

Egg Harbor Township Committee Meeting

Municipal Building, Bargaintown Road

Egg Harbor Township NJ 08234

Wednesday, June 9, 2010 – 5:00 p.m.

MINUTES

Mayor McCullough called the Meeting to Order at 5:08 p.m.

Deputy Township Clerk Perez read the opening statement pursuant to the Open Public Meetings Act.

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

Also in attendance were Township Solicitor Friedman, Township Administrator Miller and Deputy Township Administrator Goodreau.

Mercantile License Hearing - Blue Water

A hearing was held to determine whether the Township of Egg Harbor should issue a mercantile license to Blue Water to do business in Egg Harbor Township. Detective Davis performed the investigation and made the determination that the license should be denied. Blue Water was represented by Attorney Michael Testa Jr of Vineland. In appearance to testify on their own behalf were Mary Frances Traybash, Norman Pendergast and Sidney & Angela Coleman.

Mayor McCullough advised that Blue Water should cease operations until they receive official written notice from the Township of a decision whether to issue a license or not.

Solicitor Friedman asked if he would be given the opportunity to confer with Attorney Testa before Township Committee members convened into closed session. Solicitor Friedman left the courtroom.

Deputy Township Clerk read the video broadcast/television statement at 6:03 p.m.

Mayor McCullough led the Pledge of Allegiance.

Proclamation

Mayor McCullough called Chief Danz and Chief Nace to the podium for a reading of a proclamation to Chief Nace for his many years of public service to the Township.

Meeting with Director of Public Works Al Simerson

Mayor McCullough talked about the budget and cuts. He stated the Township is receiving a lot of complaints from citizens regarding services, especially those provided by the Department of Public Works. He has asked Al Simerson to come to this meeting to make a presentation to the governing body to inform the residents and Township Committee of what is to be expected as a result of the cuts.

Al Simerson spoke about a slight struggle. The amount of work has not decreased. The Township has the same priorities it has before the economy went bad. The lack of manpower and hiring freeze has put a lot of pressure on a lot of services. He stated his department still has not recovered from the harsh winter. The residents understand their plight – things are not what they use to be.

Mayor McCullough stated that the Township is about three weeks behind and 15 percent down in manpower. The citizens have to understand that there will be some reduction in services. The public should know that we are dealing with tough issues.

Closed Session

Number	Title
237	Authorizing the Township Committee to convene into a Closed Executive Session to discuss matters which may involve litigation and/or personnel
Motion	Motion Hodson, second Risley to convene into closed executive session
Roll Call Vote	Carman - yes Glassey - yes Hodson - yes Risley - yes McCullough - yes

At 6:49 p.m. the Mayor called the meeting back to order.

Deputy Township Clerk reaffirmed the roll call – all members present.

Meeting with Township Engineer Mott

- *Private storm drain retrofitting ordinance.* The State of New Jersey is requiring the adoption of two ordinances which are to be enforced by the Township. Administrator Miller sated the issue is we have to enforce the ordinances and who would be the enforcing individual/department Engineer Mott stated that the Zoning Officer is the only person who can issue a summons.

New Business

- *Tax Anticipation Note.* Township Administrator Miller indicated that because of the cash flow problem the township is experiencing, it will be necessary for the Chief Financial Officer to have the authority to borrow up to \$800K this year. The projection is the earliest she should have to do that would be the week of July 5. The note is a 30-day note, but could be 21 days.

- *Rent Review Board – requested amendments.* Administrator Miller advised the Township Committee that Rent Review Board Solicitor Roger Steedle proposed to amend the Rent Review Board Chapter 180 of the Township Code by deleting Chapter 180.9 which talks about capital improvements.

General Public Discussion

No one came forward.

Motion Carman, second Hodson to close the general public discussion portion of the meeting.

Vote: All members present voted yes.

Resolutions (Consent Calendar)

Number	Title
238	Resolution authorizing the Township of Egg Harbor Tax Collector to prepare and mail estimated tax bills in accordance with P.L. 1994,c72
239	Resolution authorizing the Reallocation of Funds (Marshall Estates & Little Mill)
240	Resolution authorizing acceptance of improvements of Lakeside Village
241	Resolution authorizing execution of Support and Maintenance contract with Edmunds & Associates, Inc. for software & hardware
242	Resolution authorizing release of surety bond posted for Street Opening Permit 80-2008 (Windish Family, LLC)
243	Resolution authorizing acceptance of improvements for the site plan of Palmisano Realty
244	Resolution authorizing refunds from Developers Escrow Accounts (Wesley B. Starn & Bellevue Properties Group, LLC)
245	Resolution authorizing refund of Curb and Sidewalk Permit 20 of 2005 to Pagano Enterprises
246	Resolution appointing various individuals as part-time employees to serve the Department of Parks and Recreation (Kate Quigley, Nicole Rispoli, Kelli Lamey, Donna Papaycik, Lisa Hindman)
247	Resolution authorizing refund of canceled building permit fee (20 Mountain Lane - Ryan Homes)
248	Resolution authorizing refund of Overpaid Taxes (numerous owners)
249	Resolution granting FMLA Leave without pay to Norman Splatt, Jr.

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251	Resolution appointing Michael Luna and Anthony Siudut as Ambulance Service members
Motion	Motion Hodson, second Risley to adopt Consent Calendar Resolutions 238 through 251
Roll Call Vote	Carman-yes Glassey-yes Hodson-yes Risley-yes McCullough-yes

Resolutions (Supplemental)

Number	Title
253	Resolution authorizing Tax Anticipation Note for 2010 (note to exceed \$800K)
254	Resolution authorizing execution of annual pest control service (Elder Pest Control)
255	Resolution awarding contract for removal of mold and repair of water damage in the Police Department (Indoor Air Technologies Inc)
256	Number not used – skipped erroneously
Motion	Motion Glassey, second Risley to adopt Resolutions 253 through 256
Roll Call Vote	Carman-yes Glassey-yes Hodson-yes Risley-yes McCullough-yes

Resolution – Add On

Number	Description
257	Resolution authorizing Mayor and Township Clerk to execute Memorandum of Agreement with PBA Local 77
Motion	Motion Glassey, second Hodson to adopt Resolution 257
Roll Call Vote	Carman-abstain Glassey-yes Hodson-yes Risley-yes McCullough-yes

Resolution – Bill List

Number	Description
252	Resolution authorizing payment of all bills
Motion	Motion Hodson, second Carman to adopt Resolution 257 with the addition of two additional bills for Solicitor Marc Friedman in the amounts of \$1,600 and \$4,800 respectively
Roll Call Vote	Carman-yes Glassey-yes Hodson-yes Risley-yes McCullough-yes

Mercantile License Hearing - Blue Water

Solicitor Friedman spoke about the appeal of Blue Water on the denial of their mercantile license. The standards to be decided were presented. Solicitor Friedman read the pertinent parts of the Township Code, Chapter 142-3. He stated that the determination of the Committee is to agree or disagree with the Police Department's recommendation.

Motion Carman that the Township committee concurs with the findings of the Police Department, second Hodson.

Vote: All members present voted in the affirmative with no abstentions or oppositions.

Solicitor Friedman asked Township Committee if their votes were based on the evidence. All members present stated yes.

Reports

Township Committee:

- *Committeeman Hodson.* Committeeman Hodson spoke about Flag Day on June 14. He indicated there will be a small ceremony at Veterans Memorial Park at 6:00 p.m. He reminded the public/citizens that fund drives and coin drops for volunteers in the Township will start soon and asked that contributions be made. He also encouraged the residents to attend Heritage Day on June 26th. It the Township's 300th year anniversary and the Heritage Day Committee are working hard to have one or more events monthly. Heritage Day will be at the School Complex – Swift Drive.
- *Deputy Mayor Glassey.* Deputy Mayor Glassey advised the public of the upcoming turf management workshop on Tuesday, June 22. Rutgers Cooperative Extension Program in conjunction with the Egg Harbor Township Environmental Commission will be putting together the workshop. It is free and perfect for homeowners. Those interested are advised to go to website www.waterrutgers.edu and click on turf management for a healthier law.
- Mr. Glassey also stated the following: "Upsetting at this time – has to be brought to the attention of the Township taxpayers. As you know we worked very hard (the citizens commission you appointed, himself, and Mr. Hodson) on paring down the school budget where we could live within our means and we got it down to what we thought was a zero bare bones budget. I really find it ironic that we all heard rumors after our last meeting that there was an additional 7 cents from a previous year that was a hang over into this year. I find it funny that this comes up because I thought last year there was a zero increase. Now all of a sudden this 7 cents comes up. I had made numerous phone calls to staff of the school system. I talked to the superintendent and I talked to school board members and told them the job I had to do to try to come up with findings of fact where we can reduce the budget in conjunction with the citizen's commission. I spoke at length too with Mr. Bisceglia and several of his members. This 7 cents, this hidden 7 cents was never ever once brought to my attention and as far as I know Mr. Bisceglia's attention. We were never informed of it. I find this either total incompetence on the professionals in the school system or a total cover up or

an out and out lie to this Township Committee and to the residents of Egg Harbor Township. I put in a lot of time, Mr. Bisceglia put in a lot of time reviewing their budget and trying to come up with a zero base or get it down to where it was in living means and everybody felt we did a good job. We had the meeting at the community center and Mayor you were not aware of this – not one committee member was aware of this hidden 7 cents and I just find it preposterous all the discussions we had talking about pennies and programs and jobs, that this 7 cents all of a sudden is snuck in there and everybody is pulling the dumb attitude that I didn't know nothing no it didn't happen and they told you to your face the administrator and the superintendent that there was no 7 cents and now at the last moment they are telling us there is 7 cents – we should have known about it Mr. Miller should have known about it. It's a disgrace somebody in that school system and the school board better get their act together and somebody better come up with what is going on with this 7 cents. I feel it is incumbent on that school system - that school board to come up and reduce that 7 cents back down to zero. I don't care how they do it. I felt I was used and lied to. I hope the rest of the committee feels the same way. We thought we had this great cooperation between the Township Committee and the school board and the school system and somebody has some explaining to do. I and nobody else on this board knew one single thing about the 7 cents until about two weeks ago and then it was just spoken and I think Mayor you can elaborate on what you were told up until tonight this charade that has been going on and I wish there were some school board members here tonight because this is embarrassing on their part.”

- *Mayor James J. McCullough.* Mayor McCullough said that the Township was told there was a 13.5 cent tax that would be coming from the Board of Education. That was the assumption the Township worked under. When in fact if what has now happened, it was a 20.5 cent tax increase the Township was unaware of. At the Township's last meeting, the auditor for the school board informed the Township that there was an additional 7 cents after we thought we bought the tax down to zero. The auditor said it was a carryover of \$2 million from last year. The school budget is July 1 to June 30. It had to do with the referendum the voters voted on. Nobody told the Township Committee. After the last meeting two weeks ago, Superintendent McCarthy was called and advised that our auditor explained the 7 cent tax consequence from the Board of Education which he denied. He stated he would have Kathy Bechtel call and explain. Kathy did in fact call and she informed that there is no 7 cent tax implication in this year's school tax. She indicated the auditor was wrong and that the 7 cents was removed. Mayor McCullough indicated he met again with the auditor on Thursday – had a lengthy conversation – tried to get Kathy Bechtel on the phone – she at that point said yes there is a 7 cent tax increase from the school side. Mayor McCullough indicated he did not understand how the Township was not told. Mr. Bisceglia, who is the chairman of the budget commission, when he was informed, he was outraged. He has had some conversations with superintendent of schools. He told the governing body there was more money that could have been reduced, but felt that reducing it to zero should have satisfied the voters. He felt very sure that he could have reduced the tax rate even more without cutting any programs, without impacting any loss of teachers' jobs, and without cutting any programs. And I think that this is what has the budget commission so upset. They did so much work.

They thought they were delivering a zero tax increase on behalf of the taxpayers of Egg Harbor Township and that is not going to happen this year folks. Mayor expressed concern that we are probably looking at a 20 cent tax increase and with 100 foreclosures per month in this town does not know how the taxpayers are going to handle it.

- *Committeeman John Carman.* Mr. Carman had nothing to report.
- *Committeeman John Risley.* Committeeman Risley stated Heritage Day is one of the biggest events that the 300th anniversary committee has put together for the Township this year. It will be on June 16 from 10:00 a.m. to 6:00 p.m. Parking will be at the schools and there will be shuttles to and from. There will be lots of things to see. He asked that attendees refrain from smoking, alcohol and animals. If anyone would like to participate with a table or display or if there are volunteers willing to help, call 927-9096.

Administrator Miller advised that when the Township Committee convened into closed session, the items discussed were not recorded. Resolution 237 authorized closed session to discuss under Personnel: Union Budget Negotiations, GWU Contract Negotiations; and Building Subcode Official. Under Litigation: Roscoe v Simmons et al, Blue Water Mercantile License and Tower Co.

Approvals

Motion Carman second Glassey to approve the payroll for the month of May 2010 in the amount of \$1,110,216.37

Vote: All members present voted yes

Motion Glassey second Hodson to approve the Departmental Reports

Vote: All members present voted yes

Adjournment

Motion Hodson, second Glassey to adjourn the meeting at 7:21 p.m.

Vote: All members present voted yes.

James J. McCullough, Mayor

Olga A. Perez, RMC, Deputy Township Clerk

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MINUTES APPROVED AT
MEETING OF JULY 14, 2010