To entertain public comments on the development of Bargaintown Park
Public Comment	Recreation Commission Chairman Lou Della Barca of 3 Mason Avenue, spoke on behalf of the Recreation Commission in support of the application and submitted a letter in support. Mr. Della Barca stated that the Recreation Commission was also in support of the Childs-Kirk project
Motion	Motion Hodson, second Carman to close the public hearing
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes

Childs-Kirk Park

Purpose	To entertain public comments on the Construction of a new field house and additional parking at Childs-Kirk Park
Public Comment	Toni Lynn Rispoli of 12 Buckingham Drive, spoke on behalf of Board Members, Coaches, Parents and the EHT Youth Softball. Everyone supports the project. Mayor McCullough congratulated Ms. Rispoli for her tenacity over the past year for the new field house and additional parking at Childs-Kirk Park. The entire organization owes a debt of gratitude to Ms. Rispoli. She has given the young ladies involved an opportunity to expand their skills. Thank you.
Motion	Motion Glassey, second Carman to close the public hearing
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes

Presentations

- ▶ Employee of the Year - Brandy Blevin – Mayor McCullough gave a brief overview on Ms. Blevin’s accomplishments and why she was nominated as Employee of the Year and thereafter presented her with a plaque, a parking space of her choosing and a check in the sum of \$500.
- ▶ Employee of the Year Finalists [Rose Maul and John Woods] – Mayor McCullough gave a brief overview of the successes of the finalists and presented them with plaques.
- ▶ Nick Silverio for outstanding service on the EHT Municipal Alliance April 1993 - December 2007 – Mayor McCullough thanked Mr. Silverio for his years of service to the Township, praised his years of volunteering his services to the Township, and presented Mr. Silverio with a plaque from the Township.

Ordinance Introductions

Number	Title
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8 Motion Carman, second Risley to introduce An Ordinance providing for the acceptance of a deed conveying real property, drainage basin at Oceanaire Subdivision, being Lot 24.23 in Block 6201 of the Official Tax Map in the Township of Egg Harbor, County of Atlantic and State of New Jersey.

Ordinance 7-2008 to be published in the Mainland Journal on February 20, 2008 for further consideration at a Public Hearing to be held on March 12, 2008.

Purpose To accept the drainage basin at the Oceanaire Subdivision (Old Zion Road).

Roll call vote Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes

9 Motion Glassey, second Hodson to introduce An Ordinance providing for the acceptance of a deed conveying real property, drainage basin at Oceanaire subdivision, being Lot 17 kin Block 6203 of the Official Tax Map in the Township of egg Harbor, County of Atlantic and State of New Jersey.

Ordinance 9-2008 to be published in the Mainland Journal on February 20, 2008 for further consideration at a Public Hearing to be held on March 12, 2008.

Purpose To accept an additional drainage basin at the Oceanaire Subdivision (Old Zion Road).

Roll call vote Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes

10 Motion Glassey, second Hodson to introduce An Ordinance to amend the Code of the Township of Egg Harbor, Chapter 6, Administration of Government, Article XXIV, Ambulance Squad, Section 6.163.1, fees.

Ordinance 10-2008 to be published in the Mainland Journal on February 20, 2008 for further consideration at a Public Hearing to be held on March 12, 2008.

Purpose To increase the fees for ambulance services.

Roll call vote Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes

11 Motion Hodson, second Glassey to introduce An Ordinance to vacate a portion of Mystic Drive, described by metes and bounds and located in the Township of Egg Harbor, County of Atlantic and State of New Jersey.

Ordinance 11-2008 to be published in the Mainland Journal on February 20, 2008 for further consideration at a Public Hearing to be held on March 12, 2008.

Purpose To vacate a portion of a cul de sac along Mystic Drive .

Roll call vote Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes

General Public Discussion

No one from the public presented themselves to speak of any matters.

Resolutions (Consent Calendar)

Number	Title
102	Person to Person Transfer of Plenary Retail Consumption License (pocket license) 0108-33-023-003(4) from McCollum's Bar, A New Jersey Corporation, to Henricat, LLC.
103	Person to Person Transfer of Plenary Retail Consumption License (pocket license) 0108-33-007-007(8) from Krystal Corp to Mimicat, LLC.
104	Resolution requesting New Jersey Department of Transportation to upgrade rail line.
105	Resolution endorsing the Township of Egg Harbor's application for grant funds from the County Municipal Open Space Financial Assistance Program. (Bargaintown Park)
106	Resolution endorsing the Township of Egg Harbor's application for grant funds from the County Municipal Open Space Financial Assistance Program. (Childs-Kirk Field House)
107	Resolution authorizing execution of Atlantic County Open Space Trust Financial Assistance Agreement.
108	New Jersey Department of Transportation Resolution, Application, and Agreement for State Aid to Counties and Municipalities. (Highway Safety Fund Program)
109	Resolution authorizing Mayor to execute Change Order 4 to the contract awarded to Sambe Construction Co., Inc., for building construction and sitework Egg Harbor Township Community Center (increase \$13,283).
110	Resolution authorizing Mayor to execute Change Order 1 to the contract awarded to Jersey Construction, Inc., for Contract No. 51-2007 Road Program (increase \$15,856.60).
111	Resolution authorizing Mayor to execute Change Order 1 to the contract awarded to Arawak Paving Co., Inc., for Contract No. 49 - Farmington Roads (increase \$85,119.57).
112	Resolution authorizing the sale of abandoned and otherwise classified vehicles by auction on February 29, 2008.
113	Resolution authorizing the sale of unclaimed property by Auction on February 29, 2008.
114	Resolution authorizing the sale of surplus property by auction on February 29, 2008.
115	Resolution confirming that performance bonds shall be posted on all site plan and subdivision approvals.
116	Resolution authorizing release of Letter of Credit issued on behalf of Gro-Benn Associates and Tri-County Building Supplies, Inc., for street opening Permit No. 222-2006 for Tremont Avenue.
117	Resolution authorizing refunds from Developers Escrow Accounts (various).
118	Resolution authorizing refund of overpaid taxes (various)
119	Resolution authorizing refund of police applicant examination fee to Amanda Taylor and Ray Burgan.

120	Resolution approving appointment/transfer of Casey Beale from Police Communications to the Department of Planning & Development, Division of Inspections.
121	Resolution approving permanent employee status for Yanell Garcia, Deputy Court Administrator.
122	Resolution appointing Colin Kolmetsky as a temporary Laborer in the Department of Public Works.
123	Resolution appointing part-time seasonal volunteers to serve the Department of Parks and Recreation (L. Frey, E. Schafer, D. Papaycik, R. Schafer).
Motion	Motion Glassey, second Hodson to adopt Consent Calendar Resolutions 102 through and including 123 of 2008 with the exclusion of Resolution 119 which was removed.
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes

Number	Title
119	Resolution authorizing refund of police applicant examination fee to Amanda Taylor and Ray Burgan.
Motion	Motion Glassey, second Hodson to adopt Resolution 119.
Roll call vote	Carman: abstain Glassey: yes Hodson: yes Risley: yes McCullough: yes

Supplemental Agenda: Add On Resolutions

Number	Title
125	Resolution opposing Assembly Bill A-4393 and Senate Bill S-2878 amending the local public contracts law.
126	Resolution awarding contract for Supply and Delivery of Evidence Collection Vehicle to Sirchie Finger Print Laboratories.
127	Resolution declaring William Bowman Associates, Inc., In default for Little Mill subdivision.
128	Revolution declaring William Bowman Associates, Inc., in default for Triad III/Marshall Estates Subdivision.
129	Resolution appointing an attorney for record expungement for Patrolman Scott Nell.
130	Resolution to automatically enroll employees in the preferred provider organization NJ Direct 10 under the New Jersey State Health Benefits Program Act.
Motion	Motion Hodson, second Glassey to adopt the supplemental consent calendar resolutions 125 through 129 with the addition of Resolution No. 130.
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes

Resolution

Number	Title
124	Authorizing payment of all bills pursuant to Exhibit A.
Motion	Motion Glassey, second Hodson to approve the payment of all bills per Resolution 124 of 2008 with the addition of Purchase Order 07-02676 in the amount of \$6,004.40 for Mid Atlantic Tools LLC dba Matco Tools for shop tool boxes and Purchase Order 43724 in the amount of \$8,264.32 for Cornells Auto Body for repair of PAL Suburban (claim 028-07).
Roll call vote	Carman: yes Glassey: yes Hodson: yes Risley: yes McCullough: yes

Reports

Township Committee:

Committeeman Risley discussed an editorial in today's paper (Cutting state spending/Just say 'no' - repeatedly.). He was proud of the fact that one of our Assemblyman, Vincent Polistina, voted the way he did. This is not a time in New Jersey for us to be spending money willy nilly. The State's debt problem is far worse than anyone can imagine. There are kinds of debt out there not being addressed and why would a legislature decide to keep spending money on frivolous things? He commended Vincent Polistina for his vote today and would like everyone to look at the editorial.

Deputy Mayor Glassey echoed Committeeman Risley's comments. He also spoke about the article in The Press of Atlantic City regarding how municipalities are being tremendously shortchanged by CRDA. Deputy Mayor Glassey spoke with Freeholder Sutton and reported that the Atlantic County Board of Chosen Freeholders will report to CRDA that more money is needed for offshore and beach communities. Stated that it was a disgrace that Atlantic County would receive \$6.5 Million and Camden would receive \$60 Million. He also stated that the Meadowlands purse endowment (a dying industry) have received \$52 Million from CRDA. We get no help. Those are the facts. Thankfully, we now have someone in Trenton, Vince Polistina, speaking up for this area.

Mayor McCullough agreed with Deputy Mayor Glassey that CRDA money should be shared by the communities impacted by the success of the casino industry.

Committeeman Hodson complimented Deputy Mayor Glassey and Committeeman Risley and agreed with their statements. He also thanked the Current for their article on street lights in our community. When street lights are out, they should be reported to the Police Department, the Township Clerk, or to our website. We pay for working street lights.

Mayor McCullough recognized our newest Fire Chief Mike Fiedor in the court room. Mayor McCullough congratulated him and wished him safety and thanks for all he does.

Committeeman Hodson also told Chief Fiedor that his good work does not go unnoticed.

Administrator:

Nothing to report.

Approvals

Motion	Motion Glassey, second Hodson to approve the January 23, 2008, Regular Meeting Minutes of the Township Committee.
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Vote: All members present voted yes.

Motion Motion Glassey, second Hodson to approve the payroll for the month of January 2008 in the amount of \$1,178,832.94.

Vote: All members present voted yes.

Motion Motion Glassey, second Risley to approve and file the monthly Departmental Reports.

Vote All members present voted yes.

Adjournment

Motion Glassey, second Hodson to adjourn the meeting at 7:37 p.m. All members present voted yes.

JAMES J. McCULLOUGH, MAYOR

OLGA A. PEREZ, DEPUTY TOWNSHIP CLERK

FOR OFFICE USE ONLY

MINUTES APPROVED AT
MEETING OF
FEBRUARY 27, 2008
