

**MINUTES OF A REGULAR MEETING OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK HELD OCTOBER 15, 2013**

A Regular Meeting of the Lower Alloways Creek Township Committee was held on October 15, 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 -5- (five) members of the Public and Lewis Fogg, Public Works Foreman; David Sowers; Director of Public Safety, Mr. Rosenberger; Solicitor and the Township Clerk Ronald L Campbell Sr.

**APPROVAL OF AUDITED VOUCHERS**

Motion (Palombo, Pompper) 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, Pompper, Bradway, Venable, and Breslin

Nays: none Abstain: none Absent: none

**MONTHLY REPORTS TO THE COMMITTEE**

The Mayor requested that the minutes reflect that the September 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, Finance and the August & September Animal Control reports.

**APPROVAL OF THE MINUTES**

Mayor Breslin commented that mention of the Wireless Edge cell tower contract issues had been added to the minutes under old business, this is not reflected in the minutes as sent out in the packet.

Motion (Palombo, Bradway) to approve the minutes of the September 17, 2013 Regular Township Committee Meeting.

The motion to approve the minutes of the September 17, 2013, Regular Township Committee Meeting Minutes passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Bradway, Pompper, Venable and Breslin

Nays: none Abstain: none Absent: none

**PUBLIC COMMENT ON AGENDA ITEMS**

No one from the public present indicated that they wished to make any comments.

## **RESOLUTIONS**

Motion (Pompper, Bradway) for Resolution 2013-90, A Resolution to authorize the sale of surplus public property on Govdels.com.

### **RESOLUTION 2013-90**

#### **A RESOLUTION TO AUTHORIZE THE SALE OF SURPLUS PUBLIC PROPERTY ITEMS AT GOVDEALS.COM ONLINE AUCTION.**

WHEREAS, The Township of Lower Alloways Creek has surplus public property items, which it no longer has need of for public service; and,

WHEREAS, N.J.S.A. 40A 11-36 authorizes municipalities to offer for sale, public property which is no longer needed for public service; and,

WHEREAS, the Township Committee does authorize the following items:

1. ONE- Cannon D320 Copier
2. ONE- Ibico Inc. model EKOMBO Binder machine
3. ONE- Burroughs Style T Check Writer
4. ONE- Metal Cabinet on rollers, 30W X 21D X 27.5H

be offered for auction online through Govdeals.com whose headquarters are located in Montgomery Alabama, pursuant to New Jersey Public Property Laws and Local Finance Notice 2008-09.

NOW, THEREFORE BE IT RESOLVED THAT the Township Committee of the Township of Lower Alloways Creek does authorize the sale of this surplus public property by online auction at Govdeals.com and does authorize the Purchasing Agent to negotiate with Govdeals.com as to the terms and conditions of their commission and any other particulars pertaining to the auction.

BE IT FURTHER RESOLVED that the terms and conditions of the online auction be available at the Municipal Clerk's Office and available through the auction website pursuant to Local Finance Notice 2008-09.

The motion for Resolution 2013-90 to authorize the sale of surplus public property on Govdels.com 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 (Pompper, Bradway) for Resolution 2013-91, A Resolution authorizing a memorandum of understanding by and between the State of New Jersey and Lower Alloways Creek Township as part of the application process for FEMA disaster assistance.

### **RESOLUTION 2013-91**

#### **A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE STATE OF NEW JERSEY AND LOWER ALLOWAYS CREEK TOWNSHIP AS PART OF THE APPLICATION PROCESS FOR DISASTER ASSISTANCE**

WHEREAS, the State of New Jersey desires that Lower Alloways Creek Township enter into a Memorandum of Understanding relating to Grants under the Federal Emergency Management Agency (FEMA) Public Assistance and /or Hazard Mitigation programs for presidentially declared major disasters, and;

WHEREAS, the New Jersey Office of Emergency Management, is the Grantee receiving funds under the FEMA Public Assistance and/or Public Assistance programs as authorized by the Stafford Act and has the fiduciary responsibility to ensure those funds are spent on eligible Subgrantee facilities and activities, and are properly reimbursed to the Subgrantee, and;

WHEREAS, under current information provided, FEMA has determined that the Subgrantee is eligible to apply for and receive FEMA funding under the Public Assistance and/or Hazardous Mitigation programs, subject to approval of a Project Worksheet of Hazard Mitigation Grant, and;

WHEREAS, this agreement is a part of the application for Disaster Assistance and will become effective and binding upon approval of a Worksheet or Hazard Mitigation Grant and signature on behalf of NJEOM, and;

WHEREAS, the Township of Lower Alloways Creek is responsible for compliance with and to obtain a working knowledge of the Stafford Act and all applicable FEMA regulations as provided in 44 CRF and FEMA policies that govern Public Assistance and /or Hazard Mitigation programs and shall adhere to the application of the Stafford Act and those applicable regulations and policies and OMB Circulars A-87, A-102, A-110 and A-133 as a condition for the acceptance and expenditure of said FEMA funding.

NOW THEREFORE BE IT RESOLVED that the Township of Lower Alloways Creek does acknowledge and approve the entering into a Memorandum of Understanding relating to Grants under the Federal Emergency Management Agency (FEMA) Public Assistance and /or Hazard Mitigation programs for presidentially declared major disasters.

BE IT FURTHER RESOLVED that, the Mayor be authorized to sign the Memorandum of Understanding for the Township of Lower Alloways Creek.

The motion for Resolution 2013-91 authorizing a memorandum of understanding by and between the State of New Jersey and Lower Alloways Creek Township as part of the application process for FEMA disaster assistance 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 (Pompper, Palombo) for Resolution 2013-92, A Resolution to award a bid for the purchase of a Police Interceptor AWD Vehicle to Winner Ford in the amount of \$35,691.00.

**RESOLUTION 2013-92**

A RESOLUTION TO AWARD A BID FOR THE PURCHASE OF A POLICE INTERCEPTOR AWD UTILITY VEHICLE TO WINNER FORD OF CHERRY HILL, NEW JERSEY IN THE AMOUNT OF \$ 35,691.00

WHEREAS, the Township Purchasing Agent has promulgated and solicited bids for the purchase of a Police Interceptor AWD Utility Vehicle; and,

WHEREAS, one bid was received for the purchase of a Police Interceptor AWD Utility Vehicle as advertised; and,

WHEREAS, Winner Ford submitted the only bid received in the amount of \$35.691.00; and,

WHEREAS, the Purchasing Agent of the Township of Lower Alloways Creek has or will certify that funds have been appropriated and are available for this purpose; and,

WHEREAS, the Purchasing Agent and Public Safety Director are recommending that the bid of \$ 35,691.00 from Winner Ford of Cherry Hill, New Jersey for a Police Interceptor AWD Utility Vehicle, be accepted and awarded.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that Winner Ford of Cherry Hill, New Jersey be awarded the bid for a Police Interceptor AWD Utility Vehicle, in the amount of \$ 35,691.00.

BE IT FURTHER RESOLVED that the Township Committee does authorize the Mayor and Clerk to execute a contract, which is consistent with the promulgated Bid Specifications for the purchase of a Police Interceptor AWD Utility Vehicle.

The motion for Resolution 2013-92 to award a bid for the purchase of a Police Interceptor AWD Vehicle to Winner Ford in the amount of \$35,691.00 passed a vote of the Township Committee as follows: 4-1

Ayes: Pompper, Palombo, Bradway and Breslin

Nays: Venable Abstain: none Absent: none

Motion (Pompper, Bradway) for Resolution 2013-93, A Resolution awarding a bid for the sale of real property not needed for public use.

#### **RESOLUTION 2013- 93**

RESOLUTION OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK, COUNTY OF SALEM, STATE OF NEW JERSEY, AWARDED THE BID FOR THE SALE OF REAL PROPERTY NOT NEEDED FOR PUBLIC USE AS PROVIDED IN N.J.S.A. 40A:12-13

WHEREAS, the Township of Lower Alloways Creek did authorize and receive bids for real property not needed for public use; and

WHEREAS, the following were the highest bidders for certain properties not needed for public use:

Block 29 Lot 17.02 substandard lot, approx 30 by 92

Marilyn A. Dilks

641 Harmersville \_ Canotn Road

Salem, NJ 08079-

\$300.00

NOW THEREFORE BE IT RESOLVED that, the Township Committee of the Township of Lower Alloways Creek does hereby accept the bids as listed for the sale of real property not needed for public use and does hereby award the bids as listed herein.

The motion for Resolution 2013-93 awarding a bid for the sale of real property not needed for public use 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)**

There was a proposed ordinance included in the agenda packet sent to the Committee to change parts of Chapter 88. The Committee discussed this ordinance, wanted some changes made and may consider a revised version at the next Township Monthly meeting.

**ORDINANCE (PUBLIC HEARING)**

**Ordinance 2013-11 An Ordinance to amend Chapter 1 known as “General Provisions” of the Code of the Township of Lower Alloways Creek**

Mayor Breslin opened the meeting to a Public Hearing on Ordinance 2013-11

No one from the Public had any comments.

Mayor Breslin closed the Public Hearing on Ord 2013-11

Motion (Pompper, Bradway) for final adoption of Ordinance 2013-11, an Ordinance to amend Chapter 1 known as “General Provisions” of the Code of the Township of Lower Alloways Creek

**ORDINANCE 2013-11**

WHEREAS, the Lower Alloways Creek Township Committee has determined it is necessary and appropriate to amend §1-4 and §1-8 of the Municipal Code.

NOW, THEREFORE, BE IT ADOPTED by the Mayor and Township Committee of Lower Alloways Creek that §1-4 and §1-8 of the Township Code be revised to read as follows:

**§ 1-4. Copy of Code to be on file.**

A copy of the Code in loose-leaf form has been filed in the office of the Township Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance; and, if this ordinance shall be adopted, such copy shall be certified to by the Clerk of the Township of Lower Alloways Creek by impressing thereon the Seal of the township, as provided by law; and such certified copy shall remain on file in the office of the Clerk of the township, to be made available to persons desiring to examine same during all times while the said Code is in effect and on the official website of the Township in an electronic format that is easily accessible by the general public

**§ 1-8. Sale of Codebook.**

Copies of the Code book containing the Code may be purchased from the Clerk as provided in the New Jersey Open Public Records Act upon the payment of a fee, ~~by resolution of the Township Committee, which may also arrange by resolution, for procedures for the periodic supplementation thereof, as authorized by the New Jersey Open Public Records Act.~~

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 October 15, 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 September 17, 2013 was 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: September 17, 2013

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

Final: October 15, 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:** Mayor Breslin discussed briefly with the Committee the possibility of rebidding the cell tower locations, but that seems unproductive at this point. Mayor Breslin stated that the Committee might want to consider erecting a tower and to think about that. In addition Mayor Breslin stated that he feels we should reach out to those municipalities and persons who got some action to be taken in Stow Creek and Greenwich and legislators as well to get ideas on how they proceeded to get a cell tower, new phone lines and FIOS service.

**NEW BUSINESS:**

Motion (Palombo, Bradway) to approve the purchase and installation of a replacement Heat Pump for Leisure Arms Unit A7 at a cost of \$4,235.00 by Autocon, Inc.

The motion to approve the purchase and installation of a replacement Heat Pump for Leisure Arms Unit A7 at a cost of \$4,235.00 by Autocon, Inc 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 the purchase and installation of a Heat Pump for the PW Offices at a cost of \$4,350.00 by Autocon, Inc.

The motion to approve the purchase and installation of a Heat Pump for the PW Offices at a cost of \$4,350.00 by Autocon, Inc 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 the overhaul of a grinder pump at a cost of \$5820.00 by Deltronics Corp.

Mayor Breslin asked Mr. Fogg about this item. Mr. Fogg stated that he was given a quote of 2500.00 to rebuild the bottom impeller and then received it back with an invoice for \$ 5820.00. When Mr. Fogg called about why the repair was priced at \$5820.00 he was told that they rebuilt the upper impeller, why they had it apart. Mr. Fogg stated that the additional work was not authorized and that a new pump cost only \$ 5400.00.

Motion (Palombo, Bradway) to amend the motion to make a payment of \$2500.00 to Deltronics for the work that was authorized. The motion passed unanimously.

The amended motion to approve the overhaul of a grinder pump at a cost of \$2500.00 by Deltronics Corp passed a vote of the Township Committee as follows: 5-0

Ayes: Bradway, Palombo, Pompper, Venable and Breslin

Nays: none Abstain: none Absent: none

Motion (Pompper, Bradway) to accept a proposal from Farr Forestry to develop a Community Forest Management Plan for the Township, at a cost of \$ 3,200.00.

Mrs. Pompper commented that this as a Sustainable Jersey action project and would be paid for in part, by a grant of \$3000.00 from the New Jersey State Forestry Program.

The motion to accept a proposal from Farr Forestry to develop a Community Forest Management Plan for the Township, at a cost of \$ 3,200.00 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 (Pompper, Bradway) to approve a lease agreement with Salem County and NJ Transit for a 2013 Ford Supreme Startrans Senator for use in the Senior & Disabled Transportation program.

The motion to approve a lease agreement with Salem County and NJ Transit for a 2013 Ford Supreme Startrans Senator for use in the Senior & Disabled Transportation program 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 payment for supplies associated with Salem County Road Department's striping of Township Roads in the amount of \$ 3950.25.

The motion to approve the payment for supplies associated with Salem County Road Department's striping of Township Roads in the amount of \$ 3950.25 passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Bradway, Pompper, Venable and Breslin

Nays: none Abstain: none Absent: none

### **BEST PRACTICES SURVEY**

The Township Committee reviewed the 2014 Best Practices Survey as filled in by the CFO. The Clerk reviewed what the survey was and that the Township would continue to receive full State Funding based on the answers given. The Township Committee had no comments.

### **CORRESPONDENCE NONE**

### **REPORTS TO THE COMMITTEE & COMMITTEE REPORTS**

**Public Safety** Mr. Sowers commented that there have been increased enforcement patrols during the outage. Mr. Sowers stated that he felt the "spotting" time should remain at 10:00 pm as it is in the current Dog & Animal ordinance.

**Public Works** Mr. Fogg stated that the bus garage solar panels have been installed; there is an iron/rust issue again with the well water at Leisure Arms and his men have been flushing the system and it will be re-tested soon. Damage from termites is being repaired on A-5 and is somewhat worse than first thought.

Mayor Breslin commented that he would like to see a plan of action, regarding the well issue.

**Ambulance** Mr. Bradway commented that there will be a Halloween Diner Dance this Saturday at the Hancocks Bridge Fire House and that tickets are available.

Mr. Palombo stated that at the last Local Government meeting there was a presentation on chemical emergencies and preparation for them. Mr. Palombo stated that he believes the Township should have training and drills for our first responders, as there are many chemical tankers that use the roadways of LAC. In addition this was a free presentation given and is available all we need to do set setup a date and time.

Mrs. Pompper stated that this Sunday was the open house at the Log Cabin it is "Farm Day", the Ruritans are having a breakfast on the 27<sup>th</sup> and Mrs. Pompper asked if the Committee was going to discuss a situation that was brought to her by a concerned daughter of a resident. This involves a question of are the resident capable of caring for themselves and how much home care can be provided to the residents before they can no longer reside at Leisure Arms.

Mr. Venable, Mr. Bradway and the Mayor had no further comments.

**PUBLIC COMMENT**

**ADJOURNMENT**

Motion (Breslin, Palombo) to adjourn the meeting at 8:40 p.m.  
The motion to adjourn the meeting passed unanimously.

Minutes of the October 15, 2013 Regular Township Committee Meeting were approved at a meeting held November 18, 2013

ATTEST:

LOWER ALLOWAYS CREEK TOWNSHIP

\_\_\_\_\_  
Ronald L Campbell Sr. Clerk

By: \_\_\_\_\_  
Mayor, Robert F. Breslin III