

**MAURICE RIVER TOWNSHIP
BILL & AGENDA REVIEW MEETING
Monday, February 16, 2015 – 7:30 P.M.**

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

Call to Order

Pledge of Allegiance led by Mayor Sarclette

Roll Call

A. Gordon Gross, OEM & HO/ZO Report

B. Allen Foster, CMFO Report

C. Executive Session – Personnel

Resolution #30-2015 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. The executive session is being held to discuss Collective Bargaining/other matters relative to employment relationships. The estimated length of the executive session will be thirty minutes.

D. Presentation – Chad Fauver

E. Discussion Items

1. Letter of apology from Chad Fauver regarding the vandalism at the concession Stand and restitution needed.
2. NJ DOT requesting agreement for Maurice River Township use of the Generator Adaptable Controller Cabinet at Route 47 and Port Elizabeth Road.
3. Ordinance for the beach access in relationship to horseshoe crabs and red knots.
4. Thompson's Beach agreement with the American Littoral Society to proceed with restoration work.
5. A letter of concern dated February 4, 2015 regarding the barricading of Bay Avenue access from MRT resident, Thomas Wiechnik.
6. Max Communications quotation for new phone system for the Municipal Building.
7. Eldin Polhamus, President of Tri-County Sportsmen Motorcycle Club letter dated January 23, 2015 requesting that the Township Committee consider assigning select tax liens of some Longwood Garden lots at public sale.
8. Gordon Gross' request of January 8, 2015 for foreclosure of Block 289.01 Lot 6, a property that a Municipal Lien exists. (Tabled from January 15, 2015 meeting).
9. Waiving of fees for peddlers permits at the Veterans Vending Park.
10. Security cameras with Leesburg Volunteer Fire Company.
11. "Welcome" sign with business listings on the Maurice River Causeway.
12. Redevelopment Plan for Whibco property.

F. Misc. Report of Operations

G. Township Committee Concerns

H. Review of Agenda for February 19, 2015

I. Public Comment

J. Review of Bills

K. Adjournment

Monday, February 16, 2015, 7:30 P.M.
Bill Review & Agenda Meeting

PRESENT: Andrew Sarclette, Mayor
Patricia Gross, Deputy Mayor
J. Roy Oliver, Committeeman
Frank DiDomenico, Solicitor
Allen Foster, Chief Financial Officer
Denise Peterson, Municipal Clerk

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

ROLL CALL: Mr. Sarclette, present
Mrs. Gross, present
Mr. Oliver, present

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

Office of Emergency Management and Housing/Zoning Reports

Mr. Gross provided a weather update that approximately 6 to 8 inches of snow starting at 11:00 pm until 12 noon tomorrow with a wind-chill of zero. Mr. Gross said that during the last storm the State of New Jersey requested a report. With the current storm, none has been requested as of yet.

Mr. Gross indicated that the two property issues he had this month were satisfied when signs were removed from intersections.

Mr. Gross requested the status of 5 Station Road. Mr. DiDomenico stated that he has written to the Bank but has not received a reply. He will send another letter.

Mr. Gross reported 6 Oak Hill Road is boarded up and is secure. Mr. Sarclette stated that they were given until April to complete the required clean-up work.

Mr. Gross reported that 11 Broad Street is reported to be cleaned up.

Mr. Gross reported that there was a fire on January 13, 2015 at 26 Quaker Street. A report of unsafe structure was issued to the property owner. The structure has been boarded, but no clean-up has been performed. The property owner was given 60 days to comply.

Mr. Gross reported that the Cumberland Tower Project held a meeting on Wednesday regarding bids. The project is moving forward at a fast pace and hopes there will be no more delays. Mr. Gross will forward the plans and engineer specifications to Mr. Morrissey for prior review so that when the application is presented he would be able to give a quick turnaround. It was clarified that the Land Use Board has already done a courtesy review. Mr. Gross indicated that they would like a MOU prepared by the Township. Mr. Sarclette stated that the MOU should come from the Cumberland Volunteer Fire Company. Mr. DiDomenico stated that the County should prepare the MOU and present to the fire commissioners for review. Mr. Sarclette stated that he would like the township solicitor to also look at the MOU.

Mr. Gross provided the surveys of Happy Street that were done by the two property owners who are disputing the property lines. Mr. Gross stated that the two surveys do not agree on the property lines. Mr. Gross stated that most recent letter received from Mr. Robinson is requesting that the other property owner remove their fence based on the survey. Mr. DiDomenico stated that a title search must be done by the property owners. Mr. Gross stated that the discrepancy is 20 feet. Mr. Gross indicated that he is not sure how these property owners will resolve this problem as they do not communicate. Copies of both surveys were provided to the Township Committee. Mr. DiDomenico explained that the dispute regarding the fence needs to be resolved between the two neighbors and that a title search needs to be done. Mr. Sarclette indicated that

the township does not have a problem with either the berm or the fence. Mr. DiDomenico will contact Mr. DeFabrites of Fralinger Engineering to find out why the two surveys are different. Mr. DiDomenico will send a letter to Mr. and Mrs. Robinson explaining that they do not need to remove the berm based on the previous letter.

Mr. Gross inquired regarding the Yank Marine project. Mr. Sarclette stated that the Township supports the project.

Mr. DiDomenico asked if the email was received regarding the use of Port-Of-Call for sale of golf carts. Mr. DiDomenico questioned if it was motorcycles. Mr. Gross stated that the most recent inquiry has been for golf cart sales. Mr. Gross indicated that they want to remove the old building and construct a 5,000 square building. The lot size is undersized and will trigger a use variance. Mr. Gross advised them that they need to contact the Land Use Board in order to get the process started.

Municipal Finance Officer Report

Mr. Foster provided the Township Committee with budget preparation worksheets for the 2015 budget which show the prior year history and the proposed 2015 budget. There are some grants that are not listed because they are a wash and do not affect the tax rate. The tax rate is not affected; it is approximately 2 tenths of a cent less than it was last year.

The road project which is part of the capital budget needs to be discussed. This does not affect the operating budget, but would like to have information in the budget. Items that are included would be road inventory, dump trucks and the backhoe. Mr. Foster would like a three year plan.

Mr. Foster said if there were changes to salaries he would need to know and if there is any hiring, he would need to make adjustments. The major difference in last year's and this year's budget is that the debt service is gone. That money is in the capital improvement fund section which is outside the cap and does not affect the budget or levy cap. The Building and Grounds O&E were increased slightly. There is enough in the budget to do things previously discussed such as carpets and toilets.

Mr. Sarclette verified that the security upgrades were included in the budget. Mr. Oliver verified that the request for \$1,200 for senior dances was included. Mr. Foster verified both items were included in the budget.

Mr. Sarclette stated that he would like to discuss with Mr. Foster regarding the equipment replacement for the public works department. Mr. Foster was advised to account for the increase in the capital improvement fund allocations. Mr. Sarclette requested clarification on the funding of the capital improvements. Mr. Foster said it would depend on the cost of the project as to whether directly from the fund or through bond.

Mr. Gross requested to go forward with the reserves for ball field lights. Mr. Foster stated that the capital improvement funds allocation can be utilized to start funding the ball field lights.

Mr. Sarclette stated that he believes that he will check with the road department supervisor regarding the backhoe purchase. Mr. Foster verified that he allocated \$90,000 toward that purchase.

Executive Session – Personnel

Resolution #30-2015: 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. The executive session is being held to discuss Collective Bargaining/other matters relative to employment relationships. The estimated length of the executive session will be thirty minutes.

Action will be taken.

Mrs. Gross made a motion to go into Executive Session; seconded by Mr. Oliver.
Roll Call: Ayes – Gross, Oliver, Sarclette Nays: None

Action will be taken upon return from the Executive Session. Consensus was that action would be taken.

Mrs. Gross made a motion based on the Executive Session that we stipend \$2,000 to Mary Hagemann the Senior Center for purpose of conducting four senior dances and attending one Cumberland County meeting; seconded by Mr. Oliver.

Roll Call: Ayes – Gross, Oliver, Sarclette Nays: None

Presentation – C. F. was not in attendance.

Public Comment:

Mr. Sarclette requested Public Comment be opened at this time.

Mrs. Gross made a motion to open the public comment session at 8:35 pm, seconded by Mr. Oliver.

Roll Call: Ayes – Gross, Oliver, Sarclette Nays – None

Mr. Joe Haase was present to discuss the Hooked on Fishing, Not on Drugs Program. Mr. Haase explained that he is starting the Cumberland County chapter of this program. The program is available in all 50 states and has been in existence for the last 20 years. The program is geared toward youth ages 5 to 15 years that are very hands on educational program. The program will expose the children to all aspects to all of fishing, outdoors, wildlife management and biology that will keep them in a drug free environment.

Mr. Haase stated that Cumberland County is number 3 in the state as far as the worst drug problem. Atlantic and Cape May Counties are number 1 and 2 and border Cumberland County.

Mr. Sarclette verified that this program is linked to the 4-H and that all adults associated with the program are getting necessary background checks. Mr. Haase indicated that the program is looking for volunteers. Mr. Sarclette stated that the township is trying to work out a deal with the NJDEP to lease the Fishtails Marina on Matts Landing Road. This facility could be utilized by the Hooked on Fishing Program and for other educational purposes. Mr. Sarclette stated that tentatively for February 24, 2015 with representatives from Trenton.

Mr. Haase stated that the first class is scheduled for April 14, 2015. Mr. Haase stated that he is very appreciative for the Township support and also the County support. Mr. Haase stated that a temporary use permit can be applied for.

Mrs. Gross invited Mr. Haase to attend the March 2, 2015 Municipal Alliance meeting. Mrs. Gross also acknowledged that the program already has five Maurice River Township children signed up.

Mr. Haase stated that they have several public events scheduled, which include the Horseshoe Crab Festival, Bay Day, Cumberland County Sheriff's Fishing Tournament and the Cumberland County 4-H Fair.

Mr. Oliver thanked Mr. Haase for his interest in the township and advised Mr. Haase that the state can be slow, but consistence and persistence will pay off.

Mr. Eldin Polhamus of the Tri-County Sportsmen advised the committee that the club is interested in obtaining information and possibly acquiring some of the DeCarlo lots.

Mr. Oliver explained that the club would like to acquire some properties in the Longwood Gardens area which are in various stages of foreclosure by the township or are being held in lien by the township. Tri-County would like to acquire some of these liens. Mr. Oliver indicated that the township can do an assignment of these liens to third parties. There are two methods: one is by private sale and the other is by public sale. If done by public sale the township has the option of letting them go for an amount that is less than the full amount required to pay all taxes and interest. Mr. Oliver suggested to the club to look at what properties they would be interested in obtaining. If the Township Committee is agreeable the best option would be to have a public auction for an amount that is less than the full amount. Mr. Oliver stated that this could be

beneficial to the township in that we would not have to pay county taxes on them and that the foreclosure cost would fall on the new lienholder. Mr. Oliver suggested that Mr. Polhamus present a listing of the properties that he is interested in to the Township Committee. Mr. Oliver advised that Mr. Polhamus could start foreclosure as soon as he retained the lien.

Mr. Polhamus indicated that there are several lots that he is interested in. Mr. Polhamus indicated that most of the markers are still in the ground there.

Mr. Sarclette stated that he believes the township would be willing to work with the club. Mr. Sarclette asked as to whether the property would still be open to other use.

Mr. Polhamus stated that the properties would be used for events and that they do not intend to build. Mr. Polhamus also indicated that they will be posting the property "no hunting".

Mr. Oliver advised Mr. Polhamus to look into the Limited Use Program where the state would acquire unwanted property for a one-time fee, which would then become exempt from taxation. The benefit of the state acquiring these limited use properties was that they encourage recreation and conservation. Therefore, it may be conceived that the activities of Tri-County may fall into the recreational use purpose.

Mr. Polhamus stated they will not be changing the location of their events as it is not feasible. They simply want to acquire property to say they own property. Mr. Polhamus stated that he has a good rapport with the Pinelands. Mr. Polhamus stated they are a motorcycle club not an ATV club. Mr. Sarclette questioned is there endangered vegetation in this area.

Mr. Oliver described that last year's tax bill for a lot 100' by 100' is \$7.98 per year.

Mr. DiDomenico questioned what the sizes of the tax liens are. Mr. Oliver said the amounts vary from lot to lot. Mr. DiDomenico advised that public auction will be open to everyone.

Mr. Oliver asked that Mr. Polhamus present a full list to the Township Committee. Mr. Polhamus stated that he would.

Mrs. Gross made a motion to close the public comment session at 8:57 pm, seconded by Mr. Oliver.

Roll Call: Ayes – Gross, Oliver, Sarclette

Discussion Items:

1. Letter of apology from C. F. regarding the vandalism of the concession stand and restitution needed.

Mr. Sarclette advised that a letter of apology to the committee and asked if there was anything that he could do as restitution for the vandalism. Mr. Dick of the recreation has advised that painting needs to be done.

Mr. DiDomenico advised that this letter is to be considered confidential.

2. NJ DOT requesting agreement for Maurice River Township use of the Generator Adaptable Controller Cabinet at Route 47 and Port Elizabeth Cumberland Road.

Mr. Sarclette will discuss with the New Jersey Division of Transportation as the township does not possess a generator and is not certain that this would make sense to sign an agreement. Mr. DiDomenico pointed out that this obligation would be forever. Mr. Sarclette does not believe that this makes sense for Maurice River Township.

3. Ordinance for the beach access in relationship to horseshoe crabs and red knots.

Mr. Sarclette described that this ordinance is for beach replenishment under the American Littoral Society. The Maurice River Township ordinance is to protect access rights.

4. Thompson's Beach agreement with the American Littoral Society to proceed with the restoration work.

Mr. Sarclette stated that the agreement is with the American Littoral Society for them to do the work with stipulations from Maurice River Township regarding the roadway and the parking lot at the beach head and other public access areas.

5. A letter of concern dated February 4, 2015 regarding the barricading of Bay Avenue access from MRT resident, Thomas Wiechnik.

Mr. Sarclette stated that this is a previously discussed item wherein the residents of the street previously put up signs. Now we have received a public complaint that the residents of the street have placed personal items in the right-of-way, which Mr. DiDomenico stated they are not permitted to do. Mr. Sarclette requested Mr. DiDomenico send a letter to these residents. Mr. DiDomenico indicated that the best way to handle this would be to send the New Jersey State Police to notify the residents of the traffic hazard.

6. Max Communications quotation for new phone system for the Municipal Building.

Mr. Sarclette indicated that this is advisory memo and asked if Mr. Foster received this quote. Mr. Foster will follow up with Louann regarding the phone system.

7. Eldin Polhamus, President of Tri-County Sportsmen Motorcycle Club, letter dated January 23, 2015 requesting that the Township Committee considered assigning select tax liens of some Longwood Garden lots at public sale.

This item was previously addressed.

8. Gordon Gross' request of January 8, 2015 for foreclosure of Block 289.01 Lot 6, a property that a Municipal Lien exists. (This was tabled from January 15, 2015 meeting).

Mr. Sarclette stated that this is a landlocked property that this is contiguous with the property owned by Gordon and Patti Gross. Mr. Sarclette requested that the clerk read the letter to clarify the request made by Mr. & Mrs. Gross. The clerk read the letter. Mr. Sarclette made a motion to grant the request and put in foreclosure; seconded by Mr. Oliver.

Roll Call: Ayes- Oliver, Sarclette Nays – None Abstentions - Gross

9. Waiving of fees for peddlers permits at the Veterans Vending Park.

Mr. Sarclette review of this ordinance was done by the Township Committee. Mr. DiDomenico will change the language of the ordinance to reflect the removal of the fee and change the reference to the sales tax which we have no control over.

10. Security cameras with Leesburg Volunteer Fire Company.

Mr. Sarclette explained the Leesburg Volunteer Fire Company would like to upgrade their surveillance cameras and have requested the Township Committee to consider contributing to the cost because the cameras will cover property owned by Maurice River Township.

Mrs. Gross explained that 2 quotes received were: 2 cameras at \$1,656 and 3 cameras at \$1,893. Mrs. Gross further explained that the fire company will allow full access of the surveillance footage to the township. Mr. DiDomenico and Mr. Foster indicated they could see no problems with this transaction.

Mrs. Gross made a motion to approve the cost of \$1,893 for the cameras; seconded by Mr. Oliver.

Roll Call: Ayes – Gross, Oliver, Sarclette Nays – None

11. "Welcome" sign with business listings on the Maurice River Causeway.

Mr. Gross explained that during the Economic Development Committee meeting it was proposed to replace the existing sign on the Maurice River Causeway which will allow

advertising space for 12 businesses. Clarification is needed regarding repair of the sign due to damage from accidents, vandalism, etc. Mrs. Gross explained that the sign cost is \$1,700 and the cost of business advertising is approximately \$60 each. Mr. DiDomenico explained if the sign is owned by the Township that the repair cost would fall to the Township.

It was discussed that the fee to the businesses be an annual fee. Mr. Sarclette stated that Whibco was at one time interested in upgrading/fixing the existing sign. Mrs. Gross stated that Whibco has expressed interest in the new sign idea and that another organization has expressed interest. Mr. Sarclette stated that Mike Lafferty's name should remain on the sign.

Mrs. Gross stated that this is going to be progressive sign replacement and/or addition of the signs along the roadway. Mrs. Gross will go to the county to get approval to replace the existing sign.

12. Redevelopment Plan for Whibco property.

Mrs. Gross stated that Mr. Graviano had requested the go ahead to start on the redevelopment plan. Mrs. Gross explained that approval is needed from the Township Committee now that the Land Use Board has made its suggestions. Mr. DiDomenico needs to examine the Land Use Board's recommendations and follow up with Tiffany CuvIELlo is needed.

13. Michelle Behm requested reimbursement for the Tax Collector first course and to pay for the expenses of the remaining two courses.

Mr. Oliver made a motion to reimburse Michelle Behm for the first course and pay for the remaining two courses for Tax Collector courses; seconded by Mrs. Gross

Roll Call: Ayes – Gross, Oliver, Sarclette Nays – None

Misc. Report of Operations

1. Mr. Sarclette met Mr. Alan Miller from the State of New Jersey at the CDC meeting held on Wednesday evening and expressed the dissatisfaction over the UST situation. Mr. Miller requested that the records regarding the UST and he will look into what is going on and see if he can help. Mr. Sarclette requested the clerk to forward the records and copies of the pictures to Mr. Miller. Mr. Sarclette also requested additional pictures be taken of the condition of the property as it is today.

Mrs. Gross stated that Mr. Miller is also going to check on the Sapello property.

2. Mr. Oliver stated that he attended the Pinelands Municipal Alliance meeting on this past Wednesday. Unfortunately, for over a year, they have not had a quorum; therefore, could not take any action. The state legislation needs amending to change the number of required attendees to constitute a quorum for the council. Mr. Oliver further stated that the Pinelands Municipal Alliance is meeting here in Maurice River Township on Tuesday, March 10, 2015 at 7:30 pm. Nancy Whittingberg will be in attendance.

Mr. Oliver invited concerned citizens to attend the meeting and they would be able to address the council.

3. Mr. Sarclette questioned whether the Municipal Building doors have been fixed. The clerk stated that the repair is scheduled for tomorrow.
4. Mr. Sarclette stated that the doors on the wing of the construction office need to be considered for repair or some type of solar room to deter the cold air flow.
5. Mr. Oliver asked if the township would consider doing the Veteran's Identification Cards here in the Municipal Building. There was no opposition to the idea. Mr. DiDomenico stated that veterans must be from Cumberland County.

Township Committee Concerns

None

Agenda Review

The Clerk next reviewed the agenda for the Thursday, February 19, 2015 meeting.

Public Comment:

Mrs. Gross made a motion to open the public comment sessions at 10:00 pm; seconded by Mr. Oliver.

Roll Call: Ayes – Gross, Oliver, Sarclette Nays – None

Mrs. Gross made a motion to close the public comment session at 10:01 pm; seconded by Mr. Oliver.

Roll Call: Ayes – Gross, Oliver, Sarclette Nays – None

The remainder of the meeting was dedicated to the review of bills for approval at the Thursday, February 19, 2015 meeting.

Mrs. Gross made a motion to adjourn, seconded by Mr. Oliver.

Denise L. Peterson, Municipal Clerk

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 30 -2015

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. **Specifically, the Township Committee will be discussing points of negotiation with Cumberland Council #18.**
- _____ (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 thirty minutes.**