

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK HELD AUGUST 17, 2021**

A Regular Meeting of the Lower Alloways Creek Township Committee was held on August 17, 2021 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 the Annual Notice which was filed with the Lower Alloways Creek Township Clerk, forwarded to the South Jersey Times and posted on 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. Collier, Mr. Palombo, Mr. Venable and Mayor Pompper

Absent: none

OTHERS IN ATTENDANCE

Also in attendance were seven- (7) members of the public including, Lewis Fogg; Superintendent of Public Works; Police Chief Richard Venable; Solicitor, Linwood Donelson III and Township Clerk Ronald L Campbell Sr.

PAYMENT 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: Venable, Bradway, Collier, Palombo and Pompper

Nays: none Abstain: none Absent: none

REPORTS TO THE COMMITTEE

The Mayor requested that the minutes reflect that the July 2021 Monthly reports to the Township Committee have been received from the following Departments and are on file with the Clerk: Construction Office, Engineer, Finance, Municipal Court, Police Department, Public Works, Sewer and Tax Collector.

MINUTES

Motion (Venable, Bradway) to approve the Regular Meeting and Closed Session Minutes of the Township Committee Meeting held on July 20, 2021.

The motion to approve the Regular Meeting and Closed Session Minutes of the Township Committee Meeting held on July 20, 2021 passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Bradway, Collier, Palombo and Pompper

Nays: none Abstain: none Absent: none

RESOLUTIONS

Motion (Venable, Bradway) for Resolution 2021- 62, a Resolution requesting approval of Chapter 159 items of Revenue and Appropriation per N.J.S.A. 40A:4-87.

RESOLUTION 2021-62

A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Lower Alloways Creek New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$1,313.83, which is now available from Body Amor Replacement Grant Funds in the amount of \$1,313.83.

BE IT FURTHER RESOLVED, that the like sum of \$ 1,313.83 is hereby appropriated under the caption Body Amor Replacement Funds; and

BE IT FURTHER RESOLVED that the above is the result of funds from Body Amor Replacement Grant Funds in the amount of \$1,313.83.

The motion for Resolution 2021- 62 requesting approval of Chapter 159 items of Revenue and Appropriation per N.J.S.A. 40A:4-87 passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Bradway, Collier, Palombo and Pompper

Nays: none Abstain: none Absent: none

Motion (Venable, Bradway) for Resolution 2021-63, a Resolution to offer employment to Calvin T. Hill and Matthew C. Hill as Temporary Seasonal Employees.

RESOLUTION 2021-63

A RESOLUTION TO OFFER EMPLOYMENT TO Calvin T. Hill III and Matthew C. Hill AS TEMPORARY SEASONAL EMPLOYEE(S) FOR THE PUBLIC WORKS DEPARTMENT OF LOWER ALLOWAYS CREEK

WHEREAS, the Public Works Department of the Township of Lower Alloways Creek Township has need of Temporary Seasonal Employee(s) be hired to fill a need for seasonal help, and;

WHEREAS, the Superintendent of Public Works has recommended applicants for said position and presented a recommendation to the Township Committee as to his desire, who be hired as Temporary Seasonal Employee(s).

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that the following person(s) be offered employment as Temporary Seasonal Employees for the Public Works Department at the rate of \$12.00 / hr:

Calvin T. Hill III and Matthew C. Hill

BE IT FURTHER RESOLVED that the above person(s), be offered employment under the following terms and conditions:

1. Term of Hire is from August 18, 2021 through October 31, 2021
2. The applicants are aware that this is a temporary part-time as needed position and that, hours per day or week will vary and no set time or schedule is guaranteed. General hours of work will be between the hours of 7am to 2pm. Applicants are not guaranteed work and may be let go at the Township's discretion.
3. The applicant must pass a physical exam by the Township Physician or Inspira Health Network physician.
4. The applicant must pass a drug test administered at a Township approved facility.
5. The applicant will acquire approved work shoes before employment.
6. The employee will report when and where the Superintendent of Public Works and or his/her designee so instruct each work day.
7. All potential Seasonal Workers will be subject to reference and background checks prior to employment.

The motion for Resolution 2021-63 to offer employment to Calvin T. Hill and Matthew C. Hill as Temporary Seasonal Employees passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Bradway, Collier, Palombo and Pompper

Nays: none Abstain: none Absent: none

Motion (Bradway, Venable) for Resolution 2021-65, a Resolution to award a contract to Falasca Mechanical to provide HVAC Services from October 1, 2021 through September 30, 2023.

RESOLUTION 2021-65

**AWARDING A CONTRACT TO FALASCA MECHANICAL OF VINELAND, NEW JERSEY
FOR HVAC SERVICES FROM OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2023**

WHEREAS, the Township of Lower Alloways Creek has need of HVAC Services and;

WHEREAS, the Township had previously authorized the Purchasing Agent to advertise such specifications necessary to receive bids for such HVAC services, and;

WHEREAS bids have been received and opened at the advertised date and time, and;

WHEREAS, Falasca Mechanical of Vineland, New Jersey submitted the lowest bid at \$72.00/hr for the Regular Rate and \$97.50 /hr for the Overtime & \$ 97.50 /hr for the Holiday rate for the entire length of the two (2) year contracting period, and;

WHEREAS, the Chief Financial Officer has provided a certification of availability of funds in the amount of \$25,000.00 for the 2021 Budget (account # 1-01-26-310-216) and certifies the remainder of the contract amount will be appropriated in succeeding years as necessary (account #-01-26-310-216), and;

WHEREAS, the Superintendent of Public Works and Purchasing Agent of the Township are recommending the contract be awarded to Autocon, Inc.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Lower Alloways Creek does hereby award a two (2) year contract to Falasca Mechanical of Vineland, New Jersey to provide HVAC Services from October 1, 2021 through September 30, 2023 to the Township.

BE IT FURTHER RESOLVED that the Mayor and Clerk be authorized to sign a contract for such services.

The motion for Resolution 2021-65 to award a contract to Falasca Mechanical to provide HVAC Services from October 1, 2021 through September 30, 2023 passed a vote of the Township Committee as follows: 5-0

Ayes: Bradway, Venable, Collier, Palombo and Pompper

Nays: none Abstain: none Absent: none

Motion (Bradway, Collier) for Resolution 2021-66, a Resolution to authorize the renewal of Health Insurance as recommended by the Township's Health Insurance broker.

RESOLUTION 2021- 66

RESOLUTION TO AUTHORIZE RENEWAL OF HEALTH INSURANCE

WHEREAS, there exists a continuing need to provide Health Insurance for eligible Township employees, and

WHEREAS, a review of the existing Health Insurance policies by the Township's Insurance Broker has determined the existing policy to be adequate in coverage and the level of service provided, and

WHEREAS, said Township's Insurance Provider has performed satisfactorily and after a review with the Insurance Committee it is recommended that the renewal proposal be accepted, and

WHEREAS, there are adequate funds for this purpose in the Township's Self-Insurance Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee authorizes the Purchasing agent to renew the Township's Health Insurance Policies with Insurance Design Administrators through broker Jason Demarco of Insurance Solutions, Inc. for the period starting September 1, 2021 through August 31, 2022 for health insurance.

The motion for Resolution 2021-66 passed a vote of the Township Committee as follows: 5-0

Ayes: Bradway, Collier, Palombo, Venable and Pompper

Nays: none Abstain: none Absent: none

Motion (Venable, Bradway) for Resolution 2021-67, a Resolution providing an extended grace period to pay third quarter 2021 property taxes to August 31, 2021.

RESOLUTION 2021- 67

A RESOLUTION PROVIDING AN EXTENDED GRACE PERIOD TO PAY THIRD QUARTER 2021 PROPERTY TAXES TO AUGUST 31, 2021

WHEREAS, due to a delay in receiving certification of the Township's 2021 Budget from the Division of Local Government Services, the County Board of Taxation was not able to strike the Township of Lower Alloways Creek's 2021 tax rate until August 2, 2021. This resulted in the delayed printing and mailing of the 2021-2022 tax bills.

WHEREAS, the grace period for payment without interest on the 3rd quarter of 2021 tax payments due August 1st is usually 10 days, and

WHEREAS, the Township of Lower Alloways Creek is required under New Jersey R.S.54:4-67 to provide a 25 day grace period from date of the actual mailing of the third quarter tax bills.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township of Lower Alloways Creek County of Salem, State of New Jersey do hereby grant an additional grace period through and including August 31, 2021. Interest shall begin on late payments made after the close of the Tax Collector's Office on August 31, 2021 and will be calculated back to the due date of August 1, 2021.

The motion for Resolution 2021-67 providing an extended grace period to pay third quarter 2021 property taxes to August 31, 2021 passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Bradway, Collier, Palombo and Pompper

Nays: none Abstain: none Absent: none

Motion (Venable, Bradway) for Resolution 2021-68, a Resolution to appoint Stacy Davis as a substitute Electrical Sub Code and Electrical Inspector.

RESOLUTION 2021 – 68

A RESOLUTION APPOINTING STACY DAVIS AS SUBSTITUTE ELECTRICAL SUB CODE OFFICIAL AND INSPECTOR

WHEREAS, Timothy Berry is temporarily unable to perform the position of Electrical Sub code Official and Inspector effective August 3, 2021; and

WHEREAS, Stacy Davis is available to be the substitute Electrical Sub code Official and Inspector as needed; and

WHEREAS, John Palumbo, Construction Official, has recommended the appointment of Stacy Davis; and

WHEREAS, Stacy Davis possessed the necessary qualification to serve in this position; and

WHEREAS, the Township Committee deems it to be in the best interest of the residents of the Township to fill this position; and

WHEREAS, compensation will be \$ 45.00 per hour.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek in the County of Salem and State of New Jersey that Stacy Davis is hereby appointed as Substitute Electrical Sub code Official and Inspector for the Township of Lower Alloways Creek effective August 3, 2021 until Timothy Berry is able to perform such duties again.

The motion for Resolution 2021-68 to appoint Stacy Davis as a substitute Electrical Sub Code and Electrical Inspector passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Bradway, Collier, Palombo and Pompper

Nays: none Abstain: none Absent: none

ORDINANCE PUBLIC HEARING AND POSSIBLE FINAL ADOPTION

Ordinance 2021-07

Mayor Pompper opened the meeting to a Public Hearing on, Ordinance 2021-07, An Ordinance to establish Chapter 141, to be known as “Tax of Cannabis Sales”.

No one from the Public indicated that they had any comments to make on Ordinance 2021-07.

Mayor Pompper closed the Public Hearing on Ordinance 2021-07, An Ordinance to establish Chapter 141, to be known as “Tax of Cannabis Sales”.

Motion (Palombo, Bradway) for final adoption of Ordinance 2021-07, An Ordinance to establish Chapter 141, to be known as “Tax of Cannabis Sales”.

ORDINANCE 2021-07

AN ORDINANCE TO ESTABLISH CHAPTER 141 AS “TAX OF CANNABIS SALES” OF THE CODE OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK.

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the state now expressly authorized municipalities to enact a tax of Cannabis sales for certain Cannabis Classes that are permitted to conduct business by the municipality within their borders under the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act," codified at N.J.S.A. 24:61-31 ; and

WHEREAS, N.J.S.A. 24:61-31 also provides the percentage limits of the tax which can be imposed on the sales of the cannabis by Class.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of Lower Alloways Creek that Chapter 141 to be known as “TAX OF CANNABIS SALES” be established as follows:

CHAPTER 141

TAX OF CANNABIS SALES

§ 141-1. Cannabis Sales Tax imposed on a Cannabis Cultivator or Cannabis Manufacturer.

§ 141-2. Cannabis Sales Tax imposed on a Cannabis Wholesaler.

§ 141-3. Tax Imposed is in addition to any and all other taxes and charges.

§ 141-4. Tax Collector shall have the full power to administer and enforce.

§ 141-5. Record of sales to be retained and provided

§ 141-6. Taxes due quarterly

§ 141-6. Failure to collect or remit tax

§ 141-7. Penalties

[HISTORY: Adopted by the Township Committee of the Township of Lower Alloways Creek:
as Ord. No. 2021-07, August 17, 2021]

§ 141-1. Cannabis Sales Tax imposed on a Cannabis Cultivator and Cannabis Manufacturer

A tax is hereby imposed upon all persons engaged in the business of selling cannabis as a Cannabis Cultivator or Cannabis Manufacturer, in the Township of Lower Alloways Creek, at the rate of two percent (2%) of the gross receipts from such sales made in the course of that business. Each person required to collect the tax herein imposed shall be personally liable for the tax imposed, collected, or required to be collected hereunder.

§ 141-2. Cannabis Sales Tax imposed on a Cannabis Wholesaler.

A tax is hereby imposed upon all persons engaged in the business of selling cannabis as a Cannabis Wholesaler in the Township of Lower Alloways Creek, at the rate of one percent (1%) of the gross receipts from such sales made in the course of that business. Each person required to collect the tax herein imposed shall be personally liable for the tax imposed, collected, or required to be collected hereunder.

§ 141-3. Tax Imposed is in addition to any and all other taxes and charges.

The imposition of the tax imposed by this Chapter is in accordance with the provisions of State law and is in addition to any and all other taxes and charges.

§ 141-4. Tax Collector shall have the full power to administer and enforce.

The tax imposed by this Section, and all civil penalties that may be assessed as an incident thereto, shall be remitted to, collected by and enforced by the Township of Lower Alloways Creek Tax Collector, who shall have the full power to administer and enforce the provisions of this Chapter.

§ 141-5. Record of sales to be retained and provided

All Cannabis Cultivators, Cannabis Wholesalers and Cannabis Manufacturers shall be required to keep and retain records of all sales of cannabis and provide those records to the Township of Lower Alloways Creek Tax Collector for tax calculation purposes.

§ 141-6. Taxes due quarterly

The taxes imposed by this chapter shall be due to the Township Tax Collector quarterly by the tenth day of February, May, August and November.

§ 141-7. Failure to collect or remit tax

The failure to timely collect or remit all taxes due pursuant to this Chapter is a violation of this Code and may be subject to the penalties hereunder.

§ 141-8. Penalties

Penalties. Any person violating any provision of this section shall, upon conviction be subject to penalties imposed by the Judge of the Municipal Court, except that the minimum penalty shall not be less than \$500 for a first offense, \$1,000 for a second offense, and \$1,500 for a third offense.

All Ordinances or parts of Ordinances inconsistent herewith to the extent of such inconsistencies be and the same are hereby repealed to the extent of such inconsistency.

This Ordinance shall take effect upon its final passage and publication as required by law. The provisions of this Ordinance shall remain in full force and effect until amended or repealed.

Public Hearing on this Ordinance shall be on Tuesday August 17, 2021 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 July 20, 2021 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.

Introduction: July 20, 2021

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

Final: August 17, 2021

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

OLD BUSINESS

Mayor Pompper stated that at the last meeting some residents had concerns about malicious activates happening on Mill Pond Road and requested that a portion of Mill Pond Road be abandoned and a gate be installed to close off the abandoned portion.

Mayor Pompper asked if anyone on the Committee if they wanted to move forward with the request, no one on the Committee made any motions with regard to Mill Pond Road.

NEW BUSINESS

Mayor Pompper stated that the Township had received word that our Municipal Auditor, Mr. Petroni was retiring and closing his auditing firm, so the Township will need to get a new firm for the coming year.

Motion (Venable, Bradway) to approve the installation (\$ 2,310.00) and yearly monitoring contract (\$ 360.00) with AFA Protective Systems, Inc. for a Burglar / Fire Alarm at the Historic Log Cabin.

The motion to approve the installation and yearly monitoring contract with AFA Protective Systems, Inc. for a Burglar / Fire Alarm at the Historic Log Cabin was passed by a vote of the Township Committee as follows: 5-0

Ayes: Venable, Bradway, Collier, Palombo and Pompper

Nays: none Abstain: none Absent: None

Motion (Venable, Bradway) to approve payment for the annual Fire Pump, Hose and Ladder testing performed by Fire Flow Services, LLC at a cost of \$ 3,054.00.

The motion to approve payment for the annual Fire Pump, Hose and Ladder testing performed by Fire Flow Services, LLC at a cost of \$ 3,054.00 was passed by a vote of the Township Committee as follows: 5-0

Ayes: Venable, Bradway, Collier, Palombo and Pompper

Nays: none Abstain: none Absent: None

Mayor Pompper stated that she had received a call from the School Superintendent Susan Schaffer requesting to use the Township's picnic tables for the coming school year. They would be used, weather cooperating for classes and outside activities. Mayor Pompper stated that she believes we have six tables that they could use, which would leave one here at the park.

Motion (Venable, Bradway) to approve the LAC School's use of Township Picnic Tables

The motion to approve the LAC School's use of Township Picnic Tables was passed by a vote of the Township Committee as follows: 5-0

Ayes: Venable, Bradway, Collier, Palombo and Pompper

Nays: none Abstain: none Absent: None

CORRESPONDENCE:

A letter was received from Mrs. Chris Traum commending Danny Mitchell for his help and work effort with projects at her house and at the Leisure Arms Complex in general. Mrs. Traum also commended Lance Kaufmann, Lewis Fogg and Rob Hill for the many times they have done things for her.

All other correspondence received has been distributed to the proper parties

REPORTS TO THE COMMITTEE & COMMITTEE REPORTS:

Public Works:

Superintendent Fogg stated that the State Fire Marshall's Office has stated that they are deciding whether we will be required to install Burglar and Fire Alarms in the Canton Fire House, since plans are to sell the property.

Superintendent Fogg stated that there had been a recent Playground inspection by the JIF and they expressed concern about the swings along the old tennis fence and that the mulch under the playground equipment had weeds growing in it. Superintendent Fogg stated that it might be best to dig up and replace the mulch with shredded tire chips like the school has.

Superintendent Fogg stated that he had manned the Counties Solid Waste/Stormwater Booth one night of the County Fair and was surprised at how the kids knew the answers to a questionnaire and their parents did not know. Superintendent Fogg stated obviously kids are getting environment lessons and know about these things.

Police Department:

Chief Venable stated that he and the Department wished to thank everyone who came out and helped out with National Night Out. Chief Venable stated that it is the community and their support that made for a successful evening event.

Fire Department: No Report**Mayor and Committee Members**

Mr. Bradway stated that he had not attended last Month's County wide Ambulance meeting, but he did contact County Commissioner Ben Laury and found out that there will be more meetings to try and organize a county squad to backup all current squads. There would be a fee to each municipality based on population, which could be also based on usage. The County might even be willing to have one of their employees do billing services.

PUBLIC COMMENT: No one from the Public indicated that they wished to make any comments.

ADJOURNMENT

Motion (Venable, Bradway) to adjourn the meeting at 8:10 p.m.

The motion to adjourn the meeting passed unanimously.

Minutes of the August 17, 2021 Meeting were approved at a Township Committee Meeting held September 21, 2021

ATTEST:

LOWER ALLOWAYS CREEK TOWNSHIP

Ronald L Campbell Sr. Clerk

Mayor, Ellen B. Pompper