

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK HELD NOVEMBER 18, 2019**

A Regular Meeting of the Lower Alloways Creek Township Committee was held on Monday November 18, 2019 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 - twelve- (12) members of the public including the LAC School Board Member Walt Sheets, School CSA; Susan Schaffer, PTO members and School Student Council Members, 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 October 2019 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 Minutes and Closed Session Minutes of the Township Committee Meeting held on October 15, 2019.

The motion to approve the Regular Meeting Minutes and Closed Session Minutes of the Township Committee Meeting held on October 15, 2019 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 2019- 89, a Resolution authorizing a Municipal Tax Lien against Block 17, Lot 19 in the amount of \$ 172.20.

RESOLUTION 2019-89

A RESOLUTION AUTHORIZING A MUNICIPAL TAX LIEN AGAINST BLOCK 15 LOT 5, IN THE AMOUNT OF \$ 172.20 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 June 19, 2019 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 June 19, 2019 in the amount of One Hundred Twenty Two dollars and twenty cents, \$ 122.20, plus a Fifty dollar administration fee, totaling one hundred Seventy-two dollars and twenty cents 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 2019- 89 authorizing a Municipal Tax Lien against Block 17, Lot 19 in the amount of \$ 172.20 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 2019-90, a Resolution authorizing a Municipal Tax Lien against Block 15, Lot 5 in the amount of \$ 172.20.

RESOLUTION 2019-90

A RESOLUTION AUTHORIZING A MUNICIPAL TAX LIEN AGAINST BLOCK 17 LOT 19, IN THE AMOUNT OF \$ 172.20 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 STREET on June 20, 2019 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 19, Lot 17 known as 5 MAIN STREET on June 20, 2019 in the amount of One Hundred Twenty Two dollars and twenty cents, \$ 122.20, plus a Fifty dollar administration fee, totaling one hundred Seventy-two dollars and twenty cents 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 2019-90 authorizing a Municipal Tax Lien against Block 15, Lot 5 in the amount of \$ 172.20 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 2019- 91, a Resolution authorizing a Municipal Tax Lien against Block 17, Lot 1 in the amount of \$ 172.20.

RESOLUTION 2019-91

**A RESOLUTION AUTHORIZING A MUNICIPAL TAX LIEN AGAINST BLOCK 17 LOT 1,
IN THE AMOUNT OF \$ 172.20 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 on June 21, 2019 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 on June 21, 2019 in the amount of One Hundred Twenty Two dollars and twenty cents, \$ 122.20, plus a Fifty dollar administration fee, totaling one hundred Seventy-two and twenty cents 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 2019-91 authorizing a Municipal Tax Lien against Block 17, Lot 1 in the amount of \$ 172.20 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 2019-92, a Resolution to approve the auction sale of Township property no longer needed for public use.

RESOLUTION 2019-92

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 item

1- 1994 Freightliner Rear-Load Trash Truck #IFVXJLBB1RL740099

1- 1994 Autocar Rear – Load Trash Truck #4V25CBBE8R513748

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 2019-92 to approve the auction sale of Township property no longer needed for public use 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 2019-93, a Resolution to authorize transfers in the 2019 Budget Current Operating Fund in the amount of forty thousand seven hundred dollars (\$ 40,700.00).

RESOLUTION 2019-93

A RESOLUTION AUTHORIZING TRANSFERS IN THE 2019 BUDGET CURRENT OPERATING FUND IN THE AMOUNT OF \$ 40,700.00.

WHEREAS, the Chief Financial Officer of the Township of Lower Alloways Creek has found it necessary to recommend that Transfers be made within the Current Operating Fund of the 2019 Budget of the Township of Lower Alloways Creek on the 18th Day of November 2019 in the amount of forty thousand seven hundred dollars (\$ 40,700.00) ; and,

WHEREAS, the State of New Jersey authorizes under N.J.S.A. 40A:4-58, the transforming of funds from one line item to another during the last two (2) months of the current budget fiscal year, by a resolution adopted by a two-thirds (2/3) vote of the full membership, except that no transfers may be made from an appropriation outside the CAP to an appropriation within the CAP; and,

WHEREAS, the Township Committee of the Township of Lower Alloways Creek does concur with the Chief Financial Officers recommendation to make such Transfers as follows:

FROM:

Group Insurance	\$28,700.00
Sanitation S/W	\$3,000.00
Mosquito Control	\$3,000.00
Farmland Preservation	\$6,000.00
TOTAL	\$40,700.00

TO:

Construction S/W	\$2,000.00
Lunch Program S/W	\$2,000.00
Plumbing Subcode S/W	\$100.00
Fire Subcode S/W	\$100.00
Emergency Management S/W	\$500.00
Financial O/E	\$2,000.00
Tax Collector O/E	\$1,000.00
Municipal Garage O/E	\$5,000.00
Lunch Program O/E	\$3,000.00

Sewer O/E

\$25,000.00

TOTAL \$40,700.00

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek, no less than 2/3 of the full voting Committee affirming, that these transfers be made on the 18th Day of November 2019 in accordance with N.J.S.A. 40A:4-58 in the 2019 Budget Current Operation fund as recommended in the amount of forty thousand seven hundred dollars.

BE IT FURTHER RESOLVED THAT, a copy of this resolution be forwarded to the CFO, Kevin Clour.

The motion for Resolution 2019-93 to authorize transfers in the 2019 Budget Current Operating Fund in the amount of forty thousand seven hundred dollars (\$ 40,700.00) passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Bradway, Collier, Palombo and Pompper

Nays: none Abstain: none Absent: none

OLD BUSINESS

NEW BUSINESS

Motion (Venable, Bradway) to amend the June 18, 2019 Monthly Committee Meeting Minutes, to insert the Tax Collector's Certification Sheet of Tax Certificates eligible for Foreclosure into the Meeting Minutes after Resolution 2019-57, where it is referenced.

The motion to amend the June 18, 2019 Monthly Committee Meeting Minutes, to insert the Tax Collector's Certification Sheet of Tax Certificates eligible for Foreclosure into the Meeting Minutes after Resolution 2019-57, where it is referenced 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 the purchase of two (2) MSA Premaire Cadet Escape SABA from Witmer Public Safety Group, Inc. at a cost of \$ 3,990.00.

The motion to approve the purchase of two (2) MSA Premaire Cadet Escape SABA from Witmer Public Safety Group, Inc. at a cost of \$ 3,990.00 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

Motion (Venable, Bradway) to approve the purchase and installation of a new Heat Pump from Autocon, Inc. at a cost of \$ 4,350.00 for Unit E-28 at Leisure Arms.

The motion to approve the purchase and installation of a new Heat Pump from Autocon, Inc. at a cost of \$ 4,350.00 for Unit E-28 at Leisure Arms 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 of the 2020 Software Maintenance fees to Edmunds GovTech in the amount of \$ 8,695.00.

The motion to approve payment of the 2020 Software Maintenance fees to Edmunds GovTech in the amount of \$ 8,695.00 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

Motion (Venable, Bradway) to approve the purchase of three (3) MSA G1 SCBA Cylinders from Whitmer Public Safety Group at a cost of \$ 3,108.00.

The motion to approve the purchase of three (3) MSA G1 SCBA Cylinders from Whitmer Public Safety Group at a cost of \$ 3,108.00 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

CORRESPONDENCE:

Mayor Pompper read a letter from Mrs. Kite regarding her son's college education. Mrs. Kite thanked the Committee for giving her son a scholarship to Salem Community College several years ago and wanted the Committee to know that he has continued his education in music and was performing his own composition tonight or she would have been here personally to thank the Committee.

REPORTS TO THE COMMITTEE & COMMITTEE REPORTS:

Police Department: Chief Venable had no comments

Fire Department: Chief Fisher stated that the Fire Company will be parading Santa from Enrico's to the Hancocks Bridge Fire House on December 8th at 5:30 pm where children can then see him.

Mayor and Committee Members

Mayor Pompper, Mr. Venable and Mr. Bradway congratulated Mr. Collier and Mr. Palombo on their recent election wins.

Mayor Pompper also congratulated Mr. Donelson on being part of a new Law Office.

PUBLIC COMMENT:

The LAC Twp School CSA Susan Schaffer introduced the Student Council who read prepared statements on some of the things going on in the school, an 8th grade student Allison spoke about new programs such as "H E R O S" helping everyone respect others, last year it was "kindness rocks" where students are encourage to be kind to one another and recognized when then do, Emily a 3rd grader spoke about the Muskrat reward program, Kylie a 5th grader spoke about how the PTO has help setup a school store, GAA GAA ball pit and a Four Square game, another student talked about after school clubs, which brought back the Student Council.

Walt Sheets, Board Member spoke about the reduction in state aid in recent years (\$169,000.00)

The school is in need of a van, special Ed bus (2020) (\$25,000.00), Handicapped capable bus (\$ 107,000.00) 54 passenger buses (\$ 135,000.00 each) need replacing in 2023-2025-2027. In addition a generator from the 70's needs to be replaced. Some students have been kept local instead of placed out of district and we are cooperating with other districts to reduce costs.

CSA Susan Schaffer and the Mayor discussed the study that will be taking place shortly which is to look at consolidating school districts.

CLOSED SESSION

Motion (Venable, Collier) for a resolution to convene into a Closed Session of Business. 7:52

RESOLUTION 2019 - 94 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 Litigation
2. Negotiations
3. 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
3. 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 to convene into a Closed Session of Business passed a vote of the Township Committee as follows: 5-0

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

Motion (Venable, Palombo) to come out of Closed Session and return to Open Session business of the Committee. 8:10

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

Ayes: Venable, Palombo, Bradway, Collier and Pompper

Nays: none Abstain: none Absent: none

ADJOURNMENT

Motion (Venable, Bradway) to adjourn the meeting at 8:12 p.m.

The motion to adjourn the meeting passed unanimously.

Minutes of the November 18, 2019 Meeting were approved at a Township Committee Meeting held December 15, 2019

ATTEST:

LOWER ALLOWAYS CREEK TOWNSHIP

Ronald L Campbell Sr. Clerk

Mayor, Ellen B. Pompper