

**Monday, March 16, 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 to the Township Committee. Mr. Foster stated that the receipt of the ambulance-north proposal has changed the local purpose tax projected for the year and it appears there may be half cent decrease. Mr. Foster stated he believes the revenue and state aid will remain the same for the year as compared to last year. Mr. Foster stated that Energy and CMPTRA still remain concerning as the township relies on these.

Mr. Foster stated that appropriations are going down with salary and group insurance as well as the landfill application fees being removed this year.

It was discussed to possibly purchase a new dump truck using capital improvements. Mr. Whildin added that the 2006 will need to be replaced in the next couple years.

Mr. Foster emphasized concerns remain regarding the township reliance on state aid and no new anticipated revenues. Mr. Ashton expressed that everyone must be aware of the expiration of the 5-year contract with Belleplain Rescue on December 31, 2020. Mr. Foster explained that he makes comparisons every year and banking of some funds takes place which increase the levy. The levy cap needs to be looked at closely each year. Mr. Ashton explained that he is not interested in purchasing a new dump truck this year due to the unknown with Ambulance-South starting in 2021. Mr. Foster stated that purchasing of the new dump truck would be a capital improvement and therefore would not affect the tax rate. Mr. Whildin suggesting waiting for the fall to purchase the dump truck to see where the ambulance contracts and trash bids stand.

Mr. Oliver thanked Mr. Foster for all the hard work he has put into preparing the budget and agrees that the ambulance contract next year could be a problem. Mr. Oliver added that Dorothy submitted a very good proposal for Ambulance- North and possibly Millville will be able to submit a proposal next year. Mr. Oliver questioned whether the township can purchase an ambulance as part of an agreement/contract. Mr. DiDomenico suggested a 'shared service' agreement with the terms being stated in the agreement. Mr. Foster added that possibly this could be done through capital and he will check into it. Mr. Oliver questioned if this could be

done over 7 years. Mr. Foster stated that he does not believe it could be spread over multiple years but believes there is a way to do it.

Ashleigh Hughes, Dorchester, stated she does not believe Millville will be interested as they are still calling in back up coverage. Mr. Whildin stated that he has had preliminary talks with Mr. Feltes on this subject. Ms. Hughes added that she believes the ambulance concerns will be township wide next year. Mr. Whildin stated that ambulance coverage is a concern country wide due to staffing problems.

### **Resolution #60-2020: 2020 Municipal Budget Resolution**

Mr. Whildin made a motion to approve Resolution No. 60-2020: 2020 Municipal Budget Resolution and set the date and time for the second reading for Monday, April 13, 2020; seconded by Mr. Ashton.

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

### **Public Comment Session**

Mr. Whildin made a motion to open the public comment session noting the time at 6:54 pm; seconded by Mr. Ashton.

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

George Kumor, Heislerville, advised the Township Committee that there has been congestion on Thompson’s Beach Road (on the corner turning from Glade Road). Mr. Kumor added that the house on the corner has visitors who park and cause this congestion and he witnessed a few ‘near misses’ today at and near the stop sign. Mr. Whildin commented that he will bring this to their attention.

James Jacoby, Delmont, questioned offering an extension to Gold Medal when he is still witnessing trash cans not placed back out of the way of traffic and they continue to use his driveway as a turnaround leaving ruts. Mr. Whildin stated he will talk to them about the use of his driveway as a turnaround.

Mr. Whildin made a motion to close the public comment session noting the time at 6:59 pm; seconded by Mr. Ashton.

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

### **Discussion Items**

1. Discuss the Ambulance-North proposal received on Tuesday, March 3, 2020.

Mr. DiDomenico explained that only one proposal was received from Dorothy Volunteer which provided a bid of \$16,333.33 for the entire northern section. Mr. DiDomenico stated that the RFP specifically stated EMT-D and Dorothy has EMT-B. EMT-D is no long a valid designation. Mr. Whildin stated that he has concerns with dispatch as it has to go through Gloucester and he saw one instance where there was a 7-minute delay. Mr. Whildin stated that there is an alternative being looked at to prevent these types of delays to dispatch. Mr. Ashton stated he would like to discuss this further. Mr. Whildin said he would invite a representative from the Dorothy Volunteer to attend Thursday night’s meeting to provide insight.

Award tabled to Thursday, March 19, 2020.

2. A letter was received from Michael Broadway dated February 24, 2020 making notice that the Pine Barrens Adventure Camp Riding School will be holding a small educational motorcycle school and ride on April 25<sup>th</sup> and 26<sup>th</sup>, 2020. The event will be held on private property located

on Weatherby Road and Franckle Lane. Permits have been filed from Pinelands and the State Forestry.

No action required.

3. Discuss offering another one-year extension to Gold Medal for the trash contract.

Mr. Oliver offered that there is a lot of preparation to get the proposals together for the trash contract. Mr. Oliver offered that in previous years both Waste Management and Gold Medal have submitted proposals. Mr. Oliver asked for the Township Committee's input. Mr. Whildin suggested meeting with Gold Medal to provide them with concerns and offer the 1 year extension. Mr. Ashton stated that complaints regarding trash are received weekly but they are responsive to the complaints received. Mr. Ashton continued by stating that he has seen improvement. It was discussed that when requesting proposals in the past Gold Medal has been high and another concern is that with previous contracts with Waste Management, they were not responsive to complaints. Mr. Oliver asked Mr. Whildin to discuss the problems and make an offer to extend.

Mr. Whildin made a motion to meet with Gold Medal to express concerns and make an offer to extend; seconded by Mr. Ashton.

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

4. Discuss hiring a bankruptcy attorney.

Mr. DiDomenico stated that sometimes there are questions received by him regarding 'bankruptcy' from the Tax Collector. Mr. DiDomenico stated that recently Mr. Nathan Van Embden had assisted him with a bankruptcy question. Mr. DiDomenico stated that Mr. Van Embden offered this service for a fee of \$120 per hour which is a good price. If awarded it would be a "non-fair" contract.

Mr. Whildin made a motion to offer the contract to Mr. Nathan Van Embden for Bankruptcy Solicitor for \$120 per hour; seconded by Mr. Ashton.

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

5. Discuss returning the local Board of Education election back to April.

Mr. DiDomenico offered that previously this election was moved to November due to low voter turnout in April. Mr. DiDomenico added that moving back to April could be expensive due to the cost of the added election date. It was discussed that when the election was in April the Township Committee would receive copies of the school's budget. Mr. Ashton stated there is complaints received regarding the school board election and their budget. Mr. DiDomenico offered that the township would not have say over the school's budget regardless of the election date. Mr. DiDomenico explained that previously when the school board's budget was defeated it would come to the township who would offer suggestions however, the State Board of Education has the final say. Mr. Ashton stated there is no accountability in the school's budget and he would like to see rights returned to the tax payers.

Mr. Whildin made a motion to send a letter to Fredon advising that Maurice River Township is not in favor of returning the Board of Education election back to April; seconded by Mr. Ashton.

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

6. A letter of interest was received from Mullica Hill Rifle & Pistol Club dated March 4, 2020 to acquire township owned properties Block 263 Lots 16, 44 and 54.

Mr. Whildin recused himself as he is a member of MHRPC.

Mr. Ashton stated he is in favor of the sale as it would make it a taxable property but he is not sure of his participation due to family members owning contiguous properties. Mr. DiDomenico requested to review the request and also look into the relationship categories which constitute a 'conflict of interest'.

Tabled.

7. Set a date for reorganization 2021.

Mr. Whildin made a motion to hold the Reorganization Meeting for 2021 on Monday, January 4, 2021 at 10:00 am; seconded by Mr. Ashton.

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

8. Request to unlock the access gate to Thompson's Beach for a Wedding ceremony on October 18<sup>th</sup>, 2020.

Mr. Whildin offered that he does not have a problem with this but asked for Mr. Kumor's input. Mr. Kumor stated that the road could not be used on a regular basis but exceptions could be made and insurance coverage would be required. Mr. DiDomenico offered that there would be no more liability on the township than anything else due to tort claim protection act. Mr. DiDomenico offered that a waiver should be obtained with an agreement that the event was at their own risk and they would be required to limit the number of vehicles and possibly shuttle attendees.

Mr. Whildin made a motion that Mr. DiDomenico send a letter authorizing the use, stating the conditions of the use and requesting a waiver; seconded by Mr. Ashton.

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

9. Discuss replacement of three air conditioning units.

Mr. Ashton offered that he has a contact who provides a program for the cost up to 70% and an energy audit would be required. Mr. Whildin stated he had contacted Mr. Gary Finger and their program provides for up to 80% coverage and also requires an energy audit be conducted. It was discussed to include energy efficient lighting for the municipal building into the proposals. Both programs sunset in June 2020.

Mr. Whildin made a motion that both Mr. Ashton and he obtain information on the free audits and proposals for the lighting and air conditioning units; seconded by Mr. Ashton.

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

Mr. Foster commented that these must be NJ State contracts or they would be required to go out for bid.

### **ADDED**

10. Senior Center.

Mr. Oliver stated due to the COVID-19 pandemic that there is a ban on groups over 50 in the state and the President has suggested less than 10. Mr. Oliver suggested that for now the Senior Center be allowed to remain open however starting tomorrow the county will not be delivering lunches. Mr. Oliver added that the Senior Aid has offered to prepare breakfast and usually there are less than 10 seniors early in the morning. Additionally, CATS will not be transporting for this type of activity. Mr. Oliver stated that they can safely 'social distance' and many seniors look forward to this for quality of life. Mr. Whildin stated he does not disagree but he is concerned with liability and added that three senior centers were closed as of Friday. Mr. Ashton asked if the seniors had expressed any concern. Mr. DiDomenico stated this is a tough one due to the mandates set out by the President and the Governor. Mr. DiDomenico offered to limit it to no more than 10 at any one time.

Mr. Whildin made a motion to keep the Senior Center open with a limitation of 10 present at any one time and to keep a distance of 6 feet at all times to minimize infection and this was contingent on updates or notifications received state or federally; seconded by Mr. Ashton.

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

11. Opening Day – Baseball

Mr. Ashton stated that presently opening day is scheduled for April 18<sup>th</sup>. Mr. Ashton added that it is being left up the parents of children but practice has been pushed back by two weeks. They will re-evaluate at the end of March.

Mr. Ashton made a motion to discuss this again at the April 13<sup>th</sup> meeting; seconded by Mr. Whildin.

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

### **Township Committee Discussion**

#### **William Ashton**

Mr. Ashton reported:

1. He attended the Pinelands Council meeting and the main topic was PILOT funding. They are looking for letters of support to be sent by the municipalities to the Assemblymen and Senators who are on the budget committee. The letters of support are to keep the PILOT funding going. Templates were received.

#### **Ken Whildin**

Mr. Whildin reported:

1. Bayshore Council discussed the PILOT funding and they will be sending out letters of support. Mr. Ashton added that as many letters to support PILOT funding should be sent out as is possible as well as following up on the topic.
2. Teleconferences are scheduled for 10:00 am and 1:30 pm for the two special meetings.

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

Mr. Oliver reported:

1. He met with Senator Testa on February 19<sup>th</sup> and PILOT funding was one of the topics they discussed. Mr. Oliver added that presently MRT received \$240,000 in Garden State Preservation Funding (PILOT). Mr. Oliver stated that an article was in the Press of Atlantic City and he provided a rebuttal to that article (copies were available to the public). Mr. Oliver also discussed with Senator Testa legislation to place thresholds on tax exempt entities in regards to purchasing property. Once a tax-exempt entity reached this threshold, they would have to pay full tax on full valuation in any given municipality. Mr. Oliver suggested the township add this to their letter of support.

Mr. Ashton stated that Garden State Preservation funding is being asked to be reinstated back to the 2011 figures; properties purchased after this time are not being taken into consideration at this time. Mr. Ashton stated it was suggested to not muddy the waters at this time and to just get the figures back to 2011. Mr. Whildin stated that Bayshore also had the same feeling. Mr. Oliver explained that MRT is only 2% away from 60% tax exempt properties, at which point the rate will be \$20 per acre received under the Garden State (PILOT) funding. Mr. Oliver added that there should also be no ‘sunset’ clause in this funding which ensures the funding will continue.

### **Second Public Comment Session**

Mr. Whildin made a motion to open the second public comment session noting the time at 8:14 pm; seconded by Mr. Ashton.

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

There being no public comment Mr. Whildin made a motion to close the second public comment session noting the time at 8:14 pm; seconded by Mr. Ashton.

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

## **Executive Session**

Resolution No. 62-2020: 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. 62-2020; 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 confirm the actions as discussed in the executive session: counter offer to Council 18, salary increase to the Senior Center Aide, appoint by resolution an “Acting” OEM Coordinator and advertise for the position in the finance office due to upcoming retirement; seconded by Mr. Ashton.

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

### **Review of Agenda for Thursday, March 19, 2020 at 7:30 pm.**

The Township Committee reviewed the agenda for the Thursday, March 19, 2020 meeting and changes were made as needed

### **Review of Bills for approval on Thursday, March 19, 2020 at 7:30 pm.**

The remainder of the meeting was dedicated to review of the bills to be presented for approval on Thursday, March 19, 2020.

### **Adjournment**

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

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Denise L. Peterson, Municipal Clerk

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 60-2020

2020 Municipal Budget Resolution

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 62-2020

**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.
- X   (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.

\_\_\_\_(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.

X\_\_\_\_(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 fifteen minutes.**