

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

Wednesday, November 10, 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:

Joe Cafero	- present
John Carman, Jr.	- present
Paul Hodson	- present
John Risley	- present
James J. McCullough	- present

### Meeting with Township Engineer Mott

- *West Atlantic City Dune Stabilization Gabion Project.* Engineer Mott advised the Township Committee that there are two ordinances on the Agenda this evening that are required by the State for the commencement of the project. One is a public access easement to ensure the public use of the Lakes Bay Beach and the other is for the use of the property for the installation of the gabions. Engineer Mott also reported on the project's preconstruction meeting. He indicated that work will commence in December.
- *Tremont Avenue project.* Engineer Mott advised the Committee of the status of the project.
- *Little Mill.* Engineer Mott advised that he contacted the Little Mill residents and that the Township will do some striping and post no parking signs.

### New Business

- *2011 Salary Ordinance.* Administrator Miller advised that on this evening's agenda for introduction is Ordinance 29 for the 2011 salaries. He advised that presently the only contracts in place are PBA, Chief and Captains. All other employees' salaries will be slightly higher due to the fact that there are 260 days in 2011 and there were 261 days in 2010.
- *Budget Transfers.* Administrator Miller stated that this is the first meeting in November where we can begin budget transfers. Most of transfers will be to utility accounts.
- *Veterans Park Field House.* Administrator Miller indicated that there is a resolution on this evening's agenda for a change order which is not for a decrease or increase in money, but an extension of 10 days.

- *COAH Ordinance.* Administrator Miller stated that Ordinance 32 is scheduled for introduction this evening. The ordinance is part of a settlement agreement on a lawsuit filed four years ago by English Manor. Ordinance 32 creates an affordable housing overlay zone allowing 6 units per acre to yield 112 affordable housing units. If nothing is built, we will rescind the ordinance. English Manor will have to come in with a site plan/subdivision application. The homes are not mobile homes, but may be pre-manufactured homes.
- *2011 Tentative Meeting Schedule.* Administrator Miller provided the Township Committee members with a tentative meeting schedule for the calendar year 2011. It was decided that there will only be one meeting in December (the third Wednesday). A time for the January reorganization meeting has not been set, but will be on Saturday, January 1, 2011.

**Other Business**

- *Over the Limit Under Arrest.* Administrator Miller indicated that there is an additional resolution on the agenda which is for authorization to execute a 2010 grant agreement for “Over the Limit Under Arrest”
- *Cardiff VFW Raffle License.* Administrator Miller asked if all members reviewed the request made by the Cardiff VFW for the waiver of a raffle license fee. The governing body agreed to amend the Code of the Township of Egg Harbor to cap the Township’s fee to \$300.
- *Chapter 96 of the Code of the Township of Egg Harbor.* Administrator Miller stated that Solicitor Friedman researched the code regarding disorderly persons and concluded that it is pre-empted by State law. We no longer need this section of the code; and, therefore, we will need to rescind this section of the Code and will introduce an ordinance at the next meeting.

**Closed Session**

The Township Committee did not convene into a closed executive session as scheduled on the agenda. Therefore, Resolution 420 is abandoned.

**Deputy Township Clerk read the video broadcast/television statement at 5:45 p.m.**

**The Pledge of Allegiance was led by Mayor McCullough.**

<b>Roll Call:</b>	Joe Cafero	- present
	John Carman, Jr.	- present
	Paul Hodson	- present
	John Risley	- present
	James J. McCullough	- present

**Ordinance Introductions**

Number	Title
<p><b>29</b></p> <p><b>Purpose</b></p> <p><b>Motion</b></p> <p><b>Roll Call Vote</b></p>	<p><b>An Ordinance fixing the salaries of certain officials and employees of the Township of Egg Harbor for the year 2011</b></p> <p><i>Ordinance 29-2010 to be published in <u>The Mainland Journal</u> on November 17, 2010, for further consideration at a Public Hearing to be held on December 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></p> <p>The purpose of this ordinance is to set the salaries for officials and employees of the Township of Egg Harbor for the calendar year 2011.</p> <p>Motion Hodson, second Risley to introduce Ordinance 29</p> <p>Cafero - yes    Carman - yes    Hodson - yes    Risley - yes    McCullough - yes</p>
<p><b>30</b></p> <p><b>Purpose</b></p> <p><b>Motion</b></p> <p><b>Roll Call Vote</b></p>	<p><b>An Ordinance providing for the Grant of Conservation Restriction/Easement for West Atlantic City Dune Stabilization Gabion Project</b></p> <p><i>Ordinance 30-2010 to be published in <u>The Mainland Journal</u> on November 17, 2010, for further consideration at a Public Hearing to be held on December 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></p> <p>The purpose of this ordinance is to grant an easement for property located in Blocks 4207 through 4223 and 4302 through 4304 in favor of the State of New Jersey as part of the West Atlantic City Dune Stabilization Gabion Project.</p> <p>Motion Cafero, second Carman to introduce Ordinance 30</p> <p>Cafero - yes    Carman - yes    Hodson - yes    Risley - yes    McCullough - yes</p>
<p><b>31</b></p>	<p><b>An Ordinance providing for the acceptance of a Deed of Dedication and Shore Protection Easement for West Atlantic City Dune Stabilization Gabion Project</b></p>

*Ordinance 31-2010 to be published in The Mainland Journal on November 17, 2010, for further consideration at a Public Hearing to be held on December 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.*

**Purpose** The purpose of this ordinance is to accept conveyance of an easement for property located on Lot 2 in Block 4223 from the Township of Egg Harbor to the Township of Egg Harbor and the State of New Jersey as part of the West Atlantic City Dune Stabilization Gabion Project.

**Motion** Motion Cafero, second Hodson to introduce Ordinance 31

**Roll Call Vote** Cafero - yes Carman - yes Hodson - yes Risley - yes McCullough - yes

**32** **An Ordinance to amend the Code of the Township of Egg Harbor, Chapter 225 thereof entitled "Zoning" and add Section 225-49 thereof entitled "Affordable Housing Zone AH-RG-6"**

*Ordinance 32-2010 to be published in The Mainland Journal on November 17, 2010, for further consideration at a Public Hearing to be held on December 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.*

**Purpose** The purpose of this ordinance is to amend the existing Chapter 225 to implement a settlement between the Township of Egg Harbor and Planning Board and English Creek Manor, Docket No. ATL-L-4234-06 P.W., dated June 1, 2006.

**Motion** Motion Hodson, second Cafero to introduce Ordinance 32

**Roll Call Vote** Cafero - yes Carman - no Hodson - yes (reluctantly) Risley - yes McCullough - yes (reluctantly)

### **General Public Discussion**

There being no general public discussion, motion Hodson, second Cafero to close the general public discussion portion of the meeting.

**Vote:** All members present voted yes.

**Engineer's Report**

Engineer Mott reported on the reconstruction of Tremont Avenue which will commence this week and be completed the second week in December. A preconstruction meeting was held on the West Atlantic City Gabion project and that project will begin in December and be complete in February. The Mill Road Farms basin which was an eyesore is complete and the curb and sidewalk has been installed. It looks good.

**Resolutions (Consent Calendar)**

Number	Title
426	Resolution authorizing bond reduction on deposit for Harbor Holdings Ltd
427	Resolution authorizing refund of curb and sidewalk Permit 7-2010 to Portnoy Builders LLC
428	Resolution authorizing refund of overpaid mobile home park (English Creek Manor and Delilah Terrace)
429	Resolution authorizing refund of overpaid raffle license (Church of St. Katharine Drexel)
430	Resolution amending Resolution 406 of 2010 entitled "Resolution authorizing extension of FMLA leave without pay to Richard Shields"
431	Resolution appointing Daniel W Clayton as a member to the Veterans Advisory Board
<b>Motion</b>	Motion Risley, second Hodson to adopt Consent Calendar Resolutions 421 through 431
<b>Roll Call Vote</b>	Cafero - yes   Carman - yes   Hodson - yes   Risley - yes   McCullough - yes

**Resolution**

432	Authorizing payment of all bills pursuant to Exhibit A
<b>Motion</b>	Motion Carman, second Cafero to approve the payment of all bills
<b>Roll Call Vote</b>	Cafero - yes   Carman - yes   Hodson - yes   Risley - yes   McCullough - yes

**Resolution**

433	Resolution requesting that the Director of the division of Local Government Services approve the insertion of an item of revenue from the State of New Jersey "Over the Limit Under Arrest" 2010 Grant (Chapter 159)
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**Motion**

Motion Hodson, second Risley to approve Resolution 433

**Roll Call Vote**

Cafero - yes Carman - yes Hodson - yes Risley - yes McCullough - yes

**Reports**

***Township Committee:***

- Committeeman Hodson. Committeeman Hodson reminded the public that the tomorrow is Veterans Day and that we should honor the men and women who have sacrificed for this country.
- Deputy Mayor Risley. Deputy Mayor Risley announced to the public that the 300<sup>th</sup> anniversary committee has a store at the Shore Mall where they sell collectibles and memorabilia.
- Committeeman Carman. Committeeman Carman had nothing to report.
- Committeeman Cafero. Committeeman Cafero spoke about Ordinance 32 and different mandates and court orders this Township is under. He advised the public that our assemblymen are fighting for us and are looking for reforms. He thanked the voters of Egg Harbor Township for giving him the opportunity to serve.
- Mayor McCullough. Mayor McCullough had nothing to report.

***Administrator***

- Administrator Miller reminded the public that MUA sewer bills will be due December 1.

**Approvals**

Motion Carman, second Cafero to approve the Egg Harbor Township Regular Meeting Minutes of October 13, 2010.

**Roll Call Vote:** Cafero – yes Carman – yes Hodson – yes Risley – yes McCullough – yes

Motion Cafero second Hodson to approve the Egg Harbor Township Closed Executive Session Meeting Minutes of October 27, 2010, pursuant to Resolution 410.

**Roll Call Vote:** Cafero – yes Carman – yes Hodson – yes Risley – yes McCullough – yes

Motion Cafero, second Risley to approve the Departmental Reports for the month ending October 2010.

**Vote:** All members present voted yes.

Motion Risley, second Cafero to approve the payroll for the moth ending October 2010 in the sum of \$1,563,240.03.

**Vote:** All members present voted yes.

### **Presentations**

- Committeeman Paul Hodson and Veterans Advisory Board presented plaques and money to winners of 1<sup>st</sup> Essay Contest “What Veterans Day Means to Me.” Jenna Wigglesworth read her essay, VAB member Lundberg read Anthony Talvacchio’s essay and Alyssa Eggly was not present to read her essay or receive her award.
- Mayor McCullough recognized the Egg Harbor Township Tornados 16U Softball Team and Coaches for their outstanding championship season.

### **Adjournment**

Motion Hodson, second Carman to adjourn the meeting at 6:28 p.m.

**Vote:** All members present voted yes.

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James J. McCullough, Mayor

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Olga A. Perez, RMC, Deputy Township Clerk

For Office Use Only

Minutes Approved At  
Meeting Of November 23, 2010