

Monday, April 16, 2018 at 6:30 pm
Bill Review & Agenda Meeting

PRESENT: Patricia Gross, Mayor
J. Roy Oliver, Deputy Mayor
Ken Whildin, Committeeman
Frank DiDomenico, Solicitor
Denise L. Peterson, Municipal Clerk

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

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

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

A. Public Comment Session

Mr. Oliver made a motion to open the public comment session noting the time at 6:39 pm; seconded by Mr. Whildin.

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

There being no public comment Mr. Oliver made a motion to close the public comment session noting the time at 6:40 pm; seconded by Mr. Whildin.

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

B. Discussion Items

1. “Draft” Ordinance regulating the retail sale of alcoholic beverages, establishing requirements and the conditions of sale.

Mr. DiDomenico provided a synopsis of the drafted Ordinance. It was determined that the drafted ordinance met all the areas previously discussed by the Township Committee. The first reading of the Ordinance will be Thursday, April 19th, 2018 at 7:30 pm.

The clerk will obtain the sample bid package and forward to Frank DiDomenico.

2. Quotes for Municipal Building Alarm & Fire Systems

Mr. Whildin explained the previous problem with the fire/burglary alarm at the municipal building has seemingly resolved itself. Mr. Whildin indicated that at this time there appears to be no reason to pursue purchasing of a new system.

3. Permission from a resident to clean up property known as 'McMillan Property' for use by the Motorcycle groups.

The Township Committee discussed that a private citizen was inquiring into cleaning up this property. It was discussed that liability on the township maybe involved.

Additionally, since there is a possibility of monetary gain from the scrapping of the material on the property that formal bid requests may be needed to clean up the property.

Mr. Whildin and Mr. Gross will evaluate the property and provide a list of the things needed to complete a cleanup of the property so that a bid request package can be completed.

4. Letter from Disabled Advisory Council dated March 30, 2018 regarding ADA requirements to be met for outdoor activities – Family Night Out.

Mr. DiDomenico reviewed the letter received from the Disabled Advisory Council dated March 30, 2018. Mr. DiDomenico suggested possibly placing 'matting' for wheelchair access in the recreation area to accommodate the event –Family Night Out. The Township Committee questioned their obligation for the recreation area at this time. Mr. DiDomenico explained that new construction and major rehabilitation will prompt meeting ADA standards in the area. Mr. DiDomenico will look into the regulations further for more explanation. Mr. Whildin suggested looking into having a golf cart available for use by the disabled and seniors for the event. Checking with the insurance agent regarding coverage for golf cart is needed; the clerk with contact Bob Connor. Quotes regarding golf cart rental will be obtained by the clerk.

5. Block 320 Lot 170 – Discuss pursuing the foreclosure due to increased cost. Federal liens exist and a Sheriff's Sale is necessary.

Mr. Oliver offered that he believes the township should continue with this foreclosure because the lien will continue to accumulate. Mr. Oliver also stated that the township is still obligated to pay school and county taxes related to this property.

Mr. Oliver made a motion to proceed with this foreclosure and dissolution of the federal tax lien through sheriff's sale; seconded by Mr. Whildin.

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

6. 9-1-1 Communications set up meeting.

Mrs. Gross explained that the Freeholders had received her letter expressing concerns about 9-1-1 communications problems. Presently a request has been received to set up a meeting between the fire chiefs, the 9-1-1 coordinator/director and the township committee to discuss the current 9-1-1 communications problem. Mr. Whildin suggested waiting to set up this meeting until after the 'Chief's' meeting which is scheduled on

May 14th; information about the 9-1-1 communications problem will undoubtedly be discussed at this meeting and provide much needed clarity.

Mrs. Gross stated the Freeholders were upset with the letter stating the information contained therein was inaccurate. An example is that the cost of the replacement system is 19 million not 22 million. Additionally no other municipalities, who were present at the Freeholders meeting, expressed problems with the 9-1-1 communications in their respective municipalities.

C. Township Committee Discussion

Mr. Oliver explained that the archaeological study has been completed at Ackley and the remaining drums will be removed from Sapello in the next 30 days.

Mr. Oliver announced that the first 50s/60s dance at Leechester was successful. Discussion is taking place to have another dance of this type in the fall under the sponsorship of the Senior Center and the Maurice River Heritage Society. All adult ages will be welcome; 55 and over will be free and under 55 will pay \$5 for single and \$8 for couples. Details of the event need to be worked out. The Township Committee consensus was to proceed with this event for the fall.

Mr. Oliver explained that he be meeting with the Senator and Assemblyman to discuss the tax exempt properties taxation situation and possible legislation. He will also discuss tax exemption for Brownfields properties that are being evaluated and cleaned up.

Mr. Oliver announced that the tree event held in the municipal building was successful.

Mr. Whildin explained the options provided by the Atlantic City Electric Engineer to better the lighting situation on High Street.

Mr. Whildin made a motion to proceed with upgrading six (6) street lights on High Street with the SPL option 150 Watt; seconded by Mr. Oliver.

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

Mr. Whildin stated the emergency repairs to the East Point Culvert have been completed and funds to pay for the repairs will come from the Road Program.

Mr. Whildin stated that he spoke with the Public Works Supervisor and they determined that summer/seasonal help will not be needed this year.

Mr. Whildin stated that Gordon had to issue a violation to Gene Garron regarding his house after the fire as it is an unsafe structure. Presently the status of the insurance company claim is unknown and he will check with Gordon for a status.

Mr. Whildin stated that a resident turned in a bill for replacement of a mailbox which was supposedly hit by a snow plow. Mr. DiDomenico advised reimbursement should be made through the resident's homeowner's policy. It was discussed that the practice of PW purchasing mailboxes should be discontinued. The clerk will make the notification to the PW Supervisor.

Mr. Whildin reported that work at the Schooner Landing Road flooding is progressing. Many roads in the township were flooded today due to the storm and a warning was placed on the Township's Facebook page.

Mrs. Gross asked that in his travels that the Public Works Supervisor take pictures of flooded properties/residence.

Mrs. Gross reported that a reply was received in response to the letter sent to USPS about resident complaints.

Mrs. Gross announced that County provided a list of their planned repaving projects for the next couple years.

Mrs. Gross stated that Lee Beggs received a letter from Pinelands and a meeting has been scheduled with Tiffany Cuviallo, Township Planner to discuss his letter and the Dunkin Donuts project.

Mrs. Gross received a request for the installation of a flagpole at the Heislerville Park. Lighting at the park will need to be evaluated to adhere to proper protocol for displaying of the flag at night.

Mrs. Gross announced that she is discussing a project to train a dog for a disabled veteran. The project will be co-sponsored and supported by the Cumberland County Veterans Office, the local fire districts, the township and Ted's Animal. Mayor Gross will reach out to veterinarian Bill McAlon to provide care for the dog; the dog(s) will be chosen from rescues at the SPCA. A dog will take approximately 5 weeks to train and Ted has agreed to participate.

Mrs. Gross stated that she has been elected to the position of Treasurer for the Pinelands Alliance and that this appointment will not affect the township appointment of Mr. Oliver or Mr. Whildin to this committee.

D. Resolution

Resolution No. 70-2018: A Resolution Appointing An Additional Member To The Maurice River Township Brownfields Review/Landfill Closure Committee For Calendar Year 2018.

Mr. Oliver explained that Nancy Hamilton has expressed interest in joining the Brownfields Review/Landfill Closure Committee.

Mr. Oliver made a motion to adopt Resolution 70-2018; seconded by Mr. Whildin.

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

E. Executive Session

Resolution No. 71-2018: 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. Oliver made a motion to adopt Resolution No. 71-2018; seconded by Mr. Whildin.

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

Mr. Oliver made a motion to enter into Executive Session; seconded by Mr. Whildin.

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

The Township Committee, Mr. DiDomenico and the clerk left for the Executive Session.

Minutes of Executive Session.

Mr. Oliver made a motion to enter back into open session; seconded by Mr. Whildin.

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

Mr. Oliver made a motion to agree to the stipulation of dismissal without prejudice in the matter of Sjogren vs Maurice River Township (Wiggins Road); seconded by Mr. Whildin.

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

F. Review of Agenda for Thursday, April 19, 2018 at 7:30 pm.

The Township Committee reviewed the agenda for Thursday, April 19th, 2018 and modifications were made as requested.

G. Review of Bills for approval on Thursday, April 19, 2018 at 7:30 pm.

The remainder of the meeting was dedicated to review of the bills to be presented for approval at the meeting of Thursday, April 19, 2018 at 7:30 pm.

H. Adjournment

Mr. Oliver made a motion to adjourn.

Denise L. Peterson
Municipal Clerk

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 37-2018

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.
- ____(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.**

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 43-2018

A RESOLUTION AUTHORIZING LEAVE UNDER THE FAMILY MEDICAL LEAVE ACT FOR EMIL J. KOZAK, JR.

WHEREAS, Emil J. Kozak, Jr., Truck Driver of the Maurice River Township Road Department, has met with a catastrophic medical situation, and

WHEREAS, Mr. Kozak has provided a medical note from his doctor certifying his unavailability to work, and

WHEREAS, Mr. Kozak will exhaust allotted sick time, vacation, personal leave time effective March 5, 2018 and is pursuing both temporary disability, and permanent disability, and

WHEREAS, Maurice River Township may grant Emil J. Kozak, Jr. a leave of absence under the provisions of the Family Medical Leave Act, and

WHEREAS, Viki Kozak, Power of Attorney for Mr. Kozak has requested for him to participate in the Donated Leave Program per the provisions of the Council #18 Employee Contract.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that Mr. Kozak is hereby granted a leave of absence under the Family Medical Leave Act on or about March 5, 2018 for the period leading up to his retirement date of May 1, 2018.

BE IT FUTHER RESOLVED that Mr. Kozak is also permitted to participate in the Donated Leave Program as per NJAC 4A:6-1.22.