

**MAURICE RIVER TOWNSHIP
BILL & AGENDA REVIEW MEETING
Monday, November 17, 2014– 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. Presentation – Mark Pietrucha, re: Ackley Garage USEPA Cleanup Grant Application
- C. Allen Foster, CMFO Report
- D. Discussion Items
 - 1. Maurice River Township Ordinance 191 Curfew for Minors; Section 3-6 et. seq. Of the Revised General Ordinances.
 - 2. Maurice River Historical Society letter received on October 24, 2014 requesting the Township rescind the tax bill on the East Point Lighthouse cottage.
 - 3. Can the date and times for Halloween 2015 be set now so they can be added to the township calendar? October 31, 2015 is on a Saturday.
 - 4. CCIA 2015 Shared Service Agreement
- E. Misc. Report of Operations
- F. Township Committee Concerns
- G. Review of Agenda for November 20, 2014
- H. Public Comment
- I. Review of Bills
- J. Adjournment

Monday, November 17, 2014, 7:30 P.M.
Bill & Agenda Review Meeting

PRESENT: Andrew Sarclette, Mayor
Patricia Gross, Deputy Mayor
Kathy Ireland, Committeewoman
Frank DiDomenico, Solicitor
Allen Foster, Finance Officer
Linda L. Costello, Acting Municipal Clerk

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

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

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

Report of OEM Coordinator and Housing/Zoning Officer

Gordon Gross advised that there is one property maintenance issue pending in court and is moving forward with others. Gordon Gross needs a status on 5 Station Road. Frank DiDomenico stated that he has received the title work. The attorney representing 5 Station Road was not able to provide any information regarding 5 Station Road status. Gordon Gross stated 53 Hands Mill has been finished up. Andy Sarclette requested a status on 65 East Point Road. Gordon Gross indicated that the property owners are making slow progress.

Gordon Gross advised that the Municipal Tabletop Exercise which was held on October 20, 2014 went okay. Changes have already been made based on the information received from this exercise. Exit routes have been placed in all offices, meeting rooms and hall ways. Also have all numbers on interior doors and working on exterior windows. They will also be installing levered doors in the Senior Center and tinted glass in the judge's chambers. Andy Sarclette stated he feels the drill went well and appreciates the prompt response to correction and evacuation plan. Gordon stated that Office of Emergency Management must complete the After Action Plan to obtain funding and that they are looking into the panic button being triggered and how to track who triggered the silent alarm.

Gordon Gross stated the draft plan of the mitigation plan will be done on November 24, 2014. A second Public Hearing is needed and Monday, December 15, 2014 was suggested. A Resolution must be done to adopt the mitigation plan.

Gordon Gross stated the training room at the EOC was being used tonight for search and rescue class with approximately 30 attendees from the township fire companies.

Gordon Gross stated that the drainage problem at Leesburg Fire Hall and Leechester Hall continues and there is water on the floor at Leesburg Fire Hall today due to the rain.

Gordon Gross supplied a list of the Maurice River Township – Office of Emergency Management appointments for 2015. There are a few vacancies but Gordon is confident coverage will be available.

Gordon Gross stated the Annual Volunteer Firefighter appreciation dinner is scheduled for January 17, 2015. He stated last year the Township helped to sponsor this event with a donation of \$1,500.00. He asked if the same consideration could be made this year.

Kathy Ireland motioned to approve a donation of \$1,500 for the Annual Volunteer Firefighter appreciation dinner; seconded by Patti Gross.

Roll call: Ayes: Gross, Ireland, Sarclette Nays: None

Presentation: Mark Pietrucha, Re: Ackley Garage USEPA Cleanup Grant Application

Mark Pietrucha stated he was there to provide information and answer questions regarding the 2015 USEPA Grant for the Ackley Garage Cleanup Grant. 2014 proposal was favorable but was not awarded. Proposals are due for this grant period on December 19, 2014. In 2013 a number of environment assessment were done on the Ackley Garage site which were funded by USEPA Community Wide Petroleum Assessment Cleanup Grant. The activities included removal of several underground storage tanks and a subsurface hydraulic lift system inside the repair bay which were abandoned along with the site. Ground water evaluations were performed once the storage tanks were removed and some soil and ground water contamination were found in the operational areas. Contaminates found were petroleum products. Cleanup proposal includes the draft analysis of Brownfields cleanup alternatives, includes remedial scenarios for the site. This includes remediation to soil to and remediation to soils that impact ground water. It is in the best interest to remove as much contaminated soil as possible especially soils directly threatening ground water supplies.

The proposal is a request for \$200,000 for to complete cleanup activities which will include removing contaminated soil and monitored natural attenuation program for brown water. Brown water concentrations are fairly low but they do exceed ground water quality standards but concentrations are not of great concern. We want to remediate the site and handle any ground water contamination as soon as possible but work is limited by the funds available this is why additional funds are being requested from EPA.

Mr. Pietrucha's discussions with NJDEP and NJ Economic Development Authority included requesting additional funds through Hazardous Discharge Site Remediation Fund Grant which is a state grant. The HDSRF Grant was reactivated. There has been discussion of modification to the investigation scope of work which will include local well samples. We will be seeking as much funding as is possible.

Draft application is available and is posted on the township website for community review, input and questions.

Mr. Sarclette questioned is there any way to track the contamination and how long will it stay there and leaching into the soil. Mark Pietrucha stated that there will be a need for continued evaluation of ground water but until soil is removed/treated there is a potential to leach into the ground water and the greatest leaching occurs when it rains.

Mr. Sarclette asked if anyone had questions pertaining to the Ackley Garage Site. There were no questions.

Mr. Sarclette asked Mr. Pietrucha is he had objections to answering questions pertaining to other sites. Mr. Pietrucha had no objections.

Mrs. Linda Reeves of Fox Street, Port Elizabeth which is located near the Sapello Foundry questioned whether certain health issues experienced by family and neighbors could be related to the Sapello Foundry. She expressed concern that there is contamination that could affect the local children. When was the last time the neighboring wells to Sapello Foundry were tested?

Mark Pietrucha indicated that to the best of his recollection the onsite wells were installed in 2013 and one round of samples were collected. The concentrations were below ground water quality standards. Shallow well water testing was performed prior to 2013 and the wells were installed in 2013 to determine ground water flow direction. It was determined that ground water flows in a northeast to southwest direction or easterly to westerly direction toward the river. Deeper wells were installed near the barn warehouse structure to see if there was a vertical migration of contaminants because there was a production well on the site. The well near the barn-warehouse initially showed benzene which slightly exceeded the ground water standards. Three wells were installed at differing depths to determine the vertical depth of contamination. Contamination levels found were within an acceptable range.

In 2009 twenty nearby resident wells were sampled and 19 out of 20 showed no issues. One property showed some lead but it could not be determined if the lead was from the site or from plumbing installed inside the house or piping outside the house.

Mark Pietrucha stated that cleanup of this site is beginning. Bid specifications are being sought from contractors to start removing some of the contaminated materials on the site. This will include removing drums left behind, sand castings, and soil inside the foundry building depending on fund availability. They also will be requesting price from contractors for a better fence to secure the site.

Linda Reeves inquired regarding the rain washing away the molds and the infiltration into the neighboring wells. Mark Pietrucha stated the results of the ground water samples are good. Coastal soils are very sandy and there is currently no substantial contamination.

Mark Pietrucha stated they will be additional soil samples will be drawn and also at the same time they will sample the onsite wells.

Mark Pietrucha stated they will likely be back out on this site near the end of December 2014 to January of 2015.

Mark Pietrucha indicated he will make results available to anyone requesting it.

Mr. Sarclette questioned whether a study had been done to cap the mold site. Mark Pietrucha indicated that a temporary cap with low permeability cap had been investigated with costs being obtained but he could not recall at this time. Mr. Sarclette questioned could gravel be used. Mr. Pietrucha stated this would only prevent direct contact but not infiltration. Mr. Sarclette stated that the Land Use Board has developed a redevelopment plan for this site.

There is also the township cost share which is 20% or \$40,000.

The grant is a 2013 grant with 3 year grant cycle and must be closed by September of 2016 and may be able to request an additional 2 years to spread out the cost share. Fencing is being requested as a separate line item in the grant. Hazardous Discharge Site Remediation Funds can be used as leverage toward the cost share per Mr. Pietrucha. Can in-kind work be done? Per Mr. Pietrucha the in-kind could be demolition but must have the proper training.

Mr. Pietrucha verified that the estimate for removal of all the material at the site is 1.5 to 1.8 million dollars. Further evaluation will determine which materials are a priority to remove from the site.

Demographic information is disclosed to the USEPA regarding health problems, income, and unemployment in the proposal when applying for grant funding. A need for the grant funds must be demonstrated..

Allen Foster asked Mr. Pietrucha about the USEPA grants on the township books. Mr. Pietrucha told Mr. Foster that the Millville Tool & Die is closed out. Mr. Foster and Mr. Pietrucha will discuss whether other grants are active or closed out. Balance of HDFRS grants can be used to pay remediation fees.

Report of CMFO

Allen Foster reported that the Township is in good shape. There may be some minor transfers next month.

Mr. Foster provided quote information he obtained from vendors regarding the update of the website. Civic Plus provided a cost of \$8,000 for their core package with an annual fee of \$1,500.00. This site allows for content management directly by the township. Additionally, redesign quotes were obtained by Tom McLaughlin is \$2,500 and by Bill Barber of \$1,800. The current annual expense is \$1,200 with Power of Productions.

The potential of Civic Plus is direct access and maintenance but it is questionable as to whether there is office manpower hours available to tend to the website directly.

Allen Foster stated that either Tom or Bill can get the information posted to the website. It was pointed out that the website appearance needs updating as well as finding a more efficient way to update the site when needed. You can access both Tom McLaughlin and Bill Barber's websites to view samples of their work.

Allen Foster questioned could we cancel the ordinance regarding acquisition of fuel tanks balance of \$38,000. It was discussed to have the fuel tank canopy covered by this amount. Dixon Associates will be asked to provide specifications for the fuel tank canopy.

Allen Foster asked about the significant match amount left for the Carlisle Place Road project. Can this amount be cancelled? Mr. Sarclette stated that it needed to be verified with Cormac of Dixon Associates that all side work is done, such as seeding for grass. If this is cancelled it will go back into the current fund.

Discussion Items

1. Maurice River Township Ordinance 191 Curfew for Minors; Section 3-6 et seq. Of the revised general ordinances.

Frank DiDomenico reviewed the Maurice River Township curfew ordinance and determined it to be invalid. Ordinance 191 follows the New Jersey state statute and it is unconstitutional based on a case filed by the ACLU in 2001 and the Supreme Court ruling that the NJ statute was not unconstitutional but that the municipal ordinance in that case was unconstitutional. Maurice River Township Ordinance 191 is almost identical to the ordinance presented in that case. It was determined that a curfew ordinance must define the times, when and where a minor can break the curfew. The state statute simply allows the municipalities to enact ordinances pertaining to curfews. The township ordinance allows for broad discretion by the police to determine what is within the law.

Frank DiDomenico will prepare an ordinance to rescind Ordinance 191 Curfew for Minors; Section 3-6 et. seq. of the revised general ordinances.

2. Maurice River Historical Society letter received on October 24, 2014 requesting the Township rescind the tax bill on the East Point Lighthouse cottage.

The cottage is a rented and therefore does not meet the standards for relief of taxation. Frank DiDomenico will send a letter to the Maurice River Historical Society explaining that since the cottage is not used for permitted tax exempt purpose that the Township is not permitted to provide tax exemption for the cottage.

3. Can the date and times for Halloween 2015 be set now so they can be added to the Township calendar? October 31, 2015 is on a Saturday.

Andrew Sarclette indicated that this is what has been done for the past 2 to 3 years. The times will be from 4 pm to 7 pm.

4. CCIA 2015 Shared Service Agreement

This agreement is for recycling products to be delivered to CCIA. Frank DiDomenico stated that we must make certain that this does not conflict with our EarthTech agreement.

Public Comment Opened at 9:22 pm

Mr. Sarclette requested that the meeting agenda be changed to go to Public Comment next.

Motion was made by Mrs. Ireland to open the public comment; seconded by Mrs. Gross
Roll Call: Ayes: Gross, Ireland, Sarclette Nays: None

Ben Stowman of Delmont stated there is another meeting at the Bayshore Center entitled Rising Tides tomorrow night for the general public. Additionally there is a meeting on Monday, November 24, 2014 from 10 am until 2 pm regarding the plans for NFWF, lunch will be provided.

Ben Stowman also stated the Business Boot Camp was well attended. However to get the banking groups to attend, lists with intended projects must be established. Reports will be available to reflect the actions of the meeting.

There is also another Business Boot Camp which is being held on December 11 in the evening. There will be very good speakers at this meeting.

Ben Stowman regarding the Mouth of the Maurice River Restoration, the state representative Dorinna Frizzera is taking more interest and trying to get some attraction going. There is a possibility of a meeting in the future to get this project going again.

Ben Stowman reported on the septic waste water and that the county is backing their plan with the vacuum. If grants are obtained by municipalities and a system that works well is found, the county does not want to be the authority that runs the plan. The county wants municipalities to tie into the county program but does not have a problem with individual programs for septic waste water. Property owners over time will be forced to join the septic waste water system.

Ben Stowman also reported on the Redevelopment Plan and that it was reviewed by the Land Use Board. A report will be forwarded to the Township Committee. The report indicates that only certain property owners are being affected by the Redevelopment Plan. The Township Committee will need to review the LUB report and make necessary comments and/or recommendations. The property owners understood what properties are being affected and a general consensus was that the property was underutilized.

Motion was made by Mrs. Ireland to close the public comment at 9:34 pm; seconded by Mrs. Gross.

Roll Call: Ayes: Gross, Ireland, Sarclette Nays: None

Misc. Report of Operations

None

Township Committee Concerns

Denise reported that the state violation issued due to no sampling being drawn for the Senior Center was deleted because as of January 1, 2014 the site of Senior Center was changed to a triennial sampling.

Mr. Sarclette reported that the residents of Bay Avenue are not happy with the gravel that was placed on Bay Avenue to cover the concrete because it is too messy.

Additionally, the Township insurance company, Selective and Caprioni's insurance company have denied the claim of Kathy Paton regarding the port-a-potty hitting her car on Bay Avenue.

Patti Gross talked to Laurie Pettigrew regarding the "Hooked on Fishing" program and the Fishtales property on Matts Landing Road. Laurie Pettigrew indicated they would like to see this project happen and that there is a possibility that the state will lease the property to the township. Mr. Joe Haase has 60 groups of children already active with this program.

Mr. Sarclette said it sounded like a good idea so long as the property is being utilized for projects such as "Hooked on Fishing". We will have to look at the cost of fuel, electric and insurance in addition to the minor repairs that are needed.

Patti Gross said Mr. Joe Haase has been actively looking into the "Hooked on Fishing" program and has been taking training and also working with the 4-H program.

It was discussed that a Certificate of Insurance and/or Rider insurance will need to be investigated to pursue. A meeting will need to be set up to pursue the program.

Mr. Sarclette stated he will be leaving town on December 10 and returning on December 15, 2014.

Mr. Sarclette received a letter of recommendation from Steve Hagemann, Public Works Supervisor to hire Eric Wood as a Full-time Laborer position. The Municipal Clerk will prepare the necessary resolution and make effective for December 1, 2014.

Mr. Sarclette received a letter of recommendation from Linda Costello, Acting Municipal Clerk to promote Lisa Fisher from the Clerk to Clerk 2 position. The Municipal Clerk will prepare the necessary resolution and make effective for December 1, 2014.

Patti Gross indicated that next year a Public Works employee will need to attend the annual Shade Tree Core Training.

Patti Gross questioned whether the Veasy property driveway apron has been addressed. She spoke to Cormac and he stated the apron needs stone.

Patti Gross requested a letter be sent to the Cumberland County Freeholders office to address the Main Street trees being trimmed and the flooding problem on Route 616 between Carlisle Place Road and the old railroad tracks as well as on Carlisle Place Road.

near the Crowder Run area. Additionally, trees on Route 616 in Heislerville and Ward Avenue need attention.

Review of Agenda

The Acting Clerk next reviewed the draft agenda for the upcoming November 20, 2014 meeting.

Review of Bills

The remainder of the meeting was dedicated to the review of bills for approval at the November 20, 2014 meeting.

Adjournment

Mrs. Ireland made a motion to adjourn at 9:50 pm, seconded by Mrs. Gross.

Denise L. Peterson, Deputy Municipal Clerk