

**MINUTES OF A REGULAR MEETING OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK HELD NOVEMBER 18, 2013**

A Regular Meeting of the Lower Alloways Creek Township Committee was held on November 18, 2013 with Mayor Robert F. Breslin III calling the meeting to order at 7:30 p.m.

STATEMENT OF NOTICE GIVEN

The Township Clerk read the following statement.

This is a Regular Meeting of the Township Committee of the Township of Lower Alloways Creek being held in compliance with the "Open Public Meetings Act" N.J.S.A. 10:4-6. To insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which any business affecting them is discussed or acted upon. Advance written notice of this meeting was given by way of an Annual Notice, which was filed with the Lower Alloways Creek Township Clerk, forwarded to the News of South Jersey, posted on the Township's Website and the Bulletin Board in the lobby of the Lower Alloways Creek Township Municipal Building in compliance with said Act.

FLAG SALUTE Mayor Breslin led in the Flag Salute.

ROLL CALL OF COMMITTEE

Present: Mr. Bradway, Mr. Palombo, Mrs. Pompper, Mr. Venable, and Mayor Breslin **Absent:** None

OTHERS IN ATTENDANCE:

Also in attendance were -9- (nine) members of the Public and Lewis Fogg, Public Works Foreman; David Sowers, Director of Public Safety, George Rosenberger; Solicitor and the Township Clerk, Ronald L Campbell Sr.

APPROVAL OF AUDITED VOUCHERS

Motion (Palombo, Bradway) that all properly audited vouchers be paid.

The motion to pay properly audited vouchers passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Bradway, Pompper, Venable and Breslin

Nays: none Abstain: none Absent: none

MONTHLY REPORTS TO THE COMMITTEE

The Mayor requested that the minutes reflect that the October 2013 Monthly Reports to the Township Committee have been received from the following Departments and are on file with the Clerk: Police Department, Municipal Court, Tax Collector, Sewer Collector, Construction Office, Engineer and Finance.

APPROVAL OF THE MINUTES

Motion (Pompper, Bradway) to approve the minutes of the October 15, 2013 Regular Township Committee Meeting.

The motion to approve the minutes of the October 15, 2013 Regular Township Committee Meeting passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Bradway, Palombo, Venable and Breslin

Nays: none Abstain: none Absent: none

RESOLUTIONS

Motion (Venable, Pompper) for Resolution 2013-94 A Resolution authorizing the 2014 Senior & Disabled Transportation Agreement with the County of Salem.

RESOLUTION 2013-94

A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE TOWNSHIP OF LOWER
ALLOWAYS CREEK AND THE COUNTY OF SALEM FOR SENIOR AND DISABLED
RESIDENTS TRANSPORTATION SERVICES

WHEREAS, The Township Committee of the Township of Lower Alloways Creek, recognizes the need for transportation services for senior and disabled residents in Salem County; and,

WHEREAS, the Township Committee of the Township of Lower Alloways Creek desires to enter into an agreement with the County of Salem to provide for the transportation of senior and disabled residents; and,

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8a-1 et seq. authorizes and empowers local government entities to enter into such agreements; and,

WHEREAS, the Township of Lower Alloways Creek as part of the transportation service may lease through the County of Salem, motor vehicles to be used to transport senior and disabled residents and provide drivers .

NOW, THEREFORE BE IT RESOLVED by the Township Committee of Lower Alloways Creek that it authorizes an agreement for Senior and Disabled Transportation Services by and between the Township of Lower Alloways Creek and the County of Salem for the year 2014.

BE IT FURTHER RESOLVED, by the Township Committee of Lower Alloways Creek that it authorizes, an agreement for the leasing of motor vehicles from the County of Salem to be used for the transportation of senior and disabled residents.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute agreements with the County of Salem for the transportation of Senior and Disabled residents and the leasing of motor vehicles for the transportation of the same after approval of the documents by the Township Solicitor.

The motion for Resolution 2013-94, authorizing the 2014 Senior & Disabled Transportation Agreement with the County of Salem passed a vote of the Township Committee as follows: 4-0-1

Ayes: Venable, Pompper, Palombo and Breslin

Nays: none Abstain: Bradway Absent: none

Motion (Palombo, Bradway) for Resolution 2013-95 A Resolution authorizing the receipt of applications for the position of Planning / Zoning Board Secretary.

RESOLUTION 2013-95

A RESOLUTION TO AUTHORIZE THE ADVERTISEMENT FOR THE RECEIPT OF APPLICATIONS FOR THE POSITION OF PLANNING/ZONING BOARD SECRETARY

WHEREAS, the Township of Lower Alloways Creek is in need of a Secretary to the combined Planning / Zoning Board; and,

WHEREAS, the Township Committee of the Township of Lower Alloways Creek desires to advertise to fill this position; and,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Lower Alloways Creek that the Municipal Clerk be authorized to advertise for the receipt of applications for the position of Planning / Zoning Board Secretary.

The motion for Resolution 2013-95, authorizing the receipt of applications for the position of Planning / Zoning Board Secretary passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Bradway, Pompper, Venable and Breslin

Nays: none Abstain: none Absent: none

Motion (Pompper, Venable) for Resolution 2013-96 A Resolution canceling Municipal Tax Lien 10-00003 as paid in full.

RESOLUTION 2013 – 96

**A RESOLUTION AUTHORIZING THE CANCELATION OF MUNICIPAL TAX LIEN
CERTIFICATE 10-00003**

WHEREAS, the Township of Lower Alloways Creek at an authorized tax sale of the Township Tax Collector became the holder of Tax Lien Certificate 10-00003, for delinquent taxes due on Block 44, Lot 12 also known as 103 Hell Neck Road; and,

WHEREAS, the Township of Lower Alloways Creek subsequently entered into an agreement authorized by resolution 2011-116 with the owner of said property to make installment payments, with interest on this tax lien; and,

WHEREAS, the Tax Collector of the Township of Lower Alloways Creek has certified to the Municipal Clerk that full payment has been received for Tax Lien Certificate 10-00003 and it is paid in full.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lower Alloways Creek, County of Salem, State of New Jersey that it memorializes that Tax Lien Certificate 10-00003, under the provisions of Resolution 2011-116 and the Tax Lien Repayment Agreement has been paid in full.

BE IT FURTHER RESOLVED THAT the Township Committee of the Township of Lower Alloways Creek does hereby authorize the redemption and approves the cancelation of Tax Lien Certificate #10-00003, Block 44 Lot 12.

The motion for Resolution 2013-96, canceling Municipal Tax Lien 10-00003 as paid in full passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Venable, Bradway, Palombo and Breslin

Nays: none Abstain: none Absent: none

Motion (Pompper, Bradway) for Resolution 2013-97 A Resolution canceling Utility Charges due for Block 53, Lot 11.01, known as 937 Main – St. Canton.

RESOLUTION 2013 – 97

**A RESOLUTION AUTHORIZING THE CANCELATION OF MUNICIPAL SEWER CHARGES DUE
FOR BLOCK 53, LOT 11.01 AND KNOWN AS 937 MAIN – ST CANTON**

WHEREAS, the Township of Lower Alloways Creek is owed monies for a sewer connection at 937 Main Street – Canton, Block 53, Lot 11.01; and,

WHEREAS, the Township of Lower Alloways Creek subsequently foreclosed on a Municipal Tax Lien on this property, took possession of the property and then sold it in a bid auction; and,

WHEREAS, the Township of Lower Alloways Creek has no expectation that delinquent Sewer Charges will be paid, nor knows of a responsible party to pursue for these delinquent sewer charges due, currently totaling with interest \$ 1,389.47

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lower Alloways Creek, County of Salem, State of New Jersey that it memorializes that it does hereby authorize the cancelation of Municipal Sewer charges due for Block 53, Lot 11.01 known as 937 Main St – Canton in the amount of \$1300.00 plus any subsequent accrued interest charges.

BE IT FURTHER RESOLVED THAT a copy of this resolution be given to the Utility Collector for her action and recording.

The motion for Resolution 2013-97, canceling Utility Charges due for Block 53, Lot 11.01, known as 937 Main – St. Canton passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Bradway, Palombo, Venable and Breslin

Nays: none Abstain: none Absent: none

ORDINANCE (INTRODUCTION)

Changes to Chapter 88 known as “Dog and Other Animals” was listed on the agenda, but no action was taken.

Motion (Pompper, Bradway) to introduce Ordinance 2013-14, an Ordinance to amend Section 43-20 of Chapter 43 known as “Police Department”.

ORDINANCE 2013-14 AN ORDINANCE TO AMEND SECTION 43-20 OF CHAPTER 43 KNOWN AS “POLICE DEPARTMENT”

WHEREAS, the Lower Alloways Creek Township Committee has determined it is necessary and appropriate to amend § 43-20 of the Municipal Code.

NOW, THEREFORE, BE IT ADOPTED by the Mayor and Township Committee of Lower Alloways Creek that § 43-20 of the Township Code be revised to read as follows:

Article IV

Inter-municipal Police Assistance

[Adopted 3-4-1977 as Ord. No. 77-12; 7-12-2005 as Ord. No. 2005-13, 12-17-2013 as Ord. No. 2013-14]

§ 43-18. Authorization to participate

The Township of Lower Alloways Creek hereby approves and enters into a certain agreement labeled "Salem County Municipal Aid Agreement" providing for inter-municipal police assistance pursuant to N.J.S.A. 40A:14-156.1.

§ 43-19. Reciprocal effectiveness of agreement

Said agreement shall be effective in each of the other municipalities named in said agreement upon their adopting reciprocal ordinances to enter into said agreement.

§ 43-20. Participating municipalities

The parties to said agreement are all New Jersey municipal corporations located in Salem County and are as follows:

- A. City of Salem.
- B. Township of Pennsville.
- C. Township of Carney's Point.
- D. Township of Lower Alloways Creek.

E. Borough of Penns Grove.

F. Borough of Woodstown.

G. Elmer Borough

§ 43-21. Copy of agreement on file

A copy of said agreement for inter-municipal police assistance is on file in the office of the Clerk of the Township of Lower Alloways Creek, at the Municipal Building, Hancock's Bridge, New Jersey, and is available for inspection during business hours.

§ 43-22. Officers authorized to execute

The Mayor and Clerk of the Township are authorized to execute said agreement on behalf of the township.

THIS ORDINANCE shall take effect according to law after introduction, publication and passage by a majority of the Township Committee.

Public Hearing on this Ordinance shall be on December 17, 2013 at 7:30 p.m., at the Municipal Building, 501 Locust Island Road, Hancock’s Bridge, New Jersey.

This Ordinance which was introduced for First Reading on November 18, 2013 shall be published by Title in the News of South Jersey and placed on the Township’s Bulletin Board giving notice of said Public Hearing as required by Law.

Introduction: November 18, 2013

COMMITTEE MEMBER	MOVE	SECOND	YES	NO	ABSTAIN	ABSENT
MR. BRADWAY		S	Y			
MR. PALOMBO			Y			
MRS. POMPPER	M		Y			
MR. VENABLE			Y			
MAYOR BRESLIN			Y			

OLD BUSINESS: None

NEW BUSINESS:

Motion (Pompper, Bradway) to approve the 2014 Software Maintenance Agreement for the Finance and Tax Collection Software with Edmonds & Associates, Inc. at a cost of \$ 7,829.00.

The motion approve the 2014 Software Maintenance Agreement for the Finance and Tax Collection Software with Edmonds & Associates, Inc. at a cost of \$ 7,829.00 passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Bradway, Palombo, Venable and Breslin
Nays: none Abstain: none Absent: none

Motion (Palombo, Bradway) to approve the purchase up to 200 tons, not to exceed \$11,890.00 of Road Salt from Mid-Atlantic Salt, Inc. at a cost of \$59.45 per ton.

The motion approve the purchase up to 200 tons, not to exceed \$11,890.00 of Road Salt from Mid-Atlantic Salt, Inc. at a cost of \$59.45 per ton passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Bradway, Pompper, Venable and Breslin
Nays: none Abstain: none Absent: none

Motion (Palombo, Bradway) to approve Soot Doctor Service to installation of a stainless steel liner, top plate and cap on the Canton Fire House Chimney at a cost of \$ 2,575.00.

The motion approve Soot Doctor Service to installation of a stainless steel liner, top plate and cap on the Canton Fire House Chimney at a cost of \$ 2,575.00 passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Bradway, Pompper, Venable and Breslin
Nays: none Abstain: none Absent: none

Motion (Palombo, Bradway) to approve Neal Sheppard Construction, Inc. to install metal flashing on all valleys and re-shingle around them, on the Municipal Building at a cost not to exceed \$ 7,900.00.

The motion approve Neal Sheppard Construction, Inc. to install metal flashing on all valleys and re-shingle around them, on the Municipal Building at a cost not to exceed \$ 7,900.00 passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Bradway, Pompper, Venable and Breslin
Nays: none Abstain: none Absent: none

CORRESPONDENCE:

Mayor Breslin commented on a letter received from Deltronics stating their side of a pump repair issue and asking for full reimbursement for the repairs. The Mayor asked the Committee what they wished to do with the request for additional payment.

Motion (Pompper, Bradway) to approve payment not to exceed a total of \$5,000.00 to Deltronics Corporation for the repair of a Grinder Pump.

The motion to approve payment, not to exceed a total of \$5,000.00 to Deltronics Corporation for the repair of a Grinder Pump passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Bradway, Palombo, Venable and Breslin
Nays: none Abstain: none Absent: none

Letter was received from James Carll requesting that his unused vacation days of 2013 be carried over into 2014(he has been out on disability leave because of shoulder surgery).

Motion (Pompper, Bradway) to grant the request of James Carll to carry over 25 Vacation Days into 2014 due to being unable to take the days because of being out on disability for shoulder surgery.

The motion to grant the request of James Carll to carry over 25 Vacation Days into 2014, due to being unable to take the days because of being out on disability for shoulder surgery passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Bradway, Palombo, Venable and Breslin
Nays: none Abstain: none Absent: none

REPORTS TO THE COMMITTEE & COMMITTEE REPORTS

Public Safety: Mr. Sowers reported that the Police Department received an award for outstanding service from Salem County Women's Services; Mr. Sowers stated that in being awarded this honor the Department was highly complemented by several of the speakers at the banquet including members of the State legislature.

Public Works

Mr. Fogg stated that repairs have all been made to A-5 and that all that is left is some painting.

Mr. Fogg stated that the street lighting fixtures in Hancocks Bridge will start to be repaired in coming weeks.

Motion (Bradway, Pompper) to reduce the rent of Unit A-5 of Leisure Arms to half for one Month as compensation for the inconvenience of work done to the unit because of termite damage.

The motion to reduce the rent of Unit A-5 of Leisure Arms to half for one Month as compensation for the inconvenience of work done to the unit because of termite damage passed a vote of the Township Committee as follows: 5-0

Ayes: Bradway, Pompper, Palombo, Venable and Breslin

Nays: none Abstain: none Absent: none

Mr. Venable, Mr. Palombo and Mrs. Pompper had no additional comments.

Mr. Bradway commented that the Fire Department is working on grants for equipment with Triad Associates.

Mayor Breslin:

Mayor Breslin stated that in the Newsletter he made reference to sending it in a cheaper manner, it turns out that direct mail will not work as it would require that every household on a route receive the mailing and that would include some Elsinboro and Quinton residents, what the Township can do is use the Postal Services bar code system to receive a discount on the postage.

Mayor Breslin stated that he had letters written to the neighboring municipalities that recently had success with upgrades to their land line phone service and construction of a cell tower, as well as letters to local legislators. Assemblywomen Riley replied and is willing to broker a meeting between a few the Township Committeepersons, the BPU and Verizon concerning phone issues in the Township. Mayor Breslin asked who would be interested in attending such a meeting and Mr. Bradway and Mr. Palombo indicated that they would. Mayor Breslin stated that they (Mr. Bradway and Mr. Palombo) should have the Clerk setup this meeting at their convenience.

Mayor Breslin stated that the work is complete on the Solar Project and that All Solar, LLC is seeking final payment for their services.

Motion (Pompper, Bradway) to make a final payment of \$344,000.00 to All Solar, Inc for completion of the Solar Projects, subject to written approval by Jack Lynch, Supervisor of Public Works to the CFO, that he is satisfied the project is complete and no unfinished issues remain.

The motion to make a final payment of \$344,000.00 to All Solar, Inc for completion of the Solar Projects subject to final approval by Jack Lynch, Supervisor of Public Works passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Bradway, Palombo, Venable and Breslin

Nays: none Abstain: none Absent: none

PUBLIC COMMENT:

A resident asked if the Committee would look into making additional four way stop intersections in Hancocks Bridge as the problem of speeding traffic has now moved to New Street. Mayor Breslin asked Mr. Sowers to have the Police make sure they are aware of resident's concerns and patrol the street.

A resident stated now that Hancocks Bridge has been classified as one of the top ten places known to be flooded, is there anything being done to address this. Mayor Breslin stated that the ditch behind Hancocks Bridge is to be cleaned out this winter other than that, the issue if true, will need to be looked at.

Chief Hinchman of the fire company asked if there was an agreement in place that the Fire Company was not responsible to respond to any fire involving the Dry Casks or their Storage Area. Chief Hinchman

stated that agreements with PSEG, Nuclear, LLC have in them that LAC's emergency services are not responsible for nuclear "hot" areas, but he does not have in writing that the Dry Casks storage area is not included in areas in which they will not be required to respond. Mayor Breslin stated that he will have this looked into.

CLOSED SESSION

Motion (Bradway, Venable) to convene into a Closed Session of Business 8:10 pm

RESOLUTION 2013- 98 A RESOLUTION FOR A CLOSED SESSION

BE IT RESOLVED, by the Township Committee of the Township of Lower Alloways Creek that a portion of the meeting of the Township Committee be closed to the public to enable the Township Committee to discuss, and where appropriate, take action concerning the following matter(s) as permitted by N.J.S.A. 10:4-12:

___ 3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and 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. 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 of employees of the public body.

___ 7. Any pending or anticipated litigation or contract negotiation other than in (4) above in which the public body is, or may become a party. Any matter 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.

More specifically, the matter to be discussed involves the following:

A. Contracts

BE IT FURTHER RESOLVED, that the matters discussed will be available for public inspection

A. At such time the matter is concluded

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

BE IT FURTHER RESOLVED that this Closed Session is expected to continue for 10 (ten) Minutes and that further business by the Committee will not take place at its conclusion.

The motion for the Closed Session of Business passed a vote of the Committee as follows: 5-0

Ayes: Bradway, Venable, Palombo, Pompper and Breslin

Nays: none Abstain: none Absent: none

Motion (Bradway, Palombo) to come out of the Closed Session of business. 8:17 pm

The motion to come out of the Closed Session of Business passed a vote of the Township Committee as follows: 5-0

Ayes: Bradway, Palombo, Pompper, Venable and Breslin

Nays: none Abstain: none Absent: none

BUSINESS AFTER CLOSED SESSION: NONE

ADJOURNMENT

Motion (Bradway, Palombo) to adjourn the meeting at 8:20 p.m.

The motion to adjourn the meeting passed unanimously.

Minutes of the November 18, 2013 Meeting were approved at a meeting held December 17, 2013.

ATTEST:

LOWER ALLOWAYS CREEK TOWNSHIP

Ronald L Campbell Sr. Clerk

By: _____
Mayor, Robert F. Breslin II