

Monday, May 18, 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
K. Louann Karrer, Deputy Municipal Clerk

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

Mr. Oliver stated that mandates required by Governor Murphy's Executive Order No. 506 were be observed wherein the GoToMeeting platform was being used and is available via the posted information on the Township Website. He noted those attending in-person were seated the required social distancing recommendation of six-feet apart.

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 gave a budget status report. He said an analysis of cash flow for prior years indicate we are in decent shape. He said revenues are down but the extended grace period could contribute to this. He compared the collection rate for three years and reported in 2020 the collection rate for this period is 86.54%, where in 2019 it was 89% and in 2018 was 90%. He also reported that expenditures are down approximately \$100,000 from last year which is helping with cash flow. Cash last year and this year are almost equal. He does not see any real, major concerns.

Public Comment Session

Mr. Whildin made a motion to open the public comment session noting the time at 6:34 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 public comment session noting the time at 6:35 pm; seconded by Mr. Ashton.

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

Discussion Items

1. Discuss noise ordinance

Mr. DiDomenico reported New Jersey has a new law in effect regarding the establishment of a noise ordinance by counties or municipalities. Any proposed changes to the state noise ordinance must be more stringent than the State's ordinance with certain exceptions. The State's ordinance indicates a tolerance of sustained levels cannot exceed 65 decibels from 7AM to 10PM for daytime hours and no more than 60 decibels from 10PM to 7AM for nighttime hours.

The discussion included enacting a change for Sundays only, the inability to actually measure noise levels, and enforcement of the law. Mr. Whildin had requested sample ordinances from the County for other Municipalities, but has not received anything to date. It was decided that more information is needed. Mr. Ashton had contacted the Dorchester Shipyard regarding the

complaint involving early morning noise on Sunday mornings. He was advised that it is not their normal practice to work early on Sundays, however if weather, etc. caused a backlog, they could work on Sundays. He asked the shipyard to be mindful of residents by beginning later on Sunday mornings if possible.

Mr. Whildin made a motion that no action will be taken regarding changes to the noise ordinance until more research can be done. Motion seconded by Mr. Ashton

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

2. Ratification of the Memorandum of Agreement for Council 18 Contract for January 1, 2020 to December 31, 2022.

Mr. Whildin and Mr. Ashton reported that negotiations went smoothly and a favorable outcome was achieved on both sides.

Mr. DiDomenico reported a cost savings was part of negotiations for health benefits for new hires. He reported salary increases of 2% for year one, retroactive to January 1, 2020; 2.25% for year two; and 2.5% for three years. The membership agreed to these changes. Mr. DiDomenico will provide a resolution for the May 21, 2020 regular meeting.

Mr. Whildin made a motion to ratify the Memorandum of Agreement for the Council #18 contract for January 1, 2020 to December 31, 2022.

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

3. Discussion on South Jersey Gas Application for Street Opening Permit for a street opening (Middle Ave (16' to 177'W c/l Station Ave) Broad St (18" to 350W c/l Station Ave) New St (17' to 195W c/l Station Ave)).

Mr. Whildin made a motion to approve to approve the South Jersey Gas Application for Street Opening Permit as stated; seconded by Mr. Ashton.

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

4. Initial discussion regarding information requested by Army Corps of Engineers regarding the floodplain assessment for lower Maurice River Township.

Mr. Oliver received an email from Rachel Ward of the Army Corps of Engineers (ACOE), which addresses the floodplain area of Heislerville/East Point/Thompson's Beach.

Mr. Whildin reported on the teleconference held that day with the ACOE, with Ben Stowman also. He stated it was a very good meeting. There is a possibility they will construct a berm around Heislerville. There is \$15M in Federal money available with matching funding by NJ Department of Environmental Protection (NJDEP). Existing dikes/berms do not meet today's standards, however Mr. Whildin and Mr. Stowman to actually walk around the areas within the next month. Mr. Whildin said that funding by NJDEP does not allow for "soft-structures" however dirt berms are considered hard-structures.

Mr. Oliver expressed his concern that the snow geese population needs to be controlled. Any root systems for berms will be compromised if these birds are now controlled.

Mr. Stowman said his impression was the ACOE were glad the Township was in favor of their proposal. Questions regarding buy-outs were mentioned. A cost-benefit workout was not done. The ACOE stated they could help with wet/dry areas. The berms would cover the East side of Heislerville as well.

Mr. Oliver requested Mr. Stowman join him to put together a response to Ms. Ward next week.

Mr. Whildin said the \$15M was to be shared by Commercial Township and Maurice River Township. He said previous State negotiations practically disappeared following Superstorm Sandy, however the State is fully onboard now.

5. Discuss status of Comcast surveys and timetable to open negotiations

Mr. Ashton reported he saw a problem with an automatic 10-year re-up in that it did not leave a lot of leverage for the Township to negotiate. He said the surveys indicated most of the 40 responses indicated they would sign up for cable TV, internet, and telephone service. The areas targeted were Carlisle Place Road/Delsea Drive and Port Elizabeth Cumberland Road. He said East Point and Matts Landing Roads are probably not going to fly. He said we need to get the numbers together for Fred D'Andrea at Comcast, since our six-month deadline is in June.

He also said that Denise had pointed out to him that revenues have continually dropped, which is based on the number of subscriptions to Comcast. Perhaps we might consider asking for a percentage for the three services or negotiate for Comcast to provide service to these areas instead of more money. He opined that service would be better than money. He said that the current need for homeschooling has revealed some weaknesses in the system.

Mr. Oliver asked Mr. Ashton to begin to put together a plan of attack for negotiations with Comcast for Committee approval.

6. Discussion of Assembly Bill A-3971 and Senate Bill S-2475 for letters of support

Mr. Whildin stated the County has requested letters of support from municipalities to permit them to go out for bonds.

Mr. Oliver questioned how this would affect County taxes. Mr. Whildin said he would find out and report back at Thursday's meeting.

7. Discuss parking along Hunter's Mill Road

Mr. DiDomenico stated this discussion is related to the request by the Sjogrens to enact an ordinance to create a "No Parking" zone along the Whibco property on Hunter's Mill Road. He points out that Whibco's ownership along this road is not continuous, which would push parking to the sections not in their ownership, and would not accomplish their goal. He also stated there would be an issue for enforcement by NJ State Police as this area is not going to be their priority. Mr. DiDomenio also said enacting an ordinance involves costs. He suggested discussing this request with the Township Engineer.

8. Discussion of Primary Election vote by mail email from Cumberland County Board of Elections dated May 15, 2020

Mr. Ashton said he was not a fan of "Vote by Mail." He said it was not an Executive Order, so the Committee needed to discuss if this directive as Rules & Mandates v. Guidelines.

Mr. Whildin said as a general rule the County is seeking limited in-person voting. The County operates the Board of Elections. He said citizens should have the right to go to the polls, following safety protocols. He observed Primary Elections are not heavily attended.

Discussion centered around whether this was actually Constitutional, the mandate which would force people to vote by mail once declared voters were supplied with a mail-in ballot, and why this could not be at the preference of the voter to choose whether they want to vote in-person or by mail-in ballot. Mr. Whildin wanted clarification on "some people" as referenced in the email.

Mr. Whildin made a motion to authorize Mr. DiDomenico to put together a letter to the County Board of Elections with objections/concerns and for clarification. Mr. Ashton seconded.

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

Township Committee Discussion

William Ashton

Mr. Ashton reported on an article stating NJ received funding of \$310M for K-12 schools. He said schools were given a lot of latitude, however schools had to actually apply. The total funding to be divided among applicants \$288M, which is based on need.

Mr. Oliver said he would contact School Board Administrator, Patti Powell to see if they applied.

Mr. Ashton said if they do receive this funding, it would be nice to see no increase in school taxes.

Ken Whildin

Mr. Whildin reported:

1. He will be attending a meeting, as previously mentioned with the ACOE regarding the Matts Landing survey. He wanted to assure the public that we are moving forward and the process is going well, although some obstacles were encountered. Mr. Whildin said after the meeting on May 20th, he will report to the Committee as to the next steps to be taken.
2. East Point Light House “Phase 2” would be completed today or tomorrow. This included the emplacement of approximately fifteen 5,000 lb. granite rocks and the addition of GeoTubes installed at the seams of the existing structure.
- 3.

J. Roy Oliver

Mr. Oliver had no discussion items to offer.

Second Public Comment Session

Mr. Whildin made a motion to open the second public comment session noting the time at 7:21 pm; seconded by Mr. Ashton.

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

Mr. Stowman asked if the County had made any recent announcements regarding opening-up business due from closures due to the pandemic.

Mr. Ashton stated nothing has been mentioned during the Tuesday or Friday County teleconference meetings.

Mr. Whildin said that Senator Testa was on the Agenda for the Tuesday, May 19 teleconference meeting, which might mean discussion about this.

There being no additional public comment Mr. Whildin made a motion to close the second public comment session noting the time at 7:23 pm; seconded by Mr. Ashton.

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

Review of Agenda for Thursday, May 21, 2020 at 7:30 pm.

The Township Committee reviewed the agenda for the Thursday, May 21, 2020 meeting and changes were made as needed.

Review of Bills for approval on Thursday, May 21, 2020 at 7:30 pm.

The remainder of the meeting was dedicated to review of the bills to be presented for approval on Thursday, May 21, 2020.

Adjournment

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

K. Louann Karrer, Dep. Municipal Clerk