

**Board of Recreation Commissioners**

Egg Harbor Township, NJ

**REGULAR MEETING**

Wednesday, March 24, 2021

6:00 p.m.

**MINUTES**

**Call to Order**

The meeting was called to order at 6:00 p.m. by Chairperson Rispoli, followed by the pledge of allegiance.

**Statement Pursuant to the Open Public Meetings Act**

The statement was read by Chairperson Rispoli.

**Roll Call**

Roll call showed 7 members present. The Alternate #2 seat is still vacant.

Charles Gallagher	Present	Paul Trinkle	Present
Christine Gras	Present	William Warrell, Vice Chairperson	Present
Toni-Lynn Rispoli, Chairperson	Present	Paul Weldon	Absent
Amy Smith	Present	Stan Russ, Alternate #1	Present
		Alternate #2	Vacant

Also present at the meeting was Parks and Recreation Director Rick Audet,

**New Business**

- a. Meeting with EHT Youth Softball Board

Chairperson Rispoli informed everyone present why this meeting was called. Members of the Recreation Commission had noted concerns on certain operations of the EHT Youth Softball organization. These concerns include the writing and submission of EHTYS minutes. Ms. Rispoli stated that she does not have all of the youth softball minutes. She stated every month of minutes that she has. Ms. Rispoli stated that it is not a complete list of minutes. Ms. Rispoli stated there are issues in the EHT Youth Softball bylaws as well. There were meetings held that were not in accordance with their bylaws and Robert’s Rules and the youth groups policies and procedures manual.

Kathleen Glick, 1059 Ocean Heights Ave. Egg Harbor Township, EHT Youth Softball President, stated that Parks and Recreation Director Rick Audet has all of the softball board minutes for all the months in which they met. There were some months the softball board didn’t meet. A discussion ensued on month-to-month what minutes have been turned in. Ms. Glick stated that the board did not meet in January. She stated the months they met.

Rick Audet, Parks and Recreation Director, stated that he provided to the Commission all the minutes he received in the past year and a half. The softball board was well behind in turning in their minutes at various time last year..

Chairperson Rispoli stated that going forward once minutes are approved they need to be turned in to Parks and Recreation right away. Attendance of board meetings must be stated in the minutes. Ms. Rispoli stated the proper process to approve minutes and clarified that minutes are turned in once they are approved. Ms. Rispoli discussed

how many board members sit on the softball board currently versus what is listed in the softball bylaws. She asked about who is on board, the bylaws reflect 17 seats. Kathleen Glick answered there are ten currently. Ms. Rispoli stated that you need a quorum in order to hold a meeting and take action at the meeting.

Chairperson Rispoli created a handout for all Commissioners and EHTYS board members to review summarizing the concerns and bylaws addressed tonight. In the 9/19/19 minutes, it was written that the board paid a field crew during a tournament either \$150 or \$200 for the day. Ms. Rispoli asked who was on the field crew and were there any board members who received payment for such work. Ms. Glick responded that board member Joe Fermane has workers from his company that do the field prep noted in the minutes. Ms. Glick stated that a board member has never received payment for field prep work. Persons paid for field prep are not volunteers of the organization according to Ms. Glick. Ms. Rispoli stated that no volunteer boardmember are allowed to be paid for these roles.

In reference to the 11/4/19 minutes Kathleen Glick was asked about her organization's 990 filing. Ms. Glick stated that they were in a position to be fined by the IRS. EHT Youth Softball completed a 990 for 2020. A CPA has been working with the organization for accounting purposes and assistance in filing the necessary 990's for recent years. Previous board members did not know they needed to complete the 990 return. The history of their tax filings and accounting, IRS guidelines, and the guidance they received from Rick, the CPA, was discussed.

Chairperson Rispoli asked Kathleen Glick about an expense listed in their minutes from the August 17 2020 meeting. A binder for the cost of \$175 was written into the minutes. Tara Fermane, 4 Truman Avenue, answered stating this included a batch of bank checks as well not just a binder.

Bill Warrell stated that we may be moving too quickly through these list of questions and wasn't sure the Commission was getting the necessary information yet. Mr. Warrell wanted further clarification about the field crew. He asked Kathleen Glick if the field crew discussed works on their fields weekly or is it for tournament play only. The payment of \$400 was discussed. Mr. Warrell asked if this is for each day or the entire tournament. Ms. Glick answered that it is for entire tournaments. She further stated that fields need to be relined between each game.

Bill Warrell asked Kathleen Glick if youth softball is processing a 1099 form for all persons who received over \$600 in pay for the calendar year. This is a requirement of the IRS. Ms. Glick stated that their accountant is aware of it and goes through all of their books. Rick Audet asked if all three tournaments in the fall of 2020 were lined by Joe Fermane's crew. Ms. Glick answered yes.

Joe Fermane, 4 Truman Avenue, detailed the work that is performed by their grounds crew. Bill Warrell advised him to make sure they speak to their accountant on 1099's or it could present a problem for their 501(c)3 status. Christine Gras stated that for 1099's it is not just for the weekend of pay but a cumulative total for the entire tax year that will dictate the necessity of a 1099.

Chairperson Rispoli continued with her list of discussion points and the related policies and procedures outlined in our youth groups manual. She stated they must be adhered to as EHT Softball develops their new bylaws. Ms. Rispoli asked about the monies being given back to players as stated in the minutes. It appeared as though there were balances for travel teams left in the account and the remaining money was given back to the players.

Ms. Glick stated that money is not being given to kids. She is paying them back their registration money when the team did not run. Bill Warrell asked if it was registration money or fundraising money. Ms Glick stated its registration money and also fundraising money as it's a travel team. Mr. Warrell stated you can't pay back the fundraising money. Ms. Glick stated that it is for their travel team and it should move on with them. Monies raised

for a tournament through fundraising should go with the team for that tournament. Ms. Glick stated that any travel team balance is transferred to the operating fund.

Kathleen Glick stated they are not paying the kids, they are returning registration fees when they register and then the team does not participate with EHT Youth Softball that season. A check is sent to the coach so they can register their travel team into another league. The other softball organization ends up with the money. Checks were made out to SJ Sharks. Ms. Glick stated that the funds left in a travel team account when they are no longer under EHT Youth Softball are distributed evenly back to the amount of the kids on team.

It is listed in youth softball minutes 1/19/21 that funds were returned to the players. Mr. Fermane stated that checks are given back to the girls who registered. Ms. Glick stated that the funds given back were all registration fees. Players pay \$1000 for their travel season. If parents pay registration money and then they are no longer playing for EHT Softball they get reimbursed that registration money.

Christine Gras asked if there are contracts prepared for each travel team. Kathleen Glick answered yes. Contracts would stipulate how funds are disbursed in the event a travel team does not participate with EHT Youth Softball. Contracts are not in EHT Youth Softball bylaws. Ms. Gras stated that as a 501(c)3 organization if contracts are not done right, all board members are liable. Ms. Gras stated that the minutes reflect seven girls being given funds back. Ms. Gras asked about the other girls who were registered on the team. Chairperson Rispoli stated the \$4600 was after the fact. She asked did the other girls ever play? Ms. Glick said they played in a tournament. They did not get their money back.

Mr. Fermane answered stating that the other girls who left the team broke the contract and did not get their money back. They left the EHT Youth Softball travel team which caused the team to fold. That is a breach of contract and there are expenses incurred for the team that must be covered by EHT Youth Softball.

Chairperson Rispoli stated that the EHT Youth Softball minutes do not reflect any of this information. She understands that we are all volunteers who are trying their best. Minutes written as one-liners are not adequate. Mr. Fermane reiterated that the players who broke their contract did not receive their money back. If a player leaves the team to join another team that is a breach of contract and they do not get their money back.

Amy Smith stated that as volunteers of an organization, they can become liable when matters are not handled correctly or by policy. It comes down to minutes being done well so that things appear as they actually are. A lot of these issues and questions can be avoided by having better minutes. Ms. Smith continued by asking as to the contract, does it state in there that if you breach the contract that you are out the monies you have paid. Mr. Fermane answered yes. Ms. Smith stated that if it is clearly stated that way in the contract she can understand it being handled in that manner.

Christine Gras asked Kathleen Glick if all travel teams use the same contract. Ms. Glick answered yes. Amy Smith stated that it is an option for families to play travel softball and enter into the contract. If you breach the contract then you will be out those monies. Ms. Smith further stated that it did not read well on paper whereby some girls are issued checks back to them and some are not. However, it is due to a breach of contract. Ms. Smith continued stating it would be more clear to the Commission and anyone if it was better stated and made more clear in the minutes why some players receive monies back and some don't. Ms. Smith stated it didn't read well on paper the way it was written in their minutes. It is easier for the Commission to back EHT Youth Softball if the minutes are easier to understand.

Stan Russ stated that it would be more clear to everyone if the minutes stated it was refunding registration fees.

Bill Warrell stated that the minutes as written are part of the issue. The minutes should better tell the story and should be clearer. Amy Smith stated that's why it's important at the next meeting to amend minutes if needed and vote on these matters and certify your actions to cover yourselves. Bill Warrell stated that EHT Youth Softball can't refund fundraising monies. That is a different matter than registration fees. These funds, if left unused by a travel team, have to go back to the organization and not any players.

Ms. Glick further explained how travel teams and registrations work and how the monies are handled. She stated that travel teams will leave the organization and go elsewhere when they can't be competitive at the travel level. Christine Gras asked if EHT Softball was actually funding these girls to go play in a different organization. Ms. Glick stated the Recreation Commission's policies on non-resident players often creates a situation where travel teams will not be competitive and that's why they leave. If 16 girls try out for travel, often five or six of those players really don't belong at the travel level.

Kathleen Glick further explained how travel teams are formed. There are many travel teams that have come and gone from their organization. If families are paying these types of fees they expect to be on a competitive team. Parents will not pay \$1000 in registration fees only to see their team lose every game. Ms. Glick hates seeing travel players leave the organization. They are down to two travel teams currently. It is very disheartening to see some of their best players leave the organization over the years. That is why they are down to two travel teams.

Mr. Fermane stated that teams do fundraisers. He explained how their fundraisers work and discussed how funds go into each team account. They use fundraiser monies as credit to help pay for things like hotel rooms. Toni Rispoli stated that in the EHT youth baseball organization their bylaws state that if the team does not spend the money it goes back to the organization. Baseball is not cutting checks to players. Bill Warrell stated that if a team does not use all of its fundraising monies that softball can't cut checks back for that. Joe Fermane stated that teams will buy gear or have a party for the players to use those types of funds. Ms. Rispoli said fundraiser monies can be used in that manner as long as it's used for the benefit of the player. In baseball, monies not used go back to the organization.

Amy Smith stated that there has to be a way to do it where it is properly denoted in their books and in their minutes.

Christine Gras asked Kathleen Glick if each travel team has their own set of books and their own checkbooks. Ms. Glick answered yes. Ms. Gras stated that EHT Soccer Club had 17 travel teams and all of their funds and accounting went through the one treasurer of the organization. Ms. Gras stated that this is the best approach and provides appropriate controls. EHT Soccer Club operating account has \$70,000 and it's all in one account, both operating and team funds. Revenues and expenses are shown in one account and it is all broken out. Ms. Gras stated that this is the best way to do business according to the youth soccer accountant. Travel teams with their own accounts can be an accounting and oversight nightmare.

Kathleen Glick responded that their treasurer and board sees and reviews all of the travel team account statements. Tara Fermane stated that she is a volunteer, a cocktail waitress by trade, and does not have experience in accounting for a non-profit organization. It's not that she doesn't want to do the work. If their accountant instructs them to do it this way, then that is the approach she will follow.

Kathleen Glick reiterated that monies that come out of the travel team accounts are known to her and the board. All accounts are under one tax ID number. Ms. Glick stated that when EHT Youth Softball had one account and all travel teams fell under it, their CPA stated that this was a nightmare. Ms. Glick further stated that their treasurer

goes through every statement and records all transactions on Quickbooks. When they had one travel account for all teams it was difficult to oversee and reconcile.

Paul Trinkle asked Kathleen Glick if coaches of travel teams can do whatever they want with their team funds and if votes are needed and what is the oversight of such per their bylaws. Ms. Glick answered stating the board is aware of tournaments being entered and what expenses are appropriate. Mr. Trinkle stated that when he was a travel baseball coach, anything over \$200 needed board approval and he had to wait for board meeting for an expense to be approved.

Kathleen Glick stated they hosted a number of tournaments last year. Amy Smith stated that you must vote on all major expenses as a board. Rick Audet asked if they are updating their bylaws soon. Ms. Glick responded yes.

Chairperson Rispoli asked if softball is posting their meeting notices as is required. She further stated that EHT Youth Softball must give their meeting notices to the Recreation Department as well. Softball must post notice of all meetings per Robert's Rules. This applies to both regular and special meetings. Meetings must be posted at least 72 hours prior to the day of meeting.

Chairperson Rispoli stated that the registration fee for youth softball this season is \$145. She stated that a portion of this is a mandatory fundraiser and work bond. Ms. Rispoli asked when you post it on the website, is it broken down what parents are paying for? This fee may be cost prohibitive for many families in our community. She asked if the families who register get a breakdown of these fees.

Kathleen Glick responded yes they do. The fees are broken down for everyone on their flyer. Joe Fermane stated that they don't have a place to post it. Chairperson Rispoli stated to make sure it is broken down for parents and clearly stated in black and white. Joe Fermane stated that they may not be able to post it to their website. Mr. Fermane asked if it is in the bylaws that they need to have a website. Rick Audet stated it can be done on a Facebook page.

Christine Gras further summarized her concerns with the ways in which EHT Youth Softball is conducting their business. Ms. Gras stated that meetings have not been posted anywhere to inform the public or their organization's families. They have conducted numerous meetings without a quorum present which violates Roberts Rules of Order. No actions by the board are permitted if a meeting is not properly noticed and if there is not a quorum present. Ms. Gras stated that technically none of their meetings have been posted so none of their actions in the past years are official or exist. She stated the last meeting posted was April 2019. Joe Fermane stated that it could have been better brought to their attention.

Kathleen Glick stated that she and the EHT Youth Softball board members are volunteers and parents. They are doing the best they can with running the organization and many of them do not know all of the Roberts Rules of Order. Christine Gras responded that Roberts Rules nor the necessity of posting meetings should not be new to any of us. Ms. Glick has been sitting in these Commission meetings for eight years or more and has heard very clearly about these procedures. Ms. Gras stated that these concerns being addressed tonight have led to questions being asked in the community. Ms. Gras further stated that after the previous Commission meeting when non-resident players were requested, we had a lot of response as to why kids were leaving the organization. The minutes we have reviewed tell a different story.

Stan Russ stated that the Commission is not scolding them. He was in their shoes as the previous president of EHT BMX. He knows where Kathleen is coming from in that they are volunteers and trying to do their best. Mr. Russ stated that the Recreation Commission is trying to get them on the right track tonight.

Kathleen Glick stated that way the Commission was going about getting them on the right track is not right. She was upset that she wasn't notified of the special meeting in February. No one called her or contacted her when the date of the special meeting was changed. Toni said it normally comes from the Recreation office but she apologizes for Kathleen not knowing about the special meeting. Ms. Glick further stated that she asked for help from the Recreation Commission at the February meeting, and by her asking for help and it started a witch hunt into their organization. She stated that she is getting punished for asking for help. Ms. Glick stated that the Commission exists to help.

Christine Gras stated that Egg Harbor Township has the best softball facility in Atlantic County. She personally asked eight families in the community about the state of EHT Youth Softball. She asked why kids aren't playing. She got a slew of different answers. Several parents left to go play for other organizations. There is no reason why EHT Softball should not be able to field enough resident players. Then Ms. Gras looked at their minutes and their website which told a certain story. There should be no reason why we can't get enough kids to field rec and travel teams. Ms. Gras went through the registration fees as a possible prohibiting factor.

As a board they can cut out the fundraising fee if they have \$50,000 in their accounts. Ms. Glick stated that they have 200 players now. Ms. Gras stated that they should cut out the fundraising costs of registration fee since they have more than \$50,000 in their account. Ms. Glick stated that they allow a lot of children to register for no cost when the family has a financial hardship.

Christine Gras also commented that the Commission did not say yes to the non-resident request because it is a policy that governs and affects all of our other organizations. Kathleen Glick asked Ms. Gras why she was reaching out to people in other towns for information on EHT Youth Softball. Ms. Gras responded that she did so after hearing about the statement made to the league. Ms. Gras stated that other organizations informed her that EHT Youth Softball stacks recreation teams with their best travel players which creates an unfair advantage. She heard this from multiple people.

Kathleen Glick stated that a key individual of the league has wanted EHT out of the league for many years including when Toni Rispoli was the president. There is a history of gripes the league has with EHT, many of them unfair. Ms. Glick stated that it is the fault of how Babe Ruth works and not the EHT Youth Softball as to how teams are formed and the rules of such. Ms. Glick explained the history of how teams are formed and the actions of a previous treasurer. People were mad that the Coach D'Agostino team played in All-Stars.

Christine Gras asked Kathleen Glick if she could admit at some level how her organization could have done some things differently in recent years that would have prevented a high loss of players. Ms. Glick said yes but you are attacking our organization without knowing anything about softball. Ms. Gras stated the best thing to do may be to go back to the league and "fall on the sword" to the betterment of the organization and to improve relations. Ms. Glick stated that there was a meeting two nights ago on this issue with their board and it was decided to continue to not let EHT play in the league. For the most part, this is an effort being made by disgruntled parents from Galloway. She did apologize to them as the president of the organization.

Joe Fermane explained in more detail how the rules work with rec and travel players and how teams are formed. Kathleen Glick stated there are 52 kids registered, 36 of them travel players, do the math. There have been complaints about travel players playing on rec teams. Tara Fermane stated that they do things the same way in Absecon. Ms. Glick reiterated how the draft works in forming the teams.

Dave Sonnie, 20 Poplar Street, Egg Harbor Township, opined the Recreation Department is hopefully starting to figure out that this situation is less about rules and more about a personal vendetta against EHT Youth Softball. He stated that EHT has been on top for many years because they are good at what they do. People hate us for being on top. It is merely rumors and lies that EHT is somehow cheating. Mr. Sonnie has coached kids in the Township for 11 years. He stated it's tough to be on top. We have a lot of dedicated parents, coaches and board members. EHT will always be in the top echelon of competition. He stated it's too bad for the other towns that this is the case.

Ms. Glick discussed how previous teams were formed and what they participated in for rec, travel and all-stars. Ms. Glick also stated that she can't tell travel players they can't play in rec divisions just to appease the league when it would hurt the kids and hurt EHT Youth softball. She then recounted a situation that occurred at a softball game where two coaches were swearing on the field, they denied it, and a video proved that they did. Ms Glick stated that team was suspended for two games but somehow I was to blame.

Ms. Gras asked if other towns play travel kids on their rec teams. Ms. Glick answered that the other towns who are complaining don't have travel teams, they are all rec and all-stars. The league rates girls and decides whether to move them up to the next level.

Amy Smith stated that she didn't come to the meeting tonight to attack EHT Youth Softball. Her concern is if we can get everyone on board with how minutes should be handled. The main focus or concern in her mind is on the minutes and the issue with returning money to the players. Ms. Smith stated parents have gotten worse and sometimes can ruin youth sports. It's not productive to go through various stories on what parent did what. Ms. Smith further stated that we want to help EHT Youth Softball as an organization. We need to get the minutes to where they need to be. The way monies being disbursed must match the minutes and decisions being made. Take your time and make it all above board and legal in case people or other towns come in and want to challenge the way things are being done. The treasurer's report should be well documented in the minutes and match what is in the books.

Christine Gras stated that the Commission couldn't interpret the minutes the way they were written and that this is not a witch hunt. She was told of concerns and the minutes didn't alleviate any of the concerns the way they were written. Ms. Gras stated that this was never about a witch hunt.

Bill Warrell stated that this comes down to transparency. EHT Youth Softball needs to write the minutes in a way that makes everyone understand what is happening and why.

Kathleen Glick stated that she will use the best practices discussed tonight at their next meeting to help them revise and develop their bylaws. Amy Smith stated to make sure they give the draft bylaws to the Commission for review. Bylaws must be reviewed by Commission and read at two meetings of softball before they can be voted upon for adoption.

Toni Rispoli stated that softball needs to let their liaison know about their meetings. They need to update their bylaws. They have answered most of our questions here tonight. She asked EHT Youth Softball to get on board with our policies and procedures and the Recreation Commission will help you through it. The minutes need to be done better so the Commission knows what is being done and why. Toni made sure Kathleen knew who their liaison is and that she invite him to their meetings. Kathleen Glick stated that she reached out to him and didn't hear back. Ms. Rispoli stated that she is not their liaison.

Toni Rispoli asked Kathleen Glick if there is at least one EHT team in every tournament they run. Ms. Glick answered yes. Ms. Rispoli stated to make sure they turn in a use of parks application for each tournament they intend to run. Rick Audet stated the requirements in the manual for hosting a tournament, especially the use of facility application and the certificates of insurance to collect from each outside team.

Joe Fermane asked about how they go about having meetings at the last minute when something pops up that needs to be addressed. He was advised that board members can discuss operations as needed outside of a meeting, including decisions during a tournament, but all decisions should be stated at a meeting with a quorum and documented. All changes should be posted on the Facebook page or website.

Kathleen asked if the youth softball board changes the meeting location to the Community center, how the need to handle the posting on that. The Commission answered to post a notice on their meeting room door at Childs Kirk Park and to also post it on website or Facebook page. Toni Rispoli thanked them for their time and wished them good luck in their upcoming tournament.

b. Use of Facilities Policy – Field Use Fees

Parks and Recreation Director Rick Audet opened this item and explained why it was on tonight’s agenda. At the last Recreation Commission meeting, a decision was made in regards to changing the Use of Facilities Handbook’s section on field use fees with lights for Category IV groups.

Mr. Audet informed the Commission that there would be instances in which a Category V user group, (less than 75% residents,) would pay less in fees than the Category IV user (greater than 75% residents.) He shared an example of a Category IV team using a field for two nights and Category V using a field for two nights. He further stated that the way fees would be charged is not consistent with the rest of the fee structure. Mr. Audet stated that we should keep it simple to administer these fees and that there might be an easier way. Mr. Audet proposed use fees of \$90 for use of field with lights for Category IV groups.

Toni Rispoli asked about how it works for Category IV and V field use fees without lights. Rick Audet stated that we can clean up the format of how fees are listed in the handbook. At the last meeting the commission voted to charge \$60 for field use with lights and to also charge every non-resident . Ther are times category IV teams will come to us for one night of use and other times could come for ten times. We need to address multiple scenarios that can come in to play and make it work with our fee structure. There was discussion on this matter.

The Commission decided tentatively to change the Use of Facilities handbook to reflect a \$90 fee for Category IV groups for field use with lights. This matter, in accordance with Recreation Commission bylaws, will be on the agenda and voted upon at the next regular meeting.

**Adjournment**

<b>Motion</b>	<b>To approve adjourn the meeting at 8:15 p.m.</b> Motion made by Commissioner Russ Seconded by Commissioner Trinkle
<b>Vote</b>	Motion carried 7-0

*Minutes as heard by Rick Audet, EHT Director of Parks and Recreation.*

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Toni-Lynn Rispoli, Chairperson

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Rick Audet, Parks and Recreation Director

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These Minutes were approved on / /

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