

**Egg Harbor Township Committee Meeting**  
3515 Bargaintown Road  
Egg Harbor Township NJ 08234  
Wednesday, November 30, 2011 – 5:00 p.m.

**Minutes**

Mayor McCullough called the Meeting to Order at 5:03 p.m.

Township Clerk Tedesco read the Opening Statement Pursuant to the Open Public Meetings Act

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

**Taxi Driver Hearing – Hernandez**

Mayor McCullough called upon Francisco Hernandez who was sworn in by Township Solicitor Friedman together with his son who served as his interpreter.

Police Detective Heim stated the Police Department could not make a favorable recommendation to issue this Renewal Application for a 2012 Taxi Driver License based upon 2 motor vehicle violations which occurred within 1 year of the filing this application.

Mayor McCullough asked Mr. Hernandez why the Township Committee should issue a license when he is in violation of the Township Code. Mr. Hernandez replied through his son that this is his only means of employment. Mr. Hernandez stated he will drive more cautiously. He indicated he has a license to drive in Atlantic City and has been a resident of Egg Harbor Township for 2 years.

Mayor McCullough advised the current license will remain in effect until December 31, 2012. The Township Clerk will notify him in writing of their decision regarding this hearing and his 2012 Taxi Driver license.

**Atlantic Christian School**

Ralph Clayton requested Township Committee to consider allowing Atlantic Christian School to request the installation of additional modular classrooms under an Administrative Review process. Following a brief discussion Mr. Clayton was advised this matter will be scheduled for Technical Review next week and the application will tentatively be presented to the Planning Board in January.

**Presentation**

Student representatives from Belhaven Avenue School together with the principal presented a check to the Veterans Advisory Board in the amount of \$4,000 for the Wounded Warriors campaign. The students explained

they raised the money through conducting fundraisers in honor of 2 former classmates.

### **Meeting with Township Engineer Mott**

#### Bank Street Vacation

Engineer Mott explained Ordinance 41 listed for introduction tonight will vacate a portion of Bank Street in the area of Cottage Road. This vacation is being requested in conjunction with property the township sold to 2 residents along Cottage Road who have since consolidated their property.

#### Homewood Estates aka Harbor Oaks

Engineer Mott said the developer has requested to apply his cash performance account funds to the basin maintenance fee. Mr. Mott said the developers bank has agreed to our terms and Resolution 449 is listed on the agenda to accept the improvements associated with Homestead Estates.

#### Green Springs South and Green Springs North

Mr. Mott explained the developer has decided that he will not be moving forward with this development and has subsequently requested release of the corresponding subdivision bonds. The developer is aware that unless the Permit Extension Act is extended, he will relinquish his approvals if he does not post the required bonds by the end of 2013.

#### 2011 Road Improvement Program Change Order 1

Engineer Mott explained the change order listed under Resolution 441 covers the cost to install the final overlay on roadways in the Washington Avenue area as requested by the Municipal Utilities Authority.

#### PAL Building Demolition

Engineer Mott advised 5 bids were received yesterday for the demolition of the dwelling at the Ridge and Leap Avenue property leased to the PAL. The apparent low bidder is Infrastructure, LLC. Administrator Miller explained the Township received approximately an \$80,000 insurance reimbursement for vandalism to this property recently. The funds will be used to demolish and replace the main structure, renovate several other outbuildings and install utilities.

### **New Business**

#### Donation of Block 3401, Lot 15

Administrator Miller advised a property owner has offered to donate 2 lots totaling approximately 40,000 square feet on English Creek Avenue near West Jersey Avenue. Township Committee approved the request and will act on an ordinance to accept a deed conveying real property later this evening.

#### Land Use Amendments - Non Conforming Uses

Administrator Miller explained Ordinances 38 is listed for introduction and will permit non-conforming improved lots to be further improved under certain circumstances.

Land Use Amendments - NB Zone

Administrator Miller explained Ordinances 39 is listed for introduction and will permit shopping centers in Neighborhood Commercial District when the parcel of land is greater than 3 acres in size.

Pinelands Affordable Housing Ordinance

Administrator Miller explained Ordinance 37 listed for introduction provides for COAH units in the Pinelands Regional Growth Zone and is the result of the English Creek Manor litigation.

**Other Business**

Administrator Miller reported there are 3 additional resolutions for consideration to award a contract for emergency medical billing services, authorize an on-line auction with GovDeals, Inc. and to award a contract for PAL building demolition to Infrastructure, LLC.

Administrator Miller said there are 6 additional bills for Gran Turk, JESCO, John Murray and Marc Friedman totaling \$1.1 million. He suggested these bills be treated as a separate bill list.

Township Clerk Tedesco advised minor revisions were made to Resolutions 435 and 442 to allow for funds to cover insurance premiums and to correct the effective date of an insurance policy.

**Closed Session**

Number	Title
434	Authorizing the Township Committee to convene into a Closed Executive Session to discuss matters involving litigation; Taxi Driver Appeal-Hernandez and personnel; Mechanic Position and Employee Negotiations
<b>Motion</b>	Motion Hodson, second Risley to approve Resolution 434
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

**Mayor McCullough reconvened the meeting at 6:08 p.m.**

**Township Clerk Tedesco read the Video Broadcast/Television Statement**

**Mayor McCullough lead the Pledge of Allegiance**

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

**Presentation**

Mayor McCullough called upon Donald Stauffer and Sharon Woolbert and presented both employees with clocks for 25 years of service to the Township.

Mayor McCullough explained McCullough’s Emerald Links recently hosted a fund-raiser event for the Wounded Warriors organization. The Mayor said that earlier this evening students from Belhaven Avenue School, Linwood made a presentation of \$4,000 they raised for this worthwhile cause. He further explained it was his hope to raise \$10,000 with the golf event. The Mayor then recognized Harry Hurley, Chris Brown, Len Dagit and Ocean City Home Bank who all made significant contributions to the golf fundraising event and presented them with lapel pins. Mayor McCullough then recognized the committee which put this event together.

**Ordinances – Public Hearings**

Number	Title
<p>32</p> <p><b>Purpose</b></p> <p><b>Public Comment</b></p> <p><b>Motion</b></p> <p><b>Roll Call Vote</b></p> <p><b>Motion</b></p> <p><b>Roll Call Vote</b></p>	<p><b>Ordinance providing for the acceptance of a deed conveying real property, being Lot 4 in Block 3413 of the Official Tax Map in the Township of Egg Harbor, County of Atlantic and State of New Jersey</b></p> <p>To accept a deed for property donated by Shirley A. Allen</p> <p>No one came forward</p> <p>Motion Risley, second Cafero to close the public comment</p> <p>Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes</p> <p>Motion Hodson, second Risley to adopt Ordinance 32 of 2011</p> <p>Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes</p>
<p>33</p> <p><b>Purpose</b></p> <p><b>Public Comment</b></p> <p><b>Motion</b></p> <p><b>Roll Call Vote</b></p> <p><b>Motion</b></p> <p><b>Roll Call Vote</b></p>	<p><b>An Ordinance declaring certain currently owned public properties to be no longer necessary for public purposes and authorizing and setting public auction with adjacent property owners having right of first refusal of said properties; which said auction shall be conducted on Friday, December 16, 2011, at 10:00 a.m. in the Township of Egg Harbor Municipal Building, Courtroom.</b></p> <p>Auction of unused properties no longer necessary for public purposes</p> <p>No one came forward</p> <p>Motion Risley, second Carman to close the public comment</p> <p>Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes</p> <p>Motion Cafero, second Hodson to adopt Ordinance 33 of 2011</p> <p>Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes</p>
<p>34</p> <p><b>Purpose</b></p> <p><b>Public Comment</b></p> <p><b>Motion</b></p> <p><b>Roll Call Vote</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 2012 (CWA Bargaining Unit Employees and Non Contractual Employees)</b></p> <p>The purpose of this ordinance is to establish salaries for the 2012 calendar year.</p> <p>No one came forward</p> <p>Motion Cafero, second Carman to close the public comment</p> <p>Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes</p> <p>Motion Hodson, second Cafero to adopt Ordinance 34 of 2011</p> <p>Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes</p>
<p>35</p>	<p><b>An ordinance fixing the salaries of certain officials and employees of the Township of Egg Harbor for the year 2012 (Government Workers Union Employees)</b></p>

**Purpose** The purpose of this ordinance is to establish salaries for the 2012 calendar year.  
**Public Comment** No one came forward  
**Motion** Motion Carman, second Hodson to close the public comment  
**Roll Call Vote** Cafero-abstain Carman-yes Hodson-yes Risley-yes McCullough-yes  
**Motion** To adopt Ordinance 35 of 2011  
**Roll Call Vote** Cafero-abstain Carman-yes Hodson-yes Risley-yes McCullough-yes

**36 An ordinance fixing the salaries of certain officials and employees of the Township of Egg Harbor for the year 2012 (PBA Employees)**

**Purpose** The purpose of this ordinance is to establish salaries for the 2012 calendar year.  
**Public Comment** No one came forward  
**Motion** Motion Cafero, second Hodson to close the public comment  
**Roll Call Vote** Cafero-yes Carman-abstain Hodson-yes Risley-yes McCullough-yes  
**Motion** Motion Cafero, second Risley to adopt Ordinance 36 of 2011  
**Roll Call Vote** Cafero-yes Carman-abstain Hodson-yes Risley-yes McCullough-yes

**Ordinances – Introduction**

Number	Title
37	<b>An ordinance to amend the Code of the Township of Egg Harbor, Chapter 225, Section 225-44 (RG-1 Residential District), Section 225-45 (RG-2 Residential District), Section 225-46 (RG-3 Residential District), Section 225-47 (RG-4 Residential District), Section 225-48 (RG-5 Residential District) entitled Zoning to provide for affordable housing needs</b>
<b>Purpose</b>	To provide for COAH units in the Pinelands Regional Growth Zone <i>Ordinance 37-2011 to be published in <u>The Mainland Journal</u> on December 7, 2011, for further consideration at a Public Hearing to be held on December 21, 2011. 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 until the date of the public hearing.</i>
<b>Motion</b>	Motion Cafero, second Hodson to introduce Ordinance 37 of 2011
<b>Roll Call Vote</b>	Cafero-yes Carman-no Hodson-yes Risley-yes McCullough-yes
38	<b>An ordinance to amend the Code of the Township of Egg Harbor, Chapter 225 thereof, entitled Zoning</b>
<b>Purpose</b>	To permit non-conforming improved lots to be further improved under certain circumstances <i>Ordinance 38-2011 to be published in <u>The Mainland Journal</u> on December 7, 2011, for further consideration at a Public Hearing to be held on December 21, 2011. 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 until the date of the public hearing.</i>
<b>Motion</b>	Motion Carman, second Cafero to introduce Ordinance 38 of 2011
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes
39	<b>An ordinance to amend the Code of the Township of Egg Harbor, Chapter 225 thereof entitled Zoning</b>
<b>Purpose</b>	To permit shopping centers in Neighborhood Commercial District when the parcel of land is greater than three (3) acres in size <i>Ordinance 39-2011 to be published in <u>The Mainland Journal</u> on December 7, 2011, for further consideration at a Public Hearing to be held on December 21, 2011. Copies of this Ordinance are available without cost to any member of the general public from the</i>

**Motion**  
**Roll Call Vote**

*Township Clerk's Office during regular business hours until the date of the public hearing.*  
Motion Cafero, second Risley to introduce Ordinance 39 of 2011  
Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

40

**An ordinance for the exchange of certain land owned by the Township of Egg Harbor and identified on the Egg Harbor Township Tax Map as Block 9801, Lot 11, in exchange with, to and for lands which are owned by Betty Simon Trustee, as set forth on the Official Tax Map as Block 1923, Lot 4 and Block 1930, Lot 7, in the Township of Egg Harbor, County of Atlantic and State of New Jersey**

**Purpose**

To exchange certain property which is no longer necessary for public purposes  
*Ordinance 40-2011 to be published in The Mainland Journal on December 7, 2011, for further consideration at a Public Hearing to be held on December 21, 2011. 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 until the date of the public hearing.*

**Motion**  
**Roll Call Vote**

Motion Cafero, second Carman to introduce Ordinance 40 of 2011  
Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

41

**An ordinance to vacate a portion of Bank Street, described by metes and bounds and located in the Township of Egg Harbor, County of Atlantic and State of New Jersey**

**Purpose**

To vacate Bank Street which is no longer necessary for public purposes  
*Ordinance 41-2011 to be published in The Mainland Journal on December 7, 2011, for further consideration at a Public Hearing to be held on December 21, 2011. 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 until the date of the public hearing.*

**Motion**  
**Roll Call Vote**

Motion Risley, second Hodson to introduce Ordinance 41 of 2011  
Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

42

**An ordinance providing for the acceptance of a deed conveying real property, drainage basin at Oak Manor Subdivision, being Lot 30.06 in Block 3801, of the Official Tax Map in the Township of Egg Harbor, County of Atlantic and State of New Jersey**

**Purpose**

To accept drainage basin at Oak Manor subdivision  
*Ordinance 42-2011 to be published in The Mainland Journal on December 7, 2011, for further consideration at a Public Hearing to be held on December 21, 2011. 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 until the date of the public hearing.*

**Motion**  
**Roll Call Vote**

Motion Hodson, second Risley to introduce Ordinance 42 of 2011  
Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

43

**An ordinance providing for the acceptance of a deed conveying real property, being Lot 15 in Block 3401 of the Official Tax Map in the Township of Egg Harbor, County of Atlantic and State of New Jersey**

**Purpose**

To accept a deed for property donated by Peter T Tepedino  
*Ordinance 43-2011 to be published in The Mainland Journal on December 7, 2011, for further consideration at a Public Hearing to be held on December 21, 2011. 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 until the date of the public hearing.*

**Motion**  
**Roll Call Vote**

Motion Risley, second Cafero to introduce Ordinance 43 of 2011  
Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

### General Public Discussion

John Schmidt, Gloucester City stated he has an interest in Open Public Meetings Act requests and that he recently submitted a request to Egg Harbor Township for a list of individuals who filed Financial Disclosures. His results revealed Egg Harbor Township had the highest number of persons who did not file in 2011. A brief discussion ensued and Mr. Schmidt was advised that Administrator Miller would look into this matter further.

Motion Hodson, second Carman to close the public portion.

### Resolutions (Consent Calendar)

Number	Title
435	Resolution transferring monies from one appropriation to another
436	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" 2011 Grant (Chapter 159)
437	Resolution requesting approval of an item of revenue and appropriation pursuant to NJSA 40A:4-87 [Chapter 159] – Item of Revenue – Body Armor Grant
438	Resolution approving salary increases
439	Resolution amending Resolution 419 of 2011 entitled "Resolution Scheduling Special Meeting of the Township Committee for December 5, 2011 and December 6, 2011 at 5:00 p.m."
440	Resolution supporting the Over the Limit Under Arrest 2011 Year End Statewide Crackdown "Drive Sober or Get Pulled Over"
441	Resolution authorizing Mayor to execute Change Order 1 to the contract awarded to Arawak Paving Co., Inc. for Road Improvement Program
442	Resolution authorizing the renewal of VFIS Accident & Sickness Insurance for Volunteer Firefighters
443	Resolution authorizing execution of maintenance agreement with ITS Mailing Systems Inc for the Finance Department
444	Resolution authorizing execution of maintenance agreement with AFA Protective Systems Inc for fire alarm monitoring at Community Center
445	Resolution authorizing the cleaning up of the property located at 301 Quigley Place and authorizing a lien on the property
446	Resolution authorizing the cleaning up of the property located at 20 Weeping Willow Circle and authorizing a lien on the property
447	Resolution granting Egg Harbor Township Farmington Volunteer Fire Company Charitable Roadway Solicitation Application
448	Resolution authorizing acceptance of improvements of Oak Manor
449	Resolution accepting improvements associated with Homestead Estates aka Harbor Oaks
450	Resolution authorizing release of Green Springs South and Green Springs North Subdivision Bonds
451	Resolution authorizing release of Countryaire Subdivision Bond
452	Resolution authorizing refund of overpaid taxes (various)
453	Resolution authorizing refund of overpaid ambulance fees (various)
454	Resolution authorizing refunds from developers escrow accounts (various)
<b>Motion</b>	Motion Carman, second Cafero to approve Consent Calendar Resolutions 435

**Roll Call Vote**

through and including 454  
Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

**Resolution (Bill List)**

Number	Title
455	Authorizing payment of all bills pursuant to Exhibit A
<b>Motion</b>	Motion Carman, second Cafero to adopt Resolution 455
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes
455A	Authorizing payment of all bills pursuant to Exhibit A
<b>Motion</b>	Motion Carman, second Cafero to adopt Resolution 455A
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

**Resolutions (Consent Calendar)**

Number	Title
456	Resolution awarding contract for Emergency Medical Billing Services to Revenue – Medical Guard
457	Resolution authorizing the sale of Township property and vehicles that have been deemed surplus or abandoned with Govdeals, Inc.
458	Resolution awarding contract for PAL building demolition (220 Leap Street) to Infrastructure, LLC
<b>Motion</b>	Motion Cafero, second Hodson to approve Consent Calendar Resolutions 456 through and including 458
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

**Reports**

*Township Committee:*

Committeeman Hodson wished everyone a Happy Thanksgiving holiday and reminded them to be cautious with holiday light displays.

Deputy Mayor Risley asked motorists to be aware of pedestrians with recent early onset of dusk and suggested pedestrians wear reflective clothing.

Committeeman Carman announced the Egg Harbor Township Police Athletic League will be hosting a Winter Festival at the Ready to Ride location for the next 2 weeks and encouraged the public to support this event.

Committeeman Cafero said the committee introduced several land use ordinances this evening which will help encourage commercial projects and the local economy. Mr. Cafero encouraged the public to visit the Historical Society property on West Jersey Avenue. Committeeman Cafero reported recycling amounts have increased with the start of our automated trash collection. Lastly, he reported vandalism occurred at the arboretum over the weekend.

Mayor McCullough advised there should be a decrease in work related injuries due to the automated trash collection system. The new collection system has resulted in increased manpower hours for the Department of Public Works.

***Administrator:***

Administrator Miller reminded the public that 4<sup>th</sup> quarter Municipal Utilities Authority bills are due December 1, 2012.

**Approvals**

<b>Motion</b>	Motion Hodson, second Cafero to approve the Regular Meeting Minutes of the Egg Harbor Township Committee meeting of November 9, 2011
<b>Vote</b>	All voted, yes
<b>Motion</b>	Motion Cafero, second Hodson to approve the Closed Executive Session Meeting Minutes of the Egg Harbor Township Committee meeting of November 9, 2011, pursuant to Resolution 416
<b>Roll Call Vote</b>	Cafero-yes Carman-yes Hodson-yes Risley-yes McCullough-yes

**Adjournment**

**Motion**

**Vote**

---

**JAMES J. MC CULLOUGH, MAYOR**

---

**EILEEN M. TEDESCO, RMC TOWNSHIP CLERK**

Minutes approved at the December 21, 2011 Township Committee Meeting