

**MINUTES OF A REGULAR MONTHLY MEETING OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK HELD SEPTEMBER 20, 2016**

A Regular Monthly Meeting of the Lower Alloways Creek Township Committee was held on September 20, 2016 with Mayor Ellen B. Pompper 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 South Jersey Times, 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 Pompper led in the Flag Salute.

ROLL CALL OF COMMITTEE

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

OTHERS IN ATTENDANCE:

Also in attendance were -3- (three) members of the Public including Lewis Fogg, Public Works Foreman; David Sowers, Director of Public Safety; Karin Wood, Solicitor and the Township Clerk Ronald L Campbell Sr.

APPROVAL OF AUDITED VOUCHERS

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

Nays: none Abstain: none Absent: none

MONTHLY REPORTS TO THE COMMITTEE

The Mayor requested that the minutes reflect that the August 2016 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 PREVIOUS MEETING MINUTES

Motion (Venable, Bradway) to approve the Minutes of the Regular Monthly Meeting held August 16, 2016.

The motion to approve the Minutes of the Regular Monthly Meeting held August 16, 2016 passed a vote of the Township Committee as follows: 5-0-

Ayes: Venable, Bradway, Breslin, Palombo and Pompper

Nays: none Abstain: none Absent: none

RESOLUTIONS

Motion (Venable, Palombo) for Resolution 2016-84, a Resolution to exclude certain medications in order to maintain the financial integrity of the Township's Self Insurance Fund.

RESOLUTION 2016- 84

A RESOLUTION TO EXCLUDE CERTAIN MEDICATIONS IN ORDER TO MAINTAIN THE FINANCIAL INTEGRITY OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK'S SELF INSURANCE FUND

WHEREAS, the Township Committee of the Township of Lower Alloways Creek desires to maintain a fiscally sound Health and Dental Self Insurance Fund for the benefit of its employees, and;

WHEREAS, the Township of Lower Alloways Creek's Health Insurance agent has recommended that the Township Committee exclude certain medication in order to secure the future integrity of the Township's Self Insurance Fund, and;

WHEREAS, the Township Committee has considered his recommendation and concurs that certain high cost medications need to be excluded from the Township's Health and Prescription Plan in order for it to maintain a fiscally sound Self Insurance Fund.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that the following medications shall be excluded from coverage under the Township of Lower Alloways Creek's Health and Dental Plans:

ledipasvir / sofosbuvir, ABT-450 / ritonavir / ombitasvir / dasabuvir and daclatasvir / asunaprevir

BE IT FURTHER RESOLVED that the Clerk notify the Township's Chief Financial Officer and Jason DeMarco of Insurance Solutions, Inc. of this action.

The motion for Resolution 2016-84, to exclude certain medications in order to maintain the financial integrity of the Township's Self Insurance Fund passed a vote of the Township Committee as follows: 4-1

Ayes: Venable, Palombo, Breslin, and Pompper

Nays: Bradway Abstain: none Absent: none

Motion (Venable, Bradway) for Resolution 2016-85, a Resolution authorizing a Municipal Tax Lien against Block 15, Lot 5 in the amount of \$ 380.90.

RESOLUTION 2016-85

A RESOLUTION AUTHORIZING A MUNICIPAL TAX LIEN AGAINST BLOCK 15 LOT 5, IN THE AMOUNT OF \$ 380.90 FOR ABATEMENT OF EXCESSIVE WEEDS AND GROWTH PERFORMED BY THE PUBLIC WORKS DEPARTMENT.

WHEREAS the Municipal Clerk of the Township of Lower Alloways Creek does inform the Township Committee that, the abatement of excessive weeds and growth was performed by the Public Works Department on Block 15, Lot 5 known as 34 SECOND STREET on July 12, 2016 and that, letters were sent to the owner of record by regular and certified mail detailing the amount due to the Township for the abatement of obnoxious weeds and growth; and,

WHEREAS, under provisions of Chapter 155, Section 5 of the Code of the Township of Lower Alloways Creek, "If the full amount due the Township is not paid within twenty-one (21) days as provided in the preceding section, then the Township municipal clerk shall cause to be recorded in the tax collector's office a sworn statement showing the cost and expense incurred for the work and the date, place or property on which said work was done, and the recordation of such sworn statement shall constitute a lien and privilege on the property and shall remain in full force and effect for the amount due in principal and interest, plus costs of court, if any for collection. The lien shall remain in force until final payment has been made, and payments may be collected in the manner fixed by law for the collection of taxes; and,

WHEREAS, no contact or correspondence has been received from the owner of record in reply to the request for payment and the 21 (twenty-one) day window for payment to be made has expired.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek, in the County of Salem and the State of New Jersey that, the Clerk be authorized to record a sworn statement with the Tax Collector showing the cost and expense incurred for the abatement of obnoxious weeds and growth from Block 15, Lot 5 known as 34 SECOND STREET on July 12, 2016 in the amount of Three hundred eighty dollars and ninety cents, \$ 380.90 and that the Tax Collector shall, then record that statement as a lien on the property and that it shall remain in effect until the final payment may be collected in the manner fixed by law for the collection of taxes.

The motion for Resolution 2016-85, authorizing a Municipal Tax Lien against Block 15, Lot 5 in the amount of \$ 380.90 passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Bradway, Breslin, Palombo and Pompper

Nays: none Abstain: none Absent: none

Motion (Venable, Bradway) for Resolution 2016-86, a Resolution authorizing a Municipal Tax Lien against Block 17, Lot 1 in the amount of \$ 224.80.

RESOLUTION 2016-86

A RESOLUTION AUTHORIZING A MUNICIPAL TAX LIEN AGAINST BLOCK 17 LOT 1, IN THE AMOUNT OF \$ 224.80 FOR ABATEMENT OF EXCESSIVE WEEDS AND GROWTH PERFORMED BY THE PUBLIC WORKS DEPARTMENT.

WHEREAS the Municipal Clerk of the Township of Lower Alloways Creek does inform the Township Committee that, the abatement of excessive weeds and growth was performed by the Public Works Department on Block 17, Lot 1 known as 7 MAIN STREET HANCOCKS BRIDGE on July 8, 2016 and that, letters were sent to the owner of record by regular and certified mail detailing the amount due to the Township for the abatement of obnoxious weeds and growth; and,

WHEREAS, under provisions of Chapter 155, Section 5 of the Code of the Township of Lower Alloways Creek, "If the full amount due the Township is not paid within twenty-one (21) days as provided in the preceding section, then the Township municipal clerk shall cause to be recorded in the tax collector's office a sworn statement showing the cost and expense incurred for the work and the date, place or property on which said work was done, and the recordation of such sworn statement shall constitute a lien and privilege on the property and shall remain in full force and effect for the amount due in principal and interest, plus costs of court, if any for collection. The lien shall remain in force until final payment has been made, and payments may be collected in the manner fixed by law for the collection of taxes; and,

WHEREAS, no contact or correspondence has been received from the owner of record in reply to the request for payment and the 21 (twenty-one) day window for payment to be made has expired.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek, in the County of Salem and the State of New Jersey that, the Clerk be authorized to record a sworn statement with the Tax Collector showing the cost and expense incurred for the abatement of obnoxious weeds and growth from Block 17, Lot 1 known as 7 MAIN STREET HANCOCKS BRIDGE on July 8, 2016 in the amount of Two hundred twenty-four dollars and eighty cents, \$ 224.80 and that the Tax Collector shall, then record that statement as a lien on the property and that it shall remain in effect until the final payment may be collected in the manner fixed by law for the collection of taxes.

The motion for Resolution 2016-86, authorizing a Municipal Tax Lien against Block 17, Lot 1 in the amount of \$ 224.80 passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Bradway, Breslin, Palombo and Pompper

Nays: none Abstain: none Absent: none

Motion (Venable, Bradway) for Resolution 2016-87, a Resolution authorizing a Municipal Tax Lien against Block 17, Lot 19 in the amount of \$ 324.80.

RESOLUTION 2016- 87

A RESOLUTION AUTHORIZING A MUNICIPAL TAX LIEN AGAINST BLOCK 17 LOT 19, IN THE AMOUNT OF \$ 324.80 FOR ABATEMENT OF EXCESSIVE WEEDS AND GROWTH PERFORMED BY THE PUBLIC WORKS DEPARTMENT.

WHEREAS the Municipal Clerk of the Township of Lower Alloways Creek does inform the Township Committee that, the abatement of excessive weeds and growth was performed by the Public Works Department on Block 17, Lot 19 known as 5 Main St. HB on July 8, 2016 and that, letters were sent to the owner of record by regular and certified mail detailing the amount due to the Township for the abatement of obnoxious weeds and growth; and,

WHEREAS, under provisions of Chapter 155, Section 5 of the Code of the Township of Lower Alloways Creek, "If the full amount due the Township is not paid within twenty-one (21) days as provided in the preceding section, then the Township municipal clerk shall cause to be recorded in the tax collector's office a sworn statement showing the cost and expense incurred for the work and the date, place or property on which said work was done, and the recordation of such sworn statement shall constitute a lien and privilege on the property and shall remain in full force and effect for the amount due in principal and interest, plus costs of court, if any for collection. The lien shall remain in force until final payment has been made, and payments may be collected in the manner fixed by law for the collection of taxes; and,

WHEREAS, no contact or correspondence has been received from the owner of record in reply to the request for payment and the 21 (twenty-one) day window for payment to be made has expired.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek, in the County of Salem and the State of New Jersey that, the Clerk be authorized to record a sworn statement with the Tax Collector showing the cost and expense incurred for the abatement of obnoxious weeds and growth from Block 17, Lot 19 known as 5 Main St. HB on June 22, 2014 in the amount of Three hundred twenty-four dollars and eighty cents \$ 324.80 and that the Tax Collector shall, then record that statement as a lien on the property and that it shall remain in effect until the final payment may be collected in the manner fixed by law for the collection of taxes.

The motion for Resolution 2016-87, authorizing a Municipal Tax Lien against Block 17, Lot 19 in the amount of \$ 324.80 passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Bradway, Breslin, Palombo and Pompper

Nays: none Abstain: none Absent: none

ORDINANCE (INTRODUCTION)

Motion (Venable, Bradway) to introduce Ordinance 2016-06, an Ordinance Fixing the Compensation to be Paid to the Appointed Officers and Employees of the Township of Lower Alloways Creek.

ORDINANCE 2016-06

AN ORDINANCE AMENDING CHAPTER 69 KNOWN AS “BOAT RAMP, MUNICIPAL” OF THE CODE OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK

WHEREAS, the Township Committee of the Township of Lower Alloways Creek desires to amend Chapter 69 known as “Boat Ramp, Municipal”.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Township Committee of the Township of Lower Alloways Creek that:

Section 1. Chapter 69 of the Code of the Township of Lower Alloways Creek is hereby amended as follows:

§ 69-5. Stickers. [Amended 12-27-1994 by Ord. No. 94-12; 4-2-1996 by Ord. No. 96-3; 3-19-2002 by Ord. No. 2002-3; 9-15-2015 by Ord. No. 15-05, 10/18/2016 by Ord. No. 2016-06]

Eligible Users shall:

- A. annually pay a required fee:
 1. two dollars (\$2.00) for residents of Lower Alloways Creek Township to the Municipal Clerk for the issuance of decal stickers
 2. ~~ten dollars (\$10.00)~~ One Hundred dollars (\$100.00) for non-residents of Lower Alloways Creek Township to the Municipal Clerk for the issuance of decal stickers;
- B. ~~affix display~~ one Township-issued sticker on the intended towing or carrying vehicle to be parked in the parking area and a second Township-issued sticker on the vessel to be placed in the water, either on the windshield or side of the vessel above the waterline where it may be seen when the vessel is in the water; and
- C. acknowledge to the Township Clerk receipt and understanding of the rules for the use of the ramp and parking area as set forth in the Township Code. Receipt of the decal stickers by the Eligible User shall be evidence of said acknowledgement.
- D. if they are not the owner of the vessel and/or towing or carrying vehicle, be familiar with and comply with the rules and regulations of this chapter.
- E. include State and local Government Agencies, Emergency Services, Fire Departments and Wildlife / Estuary Management which are hereby granted an exception from the requirements of subsection A and B above, but shall be required to obtain, be familiar with and comply with the rules and regulations of this chapter.

§ 69-7. Parking. [Amended 9-15-2015 by Ord. No. 15-05, 10/18/2016 by Ord. No. 2016-06]

- A. No person shall park any vehicle on the facility except in places clearly designated for parking.
- B. No person shall park any vehicle or trailer except in that portion designated within the public boat ramp area, nor shall any person park any vehicle or vessel overnight.

Section 2. Repealer, Severability and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township

Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

This Ordinance which was introduced for First Reading on September 20, 2016 shall be published by Title in the South Jersey Times and placed on the Township’s Bulletin Board giving notice of said Public Hearing as required by Law.

Public Hearing on this Ordinance shall be on October 18, 2016 at 7:30 p.m., at the Municipal Building, 501 Locust Island Road, Hancock’s Bridge, New Jersey.

The Committee discussed what changes to the Ordinance they wished to see, which included a change in the non-resident fee to \$100.00 and removal of the reference to Chapter 127 Parks and Recreational Facility. Mr. Breslin expressed that he was not in favor of, not charging PSEG, stating that they are a big company that can afford the fee.

Introduction: September 20, 2016

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

OLD BUSINESS: None
NEW BUSINESS:

Motion (Venable, Bradway) to approve the expansion and enclosure of the Wash Bay at a cost of \$25,000.00.

The motion to approve the expansion and enclosure of the Wash Bay at a cost of \$25,000.00 passed a vote of the Township Committee as follows: 4-1

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

Motion (Venable, Bradway) to authorize renovations to the roof of the Public Works Bus Garage by D.D.S. at a cost of \$ 3,940.00.

The motion to authorize renovations to the roof of the Public Works Bus Garage by D.D.S. at a cost of \$ 3,940.00 passed a vote of the Township Committee as follows: 5-0

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

Motion (Venable, Bradway) to approve the purchase and mounting of four new tires on the road grader by Cumberland Tire Center at a cost of \$ 3,829.16.

The motion to approve the purchase and mounting of four new tires on the road grader by Cumberland Tire Center at a cost of \$ 3,829.16 passed a vote of the Township Committee as follows: 5-0

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

Motion (Venable, Bradway) to approve the request by the Bierman’s (D-23) to install one ceiling fan in the kitchen and one ceiling fan in the spare bedroom and to approve the request by Joan Pancoast (D27) to install one

ceiling fan in the small bedroom and one ceiling fan on the front porch; with the following conditions: applicable permits are to be obtained, installations are to be done by a licensed electrician and under the direction and supervision of Lewis Fogg, Public Works Foreman.

The motion to approve the ceiling fan installations with conditions passed a vote of the Township Committee as follows: 5-0

Ayes: Pompper, Venable, Breslin, Palombo and Bradway

Nays: none Abstain: none Absent: none

CORRESPONDENCE:

Mayor Pompper read a letter received from Tyler Waters, thanking the Committee for her Scholarship funds to Salem County Community College.

REPORTS TO THE COMMITTEE & COMMITTEE REPORTS

Public Works

Mr. Sowers stated that the officers are using the new Tact vests and learning all the regulations and requirements of using the Body Cameras.

Public Safety

Mr. Fogg stated that if there were no questions about the Public works Monthly Report he had nothing further to report.

Mayor Pompper stated that the Log Cabin was looking good with all the improvements done recently by the Public Works Department.

Mr. Bradway stated that the Rescue Squad Chicken Barbeque was a success with over 200 dinners sold. Mr. Bradway thanked everyone who participated and helped with the fund raising event.

Mr. Venable stated that he had been talking with another official from another township and they were stating that they had a Vacant Property Ordinance, which would charge a certain amount to the owner of a property that was left vacant. Mr. Venable would like to look into doing this for LAC.

PUBLIC COMMENT

Fire Chief Don Hinchman stated that Mr. Gunning had donated shingles for the Canton Fire House. Chief Hinchman also stated that on some heavily used boat ramp days there are trucks and trailers lined up & down Poplar Street and it is difficult to get through, the Township ought to consider a no parking area.

Mr. Stetser asked the Committee, if anyone objected to him placing his small railroad in back of his unit during the Christmas season. No one voiced any objection.

CLOSED SESSION

Motion (Venable, Bradway) to convene into a Closed Session of Business 7:55 pm

RESOLUTION 2016- 89 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.

____ 8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of 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 individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

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

- A. Contracts – Elsinboro Police Shared Service, Lending Services
- B. Personnel – Fire Code Official

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

- A. At such time the matter is concluded
- B. 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 fifteen (15) minutes and that further business by the Committee will take place at its conclusion.

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

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

Motion (Venable, Bradway) to come out of the Closed Session of business. 8:05 pm

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

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

BUSINESS AFTER CLOSED SESSION

Motion (Venable, Bradway) to dismiss Michael Moore from employment with the Township of Lower Alloways Creek effective immediately.

The motion to dismiss Michael Moore from employment with the Township of Lower Alloways Creek effective immediately passed a vote of the Township Committee as follows: 5-0

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

ADJOURNMENT

Motion (Breslin, Venable) to adjourn the meeting at 8:10 p.m.
The motion to adjourn the meeting passed unanimously.

Minutes of the September 20, 2016 Meeting were approved at a meeting held October 16, 2016

ATTEST:

LOWER ALLOWAYS CREEK TOWNSHIP

Ronald L Campbell Sr. Clerk

By: _____
Mayor, Ellen B. Pompper