

**Monday, February 17, 2020, 6:30 P.M.**  
**Bill Review & Agenda Meeting**

PRESENT: J. Roy Oliver Mayor  
Ken Whildin, Deputy Mayor  
Bill Ashton, Committeeman  
Frank DiDomenico, Solicitor  
Allen Foster, Chief Financial Officer  
Denise L. Peterson, Municipal Clerk

This meeting has been advertised in accordance with the statutes of the State of New Jersey.

Mayor Oliver called the meeting to order; the Pledge of Allegiance followed.

**ROLL CALL:** Mr. Oliver, present  
Mr. Whildin, present  
Mr. Ashton, present

**Municipal Finance Officer Report**

Allen Foster, CMFO

Mr. Foster provided a report on the temporary budget and a status on the reserve. Mr. Foster reported that the AFS was complete. Mr. Foster provided a synopsis of the past 5 years trend in the township's budget to the Township Committee and explained that it is good when you can look and see no trending differences from year to year

Mr. Foster cautioned that care must be taken as there is unknown factors regarding the ambulance contract. Mr. Foster stated he has been able to work off 2 cents from the budget utilizing surplus but the ambulance situation could potentially place a 2 cent increase to the local tax. This is the worst case scenario and would be seen in the second half of the year costs.

Mr. Oliver asked if the state aid numbers were available yet. Mr. Foster replied that this has been the same for the past few years.

**Public Comment Session**

Mr. Whildin made a motion to open the public comment session noting the time at 6:36 pm; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays - None

Mr. Dickinson, Leesburg, stated that the NJSP are not doing their jobs to cut down on speeding on Main and High. Mr. Dickinson asked if photo radar detectors were enforceable. Mr. Whildin stated this would be a question for the NJSP representative at Thursday's meeting. Mr. DiDomenico stated that these types are not held up in court. The question will be posed to NJSP on Thursday. Mr. Dickinson emphasized that something has to be done to stop the speeding.

Penny Wells, Dorchester, stated that the number of feral cats in the Dorchester area is increasing and indicated that the program is not working as intended. Mr. Oliver provided a synopsis of the trial program conducted in spring of 2019 in the Leesburg area and explained that the previous coordinator had retired and a new coordinator is needed. Mr. Oliver stated that once this is settled grants will be sought to continue the program and extend into other areas of the township with problems. Mr. Oliver explained that the work done during the trial program significantly decreased the number of new kittens born and cats that underwent TNVR will die off naturally.

Penny Wells, MRTES BOE, stated she has been in contact with NJDOT about moving the ‘white stop line’ to before the school driveway and asked if the township could be assist with this request in anyway. Mr. Oliver referenced the Fox Street meeting that took place with the school and explained that Mr. Morrissey will be setting up another meeting with the school in the near future to go over the revised plan. Ms. Wells advised that parents have been instructed that they must park and enter the school when picking up their children and that a new fence was installed to prevent parking along the driveway.

Mr. Dickinson, Leesburg, asked if the timing on the traffic light at Route 47 and Port Cumberland Road was going to be changed. Mr. Whildin stated he has left a message on this subject with NJDOT and is waiting a reply.

Mr. Stowman, Delmont, reported that ALS is looking at other grant opportunities and evaluating the Mouth of Maurice River for upcoming projects.

Mr. Stowman, Delmont, explained that a prepetition meeting with the NJ Planning Advocacy representatives has been scheduled for March 17<sup>th</sup> to review the Centers Designation and Nodes.

Mr. Stowman explained that NJDEP representatives presented two options to the Township Committee, County representatives and other state agencies. The first was moving the lighthouse approximately 2.5 miles inland to Heislerville are and the second was raising the lighthouse to be in line with the 100-year floodplain. All who were present at the February 14<sup>th</sup> meeting were in favor of raising the lighthouse. NJDEP has the funds for this project which is estimated at 1.3 million.

Mr. Stowman explained that he attended a Delaware Bayshore Council meeting where he was able to view the Army Corps 2020 work plan; there was no listing for dredging of the Maurice River. Mr. Stowman questioned ‘why’ this was not listed and budgeted for and is awaiting a reply.

Mr. Stowman provided that he has forwarded the NJ Map 2 to the Township Committee and Clerk and explained this is what the state is currently using. Mr. Stowman explained he has been invited to a meeting scheduled for March 2<sup>nd</sup> on the PACT which is interwoven with the 309 and other land use topics. Maurice River is included in these discussion due location and tax base. Wind energy is an up and coming topic and the Maurice River could be beneficial.

Mr. Stowman further that the PILOT funding topic was discussed at the Bayshore council.

Mr. Ashton questioned the PACT and how it affects Maurice River. Mr. Stowman stated Maurice River Township has ‘home rule’ but the state may put guidelines in place regarding placing of homes along the shoreline areas. Mr. Stowman furthered that Risko can do medium supply chain work regarding wind energy but consideration of the river depth needs to be taken into consideration. The state generally does not like things built within the 100-year flood plan.

Mr. Stowman stated he is waiting to hear about the dredging project from Monica at ACOE.

Mr. Whildin made a motion to close the public comment session noting the time at 7:08 pm; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays - None

### **Discussion Items**

1. Predatory Towing Prevention Act (Ordinance).  
Frank DiDomenico drafted the ordinance in accordance with state. The Township Committee was in agreement to introduce the ordinance on Thursday, February 20, 2020.
2. Discuss 'unimproved' township owned roadways maintenance and snow plowing.  
Mr. DiDomenico stated that first a determination must be made regarding if the properties are owned by the township and title searches will be needed to establish ownership.

Mr. Whildin made a motion to approve Frank DiDomenico to do Title Searches on Ingersoll and Sharpstow to establish ownership; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

3. Forestry Management Committee  
Mr. Whildin explained that this committee is needed to continue updating and certifying the Community Management Forestry Plan. Mr. Whildin explained that two public works employees have taking the core training as well as Mr. Stowman. Mr. Whildin offered to chair the committee.

Mr. Whildin made a motion to establish the Forestry Management Committee; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

4. Mark Pietrucha, Woodard & Curran, is requesting an increase in the budget amount for the Cheli Brownfields project from \$168,500 to \$200,000 utilizing the USEPA Assessment Grant.

Mr. Whildin made a motion to increase the budget amount for the Cheli Brownfields project from \$168,500 to \$200,000 utilizing USEPA Assessment grant funds; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays - None

5. South Jersey Gas made notice of an emergency street opening on Stations Road on January 22, 2020. (10' S of c/l on Station Road 542' E c/l on Railroad. The application and fee have not yet been received.

Hold until application and fee are received.

6. Determine a site for the Salem Oak seedling.  
It was determined that care of this tree should be placed with someone who is knowledgeable regarding the care needed to encourage growth until it is of significant enough size to plant. Once the tree has reached a size that is deemed safe to plant a ceremony will be done providing for the significance of the tree and its lineage.
7. Woodard & Curran is requesting a re-allocation of \$27,726 to complete three proposed tasks utilizing NJEDA HDSRF grant funds for the Cheli Brownfields site.

Mr. Whildin made a motion to re-allocate \$27,726 to complete the three tasks outlined by Woodard & Curran utilizing NJEDA HDSRF grant funds for Cheli site; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

8. Title Search for land donations from PSEG.  
Mr. DiDomenico explained that PSE&G is looking to donate 5 lots to Maurice River Township but the titles are unclear. PSE&G has requested that the township do the title searches.

Mr. Whildin made a motion that Mr. DiDomenico proceed with the title searches on the 5 properties being offered by PSE&G for donation to the township; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

9. CM3 submitted a quote of \$1,742 to replace one boiler pump/motor assembly in the Municipal Building.

Mr. Whildin made a motion to accept the quote from CM3 of \$1,742 to replace one boiler pump/motor assembly; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

10. Discuss working with Dennis Township regarding residents without Comcast Cable service.

The Township Committee reviewed this request and asked the clerk to reply that Maurice River Township would like to meet with Dennis Township sometime in the future regarding this subject.

11. Discuss accrued taxes for Fish Tales Marina.

The Township Committee decided to hold off any movement at this time due to ongoing negotiations with NJDEP to acquire the marina district. Possibly the back taxes can be used to offset the amount being stated for the township to acquire.

12. USDA applications to increase Rural Access to Education, Training & Health Care.

Mr. Ashton stated this grant is being offered to Opportunity Zones and if the township were eligible it could be used to offset possible costs to extend Comcast service to residents who do not have service available to them. The Clerk was asked to review the grant for more information and supply to the Township Committee.

13. Discuss the request received to change Municipal Court night to the 1<sup>st</sup> & 4<sup>th</sup> Monday of each month starting at 5:00 pm.

Mr. Whildin made a motion to approve the request to move the Municipal Court nights to the 1<sup>st</sup> & 4<sup>th</sup> Monday each month starting at 5:00 pm; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

### **Township Committee Discussion**

#### **William Ashton**

Mr. Ashton had nothing to report.

#### **Ken Whildin**

Mr. Whildin reported:

1. The meeting with Risko, Whibco and the Township Planner was productive; everyone is on the same page regarding the Centers Designation and Nodes requirements.
2. The Land Use Board secretary is scheduled for certification classes.

#### **J. Roy Oliver**

Mr. Oliver reported:

1. He will be attending a meeting with Senator Testa on Wednesday at 1:00 pm; possibly an Assemblyman will be attending also. He has three topics to discuss with the Senator and will report at Thursday night's meeting.

### **Second Public Comment Session**

Mr. Whildin made a motion to open the second public comment session noting the time at 7:47 pm; seconded by Mr. Ashton.

Roll Call: Ayes - Whildin, Ashton, Oliver Nays – None

Mr. Stowman explained that he understood that Risko is looking to submit their CAFRA permit application. Additionally, the prepetition meeting with the state is scheduled for March 17<sup>th</sup> to discuss the centers designation; this was the soonest date available. At the present time the state will not provide in writing that the centers are still active.

Mr. Stowman reported that the state put in bills for dredging up and down the Atlantic coastline but did not include the Cumberland/Salem coastline. Mr. Stowman added there are two assembly bills and he will put something together regarding dredging bills and CAFRA centers.

Mr. Whildin made a motion to close the second public comment session noting the time at 7:52 pm; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

### **Executive Session (Discuss Ordinance 651 (Vacant Property Registration))**

Resolution No. 45-2020: A Resolution Providing For A Closed Session Not Open To The Public In Accordance With The Provisions Of The New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

Mr. DiDomenico provided a synopsis for the purpose of the closed session which would take 10-15 minutes.

Mr. Whildin made a motion to adopt Resolution No. 45-2020; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

Mr. Whildin made a motion to enter into Closed Session; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

Upon exiting the Closed Session, Mr. Whildin made a motion to enter back into public session; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

Mr. Whildin made a motion to amend Ordinance 651 to provide for registration fees of \$500 annually; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

The amended ordinance will be introduced on Thursday, February 20, 2020.

Mr. Whildin explained that presently the maximum salary for the OEM Coordinator is set at \$2,900 and asked that the maximum be increased to \$6,000 and assignment of salary to hires will be commensurate with experience.

Mr. Whildin made a motion to increase the max salary for OEM Coordinator to \$6,000 with the 2020 salary Ordinance; seconded by Mr. Ashton.

Roll Call: Ayes- Whildin, Ashton, Oliver Nays – None

Mr. Whildin explained that the current MCA contract expires on March 20, 2020 and made a motion to extend the contract for 3 years; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None.

### **Review of Agenda for Thursday, February 20, 2020 at 7:30 pm.**

The Township Committee reviewed the agenda for the Thursday, February 20, 2020 meeting and changes were made as needed

### **Review of Bills for approval on Thursday, February 20, 2020 at 7:30 pm.**

The remainder of the meeting was dedicated to review of the bills to be presented for approval on Thursday, February 20, 2020.

### **Adjournment**

Mr. Whildin called for adjournment; seconded by Mr. Ashton.

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 45-2020

A RESOLUTION PROVIDING FOR A CLOSED SESSION NOT OPEN TO THE PUBLIC  
IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that a closed session may be held for certain specified purposes when authorized by Resolution adopted by the governing body; and

WHEREAS, it is necessary for the Township Committee of Maurice River Township to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated herein below:

- \_\_\_\_\_ (1) **Matters Required by Law to be Confidential:** Any matter, which, by express provision of Federal Law or State Statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- \_\_\_\_\_ (2) **Matters Where the Release of Information Would Impair the Right to Receive Funds:** Any matter in which the release of information would impair, restrict, or otherwise adversely affect a right to receive funds from the Government of the United States and/or the State of New Jersey.
- \_\_\_\_\_ (3) **Matters Involving Individual Privacy:** Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations or other personal material of any educational, training, social service, medical, health, custodian, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- \_\_\_\_\_ (4) **Matters Relating to Collective Bargaining Agreements:** Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement including the negotiation of the terms and conditions thereof with employees or representatives or employees of the public body.
- \_\_\_\_\_ (5) **Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds:** Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.
- \_\_\_\_\_ (6) **Matters Relating to Public Safety and Property:** Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.
- X (7) **Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:** Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the

attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

- \_\_\_\_(8) **Matters Relating to the Employment Relationship:** Any matter involving the employment, appointment, termination or employment, evaluation of the performance or promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.
- \_\_\_\_(9) **Matters Relating to the Potential Imposition of a Penalty:** Any deliberations of a public body occurring after a public hearing or public portion of a meeting that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP**, assembled in public session on the date of the meeting date set forth herein below, that a closed session shall be held for the discussion of matters relating to the specific items designated above involving the Township of Maurice River. The governing body shall convene a closed session discussion immediately upon passage of this resolution and it is anticipated that the deliberations conducted in closed session shall be disclosed to the public upon conclusion of the matter and/or after determination of the Township Committee that the public interest will no longer be serviced by such confidentiality and that the meeting will return to open session at the conclusion of the discussion and formal action may be taken if/as authorized. **The estimated length of the executive session will be thirty minutes.**