

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

Wednesday, August 11, 2010 – 5:00 p.m.

Agenda

Mayor McCullough called the meeting to order at 5:11 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

Bob Watkins in attendance for Township Engineer Mott

Engineer Bob Watkins reported on the Tremont Avenue State Aid Phase IV bid opening. Advised that the lowest responsible bidder was AE Stone and recommends awarding them the contract.

Township Administrator Miller advised that Resolution 305 awarding the contract is scheduled on this evening's agenda.

Engineer Bob Watkins reported to Township Committee on the amendment to the Township Code for parking spaces at shopping centers.

Administrator Miller advised that Ordinance 23 for the amendment to the Township Code is on this evening's agenda for introduction.

New Business

- Stormwater Ordinances. Administrator Miller informed the Township Committee that Ordinance 21 scheduled for introduction this evening is to set standards and procedures for refuse containers and dumpsters so as to protect public health, safety and welfare.
- 2009 Audit. Administrator Miller stated that the 2009 audit has been the easiest audit ever. There were no auditor recommendations. The changes we made in Finance considering the economic circumstances have been remarkable. We got an A+.

Limousine Owner's License Hearing - Rashon White (5:00 p.m.)

Rashon White was sworn in by Attorney Marc Friedman. Attorney Friedman provided the Township Committee with a background of the charges against Mr. White and the reason for the denial of the limousine license in order to operate in Egg Harbor Township. Mr. White stated that he understands that his record thus

far has not been good, but is trying to turn his life around and make a living. Township Committee members advised him that they would discuss his situation in closed session and provide him with their decision in a week.

New Business

- *South Jersey Power Cooperative.* Administrator Miller stated that the Board of Public Utilities changed laws concerning the purchase of utility supply (gas/electric). There are independent vendors available to provide the utilities. South Jersey Power Cooperative is made up of a group of entities of which Egg Harbor Township is a member. The County of Camden is the lead agency which publicly advertised for the purpose of procuring electric energy services. Hess Corporation was the lowest bidder. The Township could realize a savings of about \$25,000 per year on electricity and it is his recommendation that we enter into a contract with Hess Corporation. A resolution to award the contract is on this evening's agenda.
- *South Jersey Gas Zoning District Change (Block 2902, Lot 17).* Administrator Miller advised there was an error on our tax map and that Ordinance 22 on this evening's agenda is to correct it.
- *Frivolous Lawsuits - S2184.* Administrator Miller talked about the frivolous lawsuit standard in the State of New Jersey. This Bill "S2184" will set up a screening panel and change the language in the law to avoid frivolous lawsuits. He recommended that the Township pass a resolution of support at their next meeting. Committeeman Hodson agreed.
- *Architect Construction Contract - Veterans Park Field House.* Administrator Miller advised that several meetings ago, a contract was awarded for the Veterans Park Field House. On this evening's agenda is Resolution 306 to award a contract to Architect Olivieri, Shousky & Kiss for the construction services and project management of the contract.
- *Ordinances and Resolutions (Township Code §6-12-c).* Administrator Miller advised the Township Committee that Township Clerk Tedesco has requested an amendment to the Code to eliminate the need for the Mayor to execute ordinances and resolution. Township Committee agreed to amend the Code to make it so that either the Township Clerk or the Mayor to execute and not just the Township Clerk.

Other Business (not listed on the Agenda)

- *Mold Remediation Contract.* Administrator Miller advised that after awarding the contract for the mold remediation for the Police Department, it was discovered that the detective interview room mold has increased and is now three feet higher than it originally was. A change order to the contract is being requested to do the entire room for an additional cost of \$3,400. If Township Committee is in agreement, a resolution will be added to this evening's agenda. The Township Committee agreed to the change order.

Closed Session

Number	Title
302	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 Carman to convene into closed executive session
Roll Call Vote	Carman - yes Glassey - yes Hodson - yes Risley - yes McCullough - yes

Deputy Township Clerk read the video broadcast/television statement at 5:57 p.m.

The Pledge of Allegiance was led by the Boy Scouts of America

Commendations

Mayor McCullough commended Eagle Scouts Drew Barkoff and Timothy Walsh and presented them with certificates of commendation. Mayor McCullough also recognized and commended the Troop, Scout Masters and family members in attendance.

Public Hearing on West Atlantic City Gabion Project

A power point presentation was put on by Engineer Ben Keiser of the New Jersey Department of Environmental Protection to inform the public on the West Atlantic City gabion project. Project Engineer Erik Doyle and Environmental Specialist Chris Constantino worked together through the power point.

Engineer Bob Watson reported to the Township Committee the following grant information:

West Atlantic City Gabion Improvements: Grant Money Summary

Loan/Grant	Amount Requested	Amount Granted	Description	Township Responsibility
FEMA Flood Remediation Grant*	\$ 495,000.00	\$245,869.50	Dunes, fencing, plantings	\$ 81,956.50
FEMA Flood Mitigation Grant	\$1,780,000.00	\$295,771.00	Gabion mattresses, dunes, fencing, plantings	-
NJDEP Coastal Engineering Grant*	\$ 500,000.00	\$200,000.00	Gabion mattresses, dunes, fencing, plantings	\$ 67,000.00
	Totals	\$741,640.50	Totals	\$ 148,956.50

* 75/25 responsibility

Total cost w/ grant and Township \$ 890,597.00

- *Richard Black, Bay Drive, West Atlantic City.* Mr. Black stated that no one has addressed the drains. He talked about how the gabions would not work with the dunes. He would like to see just a gabion and a boardwalk. Asked that instead of wasting money, perhaps the Township should take their time and revisit the project.

- *Ben Keiser, NJDEP.* Mr. Keiser stated that that the federal government has denied a bulkhead. The gabions is the best design alternative and Stevens Institute has agreed.
- *Mayor McCullough.* Mayor McCullough asked if the sand could be eliminated. Engineer Keiser stated that once a dune is in place, it will stay in place. If it erodes back, it erodes. Mayor McCullough asked if there would be flooding beyond the gabion. Engineer Watkins stated there may be flooding. The gabions are to protect against erosion and some sort of flood protections. The gabions cannot be walked on. Mayor McCullough explained to the public that the West Atlantic City section of the Township has had flooding problems forever. It is below water level. He stated that even a bulkhead would not prevent flooding. This government is trying to take a step to help the people who live along Bay Avenue to alleviate flooding.
- *Tim Rooney, 24 Empire Drive.* He is here representing the Bay Club Townhome community. He is the architectural chair. He is representing 24 residents who are all happy with what the Township Engineer has done. Since their project began, they have had no flooding.
- *Richard Black, Bay Drive.* The streets have been closed 47 times since Engineer Mott certified/guaranteed that he had eliminated flooding from one inch of rain to the 100-year storm. The answer is a jetty. He asked “Why not let mother nature take its course and let it go?”
- *Deputy Mayor Glassey* advised that the gabions will help with the flooding. He indicated that if the dunes are restored and the gabions installed, the problem will go down.

Motion Carman, second Risley to close the Public Hearing on West Atlantic City Gabion Project. All members present voted yes.

Mayor McCullough commended Deputy Mayor Glassey for the work put in to the West Atlantic City project.

Public Hearings

Number	Title
20	An Ordinance to Amend Chapter 89 of the Township Code entitled “Construction Codes, Uniform”
Purpose	Amending fee schedules for various building and fire permit fees, including certificate and administrative fees
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 20
Roll Call Vote	Carman - yes Glassey - yes Hodson - yes Risley - yes McCullough - yes

Ordinance Introductions

Number	Title
21	An Ordinance establishing Chapter 193 of the Code of the Township of Egg Harbor entitled "Stormwater"
	<i>Ordinance 21-2010 to be published in <u>The Mainland Journal</u> on August 18, 2010, for further consideration at a Public Hearing to be held on September 8, 2010. 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 through to the public hearing date.</i>
Purpose	To establish regulations for refuse containers and dumpsters and private storm drain inlet retrofitting
Motion	Motion Hodson, second Glassey to introduce Ordinance 21 of 2010
Roll Call Vote	Carman - yes Glassey - yes Hodson - yes Risley - yes McCullough - yes
22	An ordinance to amend the Code of the Township of Egg Harbor, Chapter 225, Section 225-5, Zoning Map
	<i>Ordinance 22-2010 to be published in <u>The Mainland Journal</u> on August 18, 2010, for further consideration at a Public Hearing to be held on September 8, 2010. 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 through to the public hearing date.</i>
Purpose	To change the zoning for Block 2902, Lot 17 from residential to industrial
Motion	Motion Glassey, second Hodson to introduce Ordinance 22 of 2010
Roll Call Vote	Carman - yes Glassey - yes Hodson - yes Risley - yes McCullough - yes
23	An Ordinance to amend The Code of the Township of Egg Harbor, Chapter 225, Section 225-55, Off-Street Parking and Loading Requirements, Plan and Design Centers
	<i>Ordinance 23-2010 to be published in <u>The Mainland Journal</u> on August 18, 2010, for further consideration at a Public Hearing to be held on September 8, 2010. 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 through to the public hearing date.</i>
Purpose	To repeal the previously established dimensions for parking spaces and re-establish new dimensions to be 9' wide to no less than 18' deep
Motion	Motion Glassey, second Hodson to introduce Ordinance 23 of 2010
Roll Call Vote	Carman - yes Glassey - yes Hodson - yes Risley - yes McCullough - yes

General Public Discussion

- *Janis Hetrick, 110 Burk Avenue.* Ms. Hetrick suggested to the Township Committee that perhaps now may be a good time to implement some of the livable communities plans that would cost little to no money.
- *Janis Hetrick, Environmental Commission Chairperson.* Ms. Hetrick circulated the New Jersey Audubon Society's Birding and Wildlife Trails brochure which included the Egg Harbor Township Arboretum. She also asked if the lake adjacent to the Arboretum could be formally named.

- Deputy Mayor Glassey suggested that perhaps a contest in the school to name the lake might be fun and by next spring we could pick a winner, name the lake and the park. Deputy Mayor Glassey also congratulated Ms. Hetrick on her efforts and work with the Arboretum.
- Ms. Hetrick thanked Mr. Glassey and stated that she is just the idea person. The efforts have been collaborative and the public should know that the community put in the hours.
- Fire Chief Bill Danz stated that not only are the bird people using the lake out at the Arboretum, but the fire department uses the lake as well. The emergency services of the Township are making good use of the lake.
- Fire Chief Danz announced that the fire truck coming from South Dakota is being inspected and hopefully we will see the truck delivered before the early part of September. He also spoke about experiencing a problem with the utility company calls (particularly the electric company). The fire department is here to service the residents and the Township.
- Mayor McCullough directed the solicitor and administrator to draft an ordinance similar to that done for the expressway calls.
- Chief Danz also indicated that this is fund-drive time and the budget is tight this year. The fire department needs funds to protect the public.
- Virginia McMahon, 209 W Plaza, West Atlantic City. Ms. McMahon stated they are having a drain problem on West Plaza. Engineer Watkins answered that the Township Engineer would take a look and see which inlets are failing.

Motion Glassey, second Hodson to close the public portion of the meeting. All members present voted yes.

Resolutions (Consent Calendar)

Number	Title
303	Resolution authorizing refund of Curb and Sidewalk Permit 4-2010 to Matthew J Poupard and Alysia B Savopoulos
304	Resolution certifying to the Local Finance Board of the State of New Jersey that the Governing Body has reviewed the 2009 Annual Audit Recommendations
305	Resolution awarding contract for Tremont Avenue, Phase IV (A E Stone Inc)
306	Resolution amending Resolution 231 of 2010 for architectural services for Veterans Park Field House (Olivieri Shousky and Kiss PA)
307	Resolution authorizing an award contract for electric generation supply services (Hess Corporation)
308	Resolution marking August 26, 2010 as Women's Equality Day
309	Resolution authorizing extension of 2009/2010 mobile home park licensing period (from August 31, 2010 to September 22, 2010)
310	Resolution authorizing cancellation of unused grant balances (Cops in Shops)

311	Resolution authorizing cancellation of unused grant balances
312	Resolution authorizing Mayor and Township Clerk to execute State Aid Agreement for the West Atlantic City Dune Stabilization Gabion Project
313	Resolution authorizing Mayor to execute the third amendment to frequency reconfiguration agreement with Nextel
314	Resolution authorizing refund of Certificate of Smoke Detector, Carbon Monoxide Alarm and Portable Fire Extinguisher Compliance Application (Carol Nhan)
315	Resolution authorizing refunds from developers escrow accounts (Tradition Homes and Ocean Heights MHP LLC)
316	Resolution authorizing refund of curb and sidewalk permit 19-2007 to James A Stokes
317	Resolution authorizing refund of curb and sidewalk permit 8 of 2010 to American Southern Insurance Company on behalf of Steelman Warehouse LLC a/k/a Clayton Construction Corp
318	Resolution authorizing maintenance agreement with Morphotrak for Police Scanners
319	Resolution authorizing execution of maintenance contract with Mitchell Humphrey
320	Resolution authorizing execution of maintenance agreement for Ricoh Americas Corporation c/o Keystone Digital Imaging (Savin 9040 copier)
321	Resolution authorizing execution of maintenance agreement for Ricoh Americas Corporation c/o Keystone Digital Imaging (Savin 8060 copier)
322	Resolution authorizing execution of wood destroying insect control agreement with Rid Pest Control Inc
323	Resolution authorizing execution of maintenance agreement with Mossman's Business Machines
324	Resolution authorizing execution of maintenance agreement of copier located in the Finance Office for Stewart Business Systems
325	Resolution authorizing execution of maintenance agreement with New World Systems for the Police Department
326	Resolution authorizing execution of maintenance agreement with TEC Elevator Inc for elevators in the municipal building
327	Resolution appointing Naheel Naber to serve the Department of Parks and Recreation (volunteer)
328	Resolution authorizing refund of overpaid taxes (various)
329	Resolution authorizing the Tax Collector of the Township of Egg Harbor to issue a duplicate tax sale certificate for certificate no. 07-005509 in accordance with NJSA 54:5-52.1 to S & K Properties of NJ LLC and charge a fee of \$100 for the issuance thereof
330	Resolution authorizing execution of agreements with the Egg Harbor Township Board of Education for Rubbish Removal Services for the 2010-2011 School Year and for a School Resource Officer for the 2010-2011 School Year
331	Resolution approving appointment/transfer of Katheryn Colfver from Municipal Court to the Police Department
Motion	Motion Risley, second Glassey to adopt Consent Calendar Resolutions 303 through 331
Roll Call Vote	Carman - yes Glassey - yes Hodson - yes Risley - yes McCullough - yes

Resolution

332 | Authorizing payment of all bills pursuant to Exhibit A

Motion | **Motion Glassey, second Hodson to adopt Resolutions 332**

Roll Call Vote | Carman - yes Glassey - yes Hodson - yes Risley - yes McCullough - yes

Reports

Township Committee:

- *Committeeman Hodson.* Committeeman Hodson informed the public that this is the time of year for fund-raising for the fire departments and asked for support. Also, there will be a fund-raiser held at the Masonic Lodge. The funds will be used for the re-building of the Bargaintown Fire House on Mill Road. Committeeman Hodson also reminded the public that there are two weekends left for concerts at the park and that the Oldies concert is this weekend.
- *Deputy Mayor Glassey.* Deputy Mayor Glassey read a brief letter to the public, a copy of which is attached hereto and incorporated herein by reference. It was at this point in time that Jake Glassey stepped down as committeeman effective September 1, 2010.
- *Mayor McCullough.* Mayor McCullough talked about Jake Glassey’s commitment to the Township and wants the public to know what he has done.
- *Committeeman Carman.* Committeeman Carman agreed with everything said by Mayor McCullough and wished Jake the best of everything and most especially good health.
- *Committeeman Risley.* Committeeman Risley reiterated everything said by Mayor McCullough and Committeeman Risley. He said there are officials that are like shooting stars that come bright and then dissipate and then there are the long distance runners who take their knowledge from building years and build upon it. He said that Jake Glassey is a catalog of experience which is crucial in today’s times.
- *Mayor McCullough.* Mayor McCullough spoke again about Jake being in the history books of this wonderful town and the 300th Anniversary of Egg Harbor Township.
- *Committeeman Hodson.* Committeeman Hodson, as the newest member of the committee, stated that as a team we all worked extremely well and Jake is a part of that team and will be missed.
- *Mayor McCullough.* Mayor McCullough advised the public that the County Committee will be meeting next week and submitting three names for Jake’s replacement and that person’s name will appear on the November ballot.

Administrator:

Administrator Miller added Resolution 333 to authorize the Mayor to execute change order 1 to the contract awarded to Indoor Air Technologies Inc for mold removal and repair of water damage in the Police Department.

Motion Risley, second Glassey to approve Resolution 333

Roll Call Vote: Carman - yes Glassey - yes Hodson - yes Risley - yes McCullough - yes

Approvals

Motion Carman, second Hodson to approve the Egg Harbor Township Regular Meeting Minutes of July 14, 2010

Roll Call Vote: Carman - yes Glassey - yes Hodson - yes Risley - yes McCullough - yes

Motion Glassey, second Hodson to approve the Closed Session Minutes of the July 14, 2010, Township Committee Meeting per Resolution No. 274A

Roll Call Vote: Carman - yes Glassey - yes Hodson - yes Risley - yes McCullough - yes

Motion Glassey, second Hodson to approve the Egg Harbor Township Special Meeting Minutes of July 28, 2010

Roll Call Vote: Carman - yes Glassey - yes Hodson - yes Risley - yes McCullough - yes

Motion Glassey, second Hodson to approve the Departmental Reports for the month ending July 2010

Vote: All members present voted yes

Motion Glassey, second Hodson to approve the payroll for the month ending July 2010 in the sum of \$1,081,937.75

Vote: All members present voted yes

Mayor McCullough advised the public at this time that he has requested the new Commissioner of the Department of Community Affairs perform an audit of this government which would include the golf course. He received a letter today that they would not be able to do that at this point because of personnel shortage, but was assured that as people become available, the audit will be performed.

Adjournment

Motion Glassey, second Hodson to adjourn at 7:38 p.m.

Vote: All members present voted yes

James J. McCullough, Mayor

Olga A. Perez, RMC
Deputy Township Clerk

For Office Use Only
Minutes Approved At
Meeting Of September 8, 2010