

**Monday, November 18, 2019, 6:30 P.M.**  
**Bill Review & Agenda Meeting**

PRESENT: J. Roy Oliver, Mayor  
Ken Whildin, Deputy Mayor  
Bill Ashton, 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 Oliver called the meeting to order; the Pledge of Allegiance followed.

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

**Presentation**

Rich Crouthamel – Solar Program

Mr. Rich Crouthamel explained there is an upcoming program called “Community Solar” which can be used on lands that are otherwise unusable. Mr. Crouthamel explained he has a connection with a vendor who does big solar projects and is familiar with reuse of Brownfields sites. The properties that the general use are leased from the owners.

Mr. Crouthamel explained that a priority for a ‘large’ solar project is connection point; which ideally would be located within a mile of the site. Also a substation or ‘heavy line’ is needed.

Mr. Crouthamel asked the township to supply a list of potential sites for a large solar farm. They will evaluate the recommended sites. Mr. Oliver questioned if the solar farm would be fenced in for security reasons. Mr. Crouthamel explained that security measures would be the responsibility of the contractor/vendor. It was discussed that Vineland presently has third party supplier sites. Mr. Crouthamel stated that a PPA is better than lease agreement. Mr. DiDomenico stated that PPA does not guarantee the rates. Mr. Crouthamel explained that everyone has to pay the demand charges.

Mr. Whildin asked how the fields could benefit the residents. Mr. Crouthamel stated that the electric rates would go to anyone subscribing to the service. The cost savings are estimated to be between 15-20%. Mr. Whildin stated that a lease agreement with the township for lands would benefit the township and the residents could sign into the program with potential savings. Mr. Crouthamel confirmed this statement. Mr. DiDomenico reminded everyone that in order to lease township lands bids must be requested. Mr. Crouthamel emphasized that connection must be determined.

Mr. Oliver asked what the minimum size lot for a solar farm would be. Mr. Crouthamel explained that 3 acres is about 1 megawatt. Mr. Oliver explained the DeCarlo lots positioning. Mr. Whildin stated that Pinelands is looking to be friendlier to solar.

Mr. Crouthamel left brochures to be given to the fire companies who have expressed interest in solar. The company who is sponsoring a solar program that could benefit the fire companies is [castleenergyllc.com](http://castleenergyllc.com)

**Municipal Finance Officer Report**

Allen Foster, CMFO

Mr. Foster was unable to attend meeting and will provide the Municipal Finance Officer Report on Thursday, November 21, 2019

**Executive Session**

**Resolution No. 121-2019:** 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. Whildin made a motion to adopt Resolution No. 121-2019; seconded by Mr. Ashton.

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

The Township Committee, Township Solicitor and Clerk entered into Executive Session.

Upon return from the Executive Session Mr. Whildin made a motion to enter back into to open session; seconded by Mr. Ashton.

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

Mr. Whildin made a motion to grant tenure to Mr. Foster effective January 1, 2020 and a letter of notification will be sent to DLGS per state statute; 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 7:12 pm; seconded by Mr. Ashton.

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

Mr. Stowman stated that the solar presentation was interesting. Mr. Stowman stated that he believes the life expectancy for solar panels is 30-40 years. Mr. Stowman stated that the substation requirement of 5-10 megawatts may require an upgrade by the electric company.

Mr. Stowman stated that he is willing to attend the December 6<sup>th</sup> meeting on Coastal Zone Management and the coastal flood plain. The Township Committee agreed that Mr. Stowman could complete the 66 questions presented on Coast Zone Management. Mr. Stowman stated there were 9 topics in the questionnaire: Aquaculture, Ocean Resources, Wetlands/Living Shorelines, Coastal Hazards, Cumulative and Secondary Impacts (CAFRA & Nodes), Energy & Government Facility Siting, Marine Debris, Public Access and SAMPS. Mr. Stowman stated that he would complete the questionnaire, distribute to the committee for feedback then input all information into the system. Mr. Stowman confirmed he is available to attend the December 6<sup>th</sup> meeting should the committee need him to.

Mr. Whildin made a motion for Mr. Stowman to attend the December 6<sup>th</sup> meeting and to complete the Coastal Zone Management questionnaire; seconded by Mr. Ashton.

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

Ben Stowman advised that he is also attending a meeting about the state going 'green'. The next Bayshore Council meeting is scheduled for December 12<sup>th</sup> and presently the Bayshore Council is struggling on how to address 'nodes'. Mr. Stowman and Mr. Whildin advised that they believed the 'nodes' are an individual township topic. Mr. Whildin stated that the state interpretation of nodes and SAMPS is not clear.

Mr. Stowman stated that Tiffany CuvIELLO, Township Planner, is researching 'centers' versus 'nodes'. Maurice River is listed for SAMPS discussion. Additionally, clarification is needed on the Whibco site moving forward with the redevelopment plan; node, SAMP or center. MRT is zone 5; ecologically sensitive. CAFRA centers have been chipped away. Mr. Stowman furthered that nodes directs toward the type of work such as 'marine' while centers could include other commercial businesses as well as marine. Mr. Ashton stated that this seems to be a 'no brainer' due to the existence of the 'old' shipyard. Mr. Stowman stated Ms. CuvIELLO is checking on whether the 'node' will provide for the 3% coverage rule.

Mr. Ashton stated that it appears that coupling the residential with the marine may be a problem. Mr. Stowman stated subdivision will be needed to get the node for marine. Mr. Oliver questioned variances coming before the Land Use Board. Mr. Stowman acknowledged that the variances would come before the LUB.

Mr. Ashton stated that presently Whibco is not maintaining the bulkhead at the old shipyard.

Mr. Whildin made a motion to close the public comment session noting the time at 7:36 pm; seconded by Mr. Ashton. Mr. Stowman stated that Ms. CuvIELLO is researching to find the smoothest path to take regarding the Whibco Redevelopment Plan. Additionally, all centers are being worked on.

Bud Hughes, LVFC Chief, stated that due to a recent incident in another community regarding misuse of a 'blue light' there has been much talk about policies for use. Mr. Hughes asked whether this policy should be township or fire companies' responsibility. Mr. DiDomenico stated that the Fire Companies are independent from the township and suggested that a presentation be made to the volunteer fireman, establish a policy and have all volunteers sign acknowledging receipt of the information.

Mr. Whildin made a motion to close the first public comment session noting the time at 7:36 pm; seconded by Mr. Ashton.

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

### Discussion Items

1. Predatory Towing Prevention Act (Ordinance).

Mr. DiDomenico explained that quotes for towing services have been received and recommended the Township Committee review the quotes to provide input for the ordinance.

The ordinance may be introduced after the New Year.

2. Highland Park Acquisition & Holdings, LLC submitted a letter of inquiry about the Township selling the Township owned property, 4507 Route 47 (Delmont Post Office).  
The Township Committee discussed that the heat in this building is shared with the USPS. Mr. Whildin stated that if the township could sell the property for \$200,000 consideration would need to be made that \$1,500 monthly lease payment would no longer apply and upon research the taxes that would be paid would not meet the \$1,500 monthly lease payment. Mr. Whildin further explained that OEM equipment is kept in this building and should it be sold a new location for storage of the equipment would be needed. Mr. Whildin added that in the case of an emergency this building is designated as a 'shelter of last resort'. Mr. Oliver stated that given all the information supplied he agrees with Mr. Whildin to not sell the building. Mr. Ashton stated that a sale to a business would be preferred.

Mr. Whildin made a motion to deny selling the building at this time but may be considered in the future; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Oliver Nays – None

3. Discuss provider for water sampling services.  
Quotes have been received. The Township Committee requested that Louann prepare an 'excel' spreadsheet so that a side by side comparison could be made.
4. Discuss jackets for MRT employees that are paid for by the employees.  
The Township Committee discussed the employees purchasing their own jackets. The Township Committee held no position on this topic but stated should the employees pursue then each employee would pay for their jacket(s).
5. Discuss the installation of a filtration system on the water fountain in the municipal building.  
The Township Committee discussed briefly the installation of a filtration system on the water fountain but determined additional information is needed before pursuing.
6. Discuss the 2020 Animal Shelter contract from South Jersey Regional Animal Shelter.  
Mr. DiDomenico explained that the contract is the same as last year with only minor changes. Mr. DiDomenico added that there is an increase of \$1,500. Mr. Whildin stated that for animal shelter services there is no alternative available.

Mr. Whildin made a motion to accept the 2020 Animal Shelter contract from South Jersey Regional Animal Shelter; seconded by Mr. Ashton.

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

7. Discuss options available to residents for disposal of fluorescent lights.  
Mr. Whildin explained that residents can take these to the CCIA on residential waste days. Additionally, quotes were obtained for boxes to collect the fluorescent lights which could be stored in the Public Works shed and then later transported to CCIA.

The consensus by the Township Committee was to not take any action at this time.

8. Discuss adopting a resolution calling for the establishment of a study commission to review the Open Public Meetings Act.

The Township Committee asked the clerk to provide suggestions for this resolution.

9. Review for acceptance a letter of resignation submitted by K. Louann Karrer effective August 1, 2020.

It was clarified that Louann is retiring. Mr. Whildin stated that Louann wears a lot of hats and recommended a list of her duties be available. The clerk stated this list is already done. Mr. Whildin suggested starting the process of hiring soon.

Mr. Whildin made a motion to accept the retirement letter; seconded by Mr. Ashton.

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

10. Discuss participation in the Radon Awareness Program and application to NJDEP for funding.

Mr. Oliver provided a brief description of this Radon Awareness Program grant award which is available through NJDEP.

Mr. Whildin made a motion to pursue the Radon Awareness Program grant not to exceed \$2,000; seconded by Mr. Ashton.

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

11. Discuss date and time to schedule a Council 18 work session.

Mr. DiDomenico explained that he received a letter from the Council 18 attorney requesting a meeting to discuss the 2020-2022 contract. The Township Committee provided two dates/times: December 16<sup>th</sup> at 5:00 pm or December 19<sup>th</sup> at 6:30 pm.

12. Discuss making credit/debit available for making payments to the township.

Mr. Whildin stated he has concerns about the 2.95% convenience fee;  $\$1,000 \times 3\% = \$30$ . Mr. Whildin offered that other departments may also benefit from having this service available such as construction. Mr. Ashton offered that the court may also benefit.

Tabled to Thursday. The Township Committee requested Michelle Behm, Tax Collector attend the Thursday meeting. The Township Committee also requested that Allen Foster, CMFO, check with the banks that the township does business with to see credit/debit programs they offer.

13. Discuss having a tree seedling distribution event in April of 2020.

Mr. Oliver explained that the event held a couple years ago was very successful. Mr. Whildin stated that unfortunately they do not permit choosing of the type of seedlings.

Mr. Whildin made a motion to apply for seedlings and host an event for distribution in 2020; seconded by Mr. Ashton.

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

14. Discuss the proposed dates for committee meetings and events for the 2020 calendar.

The Township Committee agreed on all dates proposed for meetings and events in 2020. Mr. Ashton questioned setting a rain date for Halloween. Mr. Whildin offered that this year Commercial & Millville caved and changed their date due to the weather prediction. Mr. Whildin questioned liability to the township. Mr. DiDomenico stated that potentially it could be a present a problem for the township if they are aware of weather. After a lengthy discussion the Township Committee determined to not set a rain date but to make determination 48 hours in advance of 'bad weather' about changing Halloween.

15. Carol Hickman is retiring and will no longer be able to oversee the feral cat program. Discuss replacement of this volunteer position.

Mr. Oliver stated that the feral cats 'no drop off' signs have been posted at Wawa. Wawa presently has a \$2,500 grant program available should the township wish to pursue.

Mr. Oliver explained the feral cat ordinance has been adopted and now grant funds can be applied for. Mr. Oliver explained that Carol Hickman is looking to retire and this would include the feral cat volunteer program. Mr. Oliver stated a new 'coordinator' will be needed to oversee and will check with Mr. Bill Tomlin to see his interest.

Mr. Oliver questioned is a stipend could be paid to the 'coordinator'. Mr. DiDomenico stated this could be a union problem; even with a grant in place to cover the cost it could be a problem. Mr. Whildin added that residents have already been given assurances from the Township Committee that tax dollars would not be used to fund the program.

The Township Committee discussed having a non-profit oversee the program and apply for the grant. Mr. Oliver will check with Carol Hickman regarding her non-profit.

### **Township Committee Discussion**

#### **Ken Whildin**

Mr. Whildin reported that the geotube project is currently being worked on.

#### **Bill Ashton**

Mr. Ashton stated that since the discussion on enforcement of the speed limit it appears vehicles are going faster. Mr. Whildin stated that he will supply the report from the speed monitoring sign to NJSP and enforcement will start. Mr. Ashton stated that there is blatant disregard for the posted speed limits with some doing 50-55 mph on Main & High Street. Mr. Whildin stated the Sheriff's Department has stated they will do what is needed. Mr. Ashton stated the primary times speeding is observed is from 7 to 8 am and from 4-5 pm.

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

Mr. Oliver asked if there was a status on the PSE&G property donation to the township. Mr. DiDomenico stated he will follow up on this.

### **Second Public Comment Session**

Mr. Whildin motioned to open the second public comment session noting the time at 8:51 pm; seconded by Mr. Ashton.

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

Mr. Stowman asked if the township was going to continue speed monitoring. Mr. Whildin confirmed the sign will be posted.

Mr. Whildin motioned to close the second public comment session noting the time at 8:52 pm; second by Mr. Ashton.

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

### **Review of Agenda for Thursday, November 21, 2019 at 7:30 pm.**

The Township Committee reviewed the agenda for the Thursday, November 21, 2019 meeting and accepted as presented.

### **Review of Bills for approval on Thursday, November 21, 2019 at 7:30 pm.**

The remainder of the meeting was dedicated to review of the bills to be presented for approval on Thursday, November 21, 2019.

### **Adjournment**

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

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Denise L. Peterson, Municipal Clerk

**MAURICE RIVER TOWNSHIP**

**RESOLUTION NO. 121-2019**

**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 fifteen minutes.**