

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK HELD JANUARY 21, 2020**

A Regular Meeting of the Lower Alloways Creek Township Committee was held on January 21, 2020 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. Venable and Mayor Pompper

Absent: Mr. Palombo

OTHERS IN ATTENDANCE

Also in attendance were – sixteen (16) 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: 4-0-1

Ayes: Venable, Bradway, Collier and Pompper

Nays: none Abstain: Venable check # 22212 & 22235 Absent: Palombo

REPORTS TO THE COMMITTEE

The Mayor requested that the minutes reflect that the December 2019 Monthly reports to the Township Committee have been received from the following Departments and are on file with the Clerk: Animal Control (2019), Construction Office, Engineer, Finance, Municipal Court, Police Department, Public Works, Sewer and Tax Collector.

MINUTES

Motion (Venable, Bradway) to approve the Regular Meeting Minutes of the Township Committee Meeting held on December 17, 2019.

The motion to approve the Regular Meeting Minutes of the Township Committee Meeting held on December 17, 2019 passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Collier and Pompper

Nays: none Abstain: none Absent: Palombo

Motion (Venable, Bradway) to approve the 2020 Reorganization Meeting Minutes of the Township Committee Meeting held on January 1, 2020.

The motion to approve the 2020 Reorganization Meeting Minutes of the Township Committee Meeting held on January 1, 2020 passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Collier and Pompper

Nays: none Abstain: none Absent: Palombo

RESOLUTIONS

Motion (Venable, Bradway) for Resolution 2020- 31, a Resolution to approve the auction sale of Township property no longer needed for public use.

RESOLUTION 2020-31

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 - Sony DVD Recorder RDR-GX315
- 1- Marantz PMD221 Portable Cassette Recorder
- 3 - New cassette tapes
- 1 - Samsung TX-P1430 Monitor
- Various Power Supplies & cables
- 1 - Wisecomm H-264 DVR 16 BNC inputs (remote, mouse)
- 2 - MSA Breathing Apparatus (masks, regulators, etc.)
- 3 – Air bottles
- 1 – Bizhub MP 5054 Copier
- 1 - Bizhub MP C2503 Color Copier

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 2020- 31 to approve the auction sale of Township property no longer needed for public use passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Collier and Pompper

Nays: none Abstain: none Absent: Palombo

Motion (Venable, Bradway) for Resolution 2020-32, a Resolution amending the shared services agreement with and between Elsinboro Township, Mannington Township, Oldmans Township and Lower Alloways Creek Township for recycling collection services in 2020.

RESOLUTION 2020- 32

**A RESOLUTION AMENDING THE SHARED SERVICES AGREEMENT WITH AND BETWEEN
ELSINBORO TOWNSHIP, MANNINGTON TOWNSHIP, OLDMANS TOWNSHIP AND LOWER
ALLOWAYS CREEK TOWNSHIP FOR RECYCLING COLLECTION SERVICES IN 2020**

WHEREAS the Township Committee of the Township of Lower Alloways Creek desires to amend the Shared Services Agreement for Trash and Recycling Services with Elsinboro, Mannington and Oldmans Townships, and;

WHEREAS, municipalities can enter into such Shared Services Agreement pursuant to N.J.S.A. 40A:65-4 et seq., and;

WHEREAS, the four Townships have agreed to additional terms and conditions to be memorialized within the Shared Services Agreement for Recycling Services in 2020.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Lower Alloways Creek hereby authorizes the Mayor and Clerk to execute a Shared Services Agreement for Trash and Recycling Services with and between Elsinboro Township, Mannington Township, Oldmans Township and Lower Alloways Creek Township as amended.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Clerks of the Township of Elsinboro, the Township of Mannington, the Township of Oldmans and the Superintendent of Public Works for Lower Alloways Township.

I hereby certify that this is a true copy of the resolution passed at a meeting of the Township Committee of the Township of Lower Alloways Creek on January 21, 2020.

The motion for Resolution 2020-32 amending the shared services agreement with and between Elsinboro Township, Mannington Township, Oldmans Township and Lower Alloways Creek Township for recycling collection services in 2020 passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Collier and Pompper

Nays: none Abstain: none Absent: Palombo

Motion (Venable, Bradway) for Resolution 2020- 33, a Resolution to Appoint a Public Agency Compliance Officer.

RESOLUTION 2020-33

A RESOLUTION TO APPOINT A PUBLIC AGENCY COMPLIANCE OFFICER

WHEREAS, there exists a need for a Public Agency Compliance Officer (P.A.C.O.) for the Township of Lower Alloways Creek, pursuant to N.J.S.A. 10:5-31 et. seq. and N.J.A.C. 17:27-1 et. seq.; and,

WHEREAS, the State Department of Treasury Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (DDC), N.J.A.C. 17:27-1 et. seq. requires that the rules commonly known as “affirmative action” be followed.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Lower Alloways Creek that Ronald L Campbell Sr, is hereby appointed as the Public Agency Compliance Officer for the Township of Lower Alloways Creek; and,

BE IT FURTHER RESOLVED that no additional compensation shall be provided to the individual appointee as a result of this appointment; and,

BE IT FURTHER RESOLVED that said appointment shall begin immediately and shall continue until the appointment of a successor.

The motion for Resolution 2020-33 to appoint a Public Agency Compliance Officer passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Collier and Pompper

Nays: none Abstain: none Absent: Palombo

ORDINANCE PUBLIC HEARING AND POSSIBLE FINAL ADOPTION

Mayor Pompper opened the meeting to a Public Hearing on Ordinance 2019-07, an Ordinance Fixing the Compensation to be paid to the Appointed Officers and Employees of the Township of Lower Alloways Creek.

No one from the Public indicated that they wished to make any comments on Ordinance 2019-07.

Mayor Pompper closed the Public Hearing on Ordinance 2019-07, an Ordinance Fixing the Compensation to be paid to the Appointed Officers and Employees of the Township of Lower Alloways Creek.

Motion (Venable, Collier) to amend Ordinance 2019-07 to remove the section of CWA rates because the contract is not finalized.

The motion to amend Ordinance 2019-07 to remove the section of CWA rates because the contract is not finalized passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Collier, Bradway and Pompper

Nays: none Abstain: none Absent: Palombo

Motion (Bradway, Collier) for final adoption of Ordinance 2019-07, an Ordinance Fixing the Compensation to be paid to the Appointed Officers and Employees of the Township of Lower Alloways Creek

ORDINANCE 2019-07

AN ORDINANCE AMENDING PREVIOUS ORDINANCES FIXING THE COMPENSATION PAID TO THE APPOINTED OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK

BE IT ORDAINED by the Township Committee of the Township of Lower Alloways Creek, in the County of Salem and the State of New Jersey, that an Ordinance Fixing the Compensation to be paid to the Appointed Officers and Employees of the Township of Lower Alloways Creek is hereby amended to provide rates of Salary and Wage compensation as follows:

Police Officers

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
LIEUTENANT	\$117,460	\$119,810	\$122,210	\$124,650	\$127,140
SFC	\$113,940	\$116,220	\$118,540	\$120,910	\$123,330
SERGEANT	\$110,420	\$112,630	\$114,880	\$117,180	\$119,520
CORPORAL	\$106,420	\$108,550	\$110,720	\$112,930	\$115,190
PTL. (Step 8)	\$100,410	\$102,420	\$104,470	\$106,560	\$108,690
PTL. (Step 7)	\$95,810	\$97,730	\$99,680	\$101,670	\$103,700
PTL. (Step 6)	\$94,150	\$96,030	\$97,950	\$99,910	\$101,910

PTL. (Step 5)	\$87,690	\$89,440	\$91,230	\$93,050	\$94,910
PTL. (Step 4)	\$79,510	\$81,100	\$82,720	\$84,370	\$86,060
PTL. (Step 3)	\$72,540	\$73,990	\$75,470	\$76,980	\$78,520
PTL. (Step 2)	\$66,000	\$67,320	\$68,670	\$70,040	\$71,440
PTL. (Step 1)	\$54,080	\$55,160	\$56,260	\$57,390	\$58,540

SECTION 1. Other provisions that may increase any one individual's compensation include, but are not limited to: overtime, extended shifts, night shift differential, holidays, longevity and other provisions in agreements with the Township of Lower Alloways Creek or stated in the Municipal Employees Policy Manual.

SECTION 2. 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.

SECTION 3. 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 was held on Tuesday January 21, 2020 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 December 17, 2019 was 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: December 17, 2019

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

Final: January 21, 2020

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

ORDINANCE INTRODUCTION

Motion (Venable, Collier) to introduce Ordinance 2020-01, an ordinance to exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank in accordance with N.J.S.A. 40A:4-45.14.

ORDINANCE 2020-01 **CALENDAR YEAR 2020**

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN ACCORDANCE WITH N.J.S.A. 40A:4-45.14

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Lower Alloways Creek Township Committee of the Township of Lower Alloways Creek in the County of Salem finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Lower Alloways Creek Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$ 325,460.00 in excess of the increase in final appropriation otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Lower Alloways Creek Township Committee hereby determines that any amount authorized herein above that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Lower Alloways Creek Township Committee of the Township of Lower Alloways Creek, in the County of Salem, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Township of Lower Alloways Creek shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$ 325,460.00, and that the CY 2019 municipal budget for the Township of Lower Alloways Creek be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriations in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director with five (5) days after such adoption.

Public Hearing on this Ordinance shall be on Tuesday, February 18, 2020 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 Tuesday January 21, 2020 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: January 21, 2020

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

OLD BUSINESS Nothing at this time.

NEW BUSINESS

Mayor Pompper asked the Committee Members when they were available to begin the Budget process, members indicated that they would be available most week days after 6 pm. Mayor Pompper stated that she would work with Kevin Clour to set the day.

Motion (Venable, Bradway) to approve repairs to 2013 Automated Recycle Truck packer floor by GranTurk at a cost of \$ 15,555.16.

The motion to approve repairs to 2013 Automated Recycle Truck packer floor by GranTurk at a cost of \$ 15,555.16 was passed by a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Collier, and Pompper

Nays: none Abstain: none Absent: Palombo

Motion (Venable, Bradway) to authorize the Mayor and Clerk to sign the 2020 JIF Safety Contract

The motion to authorize the Mayor and Clerk to sign the 2020 JIF Safety Contract was passed by a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Collier and Pompper

Nays: none Abstain: none Absent: Palombo

REPORTS TO THE COMMITTEE & COMMITTEE REPORTS:

Public Works:

Superintendent Fogg stated that the Public Works and Police Departments are participating in a Health Challenge sponsored by the JIF.

Superintendent Fogg stated that he has scheduled Cholesterol Testing on Feb 21st and an all personnel three hour Safety Training on January 31st at Deptford.

Police Department:

Chief Venable stated that the Departments new car is almost ready for delivery and he would recommend starting the process to get the next new vehicle.

Fire Department:

Chief Fisher stated that there are three from LAC currently in the Fire Fighter One course.

Mayor and Committee Members

Mr. Bradway stated that there are three for LAC attending First Aid Courses and one attending EMT Courses

No other Committee members had any further comments.

CORRESPONDENCE: Received a request to adopted a Second Amendment Resolution

PUBLIC COMMENT: Alfred Wood spoke to the Committee about adopting a Second Amendment Resolution stating that the resident of the Township wished to see no further legislation or law restricting our second amendment rights.

Mayor Pompper stated that she had a copy of resolution and would look at the language and that of others being adopted. Mayor Pompper asked how many at the meeting were here because of, or in favor of a second amendment resolution, eighteen people raised their hands.

CLOSED SESSION

Motion (Venable, Bradway) for a resolution to convene into a Closed Session of Business. 7:50 pm

RESOLUTION 2020 - 34 A RESOLUTION FOR A CLOSED SESSION

WHEREAS, in order to protect personal privacy and to avoid situations wherein the public interest might be disserved, the Open Public Meetings Act permits public bodies to exclude the public from that portion of a meeting at which certain matters are discussed.

NOW THEREFORE 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.

____ 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:

1. Potential Contract
2. Personnel

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

1. At such time the matter is concluded
2. 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 five (5) minutes and there after the regular meeting would then reconvene and further business by the Committee would not take place at its conclusion.

The motion for a resolution to convene into a Closed Session of Business passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Collier and Pompper

Nays: none Abstain: none Absent: Palombo

Motion (Venable, Bradway) to come out of Closed Session and return to Open Session business of the Committee. 8:00 pm

The motion to come out of Closed Session and return to Open Session business of the Committee passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Collier and Pompper

Nays: none Abstain: none Absent: Palombo

ADJOURNMENT

Motion (Venable, Bradway) to adjourn the meeting at 8:02 p.m.

The motion to adjourn the meeting passed unanimously.

Minutes of the January 21, 2020 Meeting were approved at a Township Committee Meeting held February 18, 2020

ATTEST:

LOWER ALLOWAYS CREEK TOWNSHIP

Ronald L Campbell Sr. Clerk

Mayor, Ellen B. Pompper