

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK HELD SEPTEMBER 17, 2019**

A Regular Meeting of the Lower Alloways Creek Township Committee was held on September 17, 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 - five - (5) members of the public including, Police Chief Richard Venable, Solicitor; Linwood Donelson III, Polly Ingram, LAC Twp School Board Member Gail Donelson, Rose Kite 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 August 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 Meeting Minutes of the Regular Monthly Township Committee Meeting and Closed Session held Tuesday August 20, 2019.

The motion to approve the Meeting Minutes of the Regular Monthly Township Committee Meeting and Closed Session held Tuesday August 20, 2019 passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Collier, Palombo and Pompper

Nays: none Abstain: none Absent: none

**RESOLUTIONS**

Motion (Venable, Bradway) for Resolution 2019- 78, a Resolution to Certify the 2018 Audit.

**RESOLUTION 2019-78**  
**A RESOLUTION CERTIFYING THE 2018 AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year ending December 31, 2018 has been filed by a Registered Municipal Accountant with the Township Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Questioned Costs" or "Findings and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Questioned Costs" or "Findings and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of 52:27BB- 52 -to wit:

R.S. 52:27BB-52 -A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Lower Alloways Creek, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

The motion for Resolution 2019- 78 to Certify the 2018 Audit 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 2019-79, a Resolution to accept the Corrective Action Plan made by the Chief Financial Officer.

**RESOLUTION 2019-79**  
**A RESOLUTION TO ACCEPT THE CORRECTIVE ACTION PLAN FOR THE "FINDINGS AND RECOMMENDATIONS" OF THE 2018 AUDIT.**

WHEREAS, the annual report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Township of Lower Alloways Creek; and,

WHEREAS, the Audit report by statute contains "Findings and Recommendations" made by the Registered Municipal Accountant to which a Corrective Action Plan must be formulated; and,

WHEREAS, the Chief Financial Officer has made a Corrective Action Plan to the "Findings and Recommendations" of the 2018 Audit; and,

WHEREAS, the Township Committee has reviewed the Corrective Action Plan as made by the Chief Financial Officer.

NOW, THEREFORE BE IT RESOLVED THAT the Township Committee of the Township of Lower Alloways Creek does accept the Corrective Action Plan made by the Chief Financial Officer.

BE IT FURTHER RESOLVED that a copy of this resolution be distributed to the Chief Financial Officer and other agencies as required by law.

The motion for Resolution 2019-79 to accept the Corrective Action Plan made by the Chief Financial Officer 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- 80, a Resolution authorizing the auction of items no longer needed for Public Use.

#### **RESOLUTION 2019-80**

#### **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:  
various computer equipment, and one Bike

ONE EACH

LEXMARK T650N PRINTER

CROSSMATCH – GUARDIAN LSCAN FINGER PRINT MACHINE

CROSSMATCH USB FSW ADAPTER FOOT SWITCH

TOPAZ T S751-HSB-R DIGITAL SIGNATURE PAD

MISC CABLES, POWER CORDS

CASIO QV-R51 DIGITAL CAMERA

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 2019-80 authorizing the auction of items no longer needed for Public Use passed a vote of the Township Committee as follows: 5-0

Ayes: Venable, Bradway, Palombo and Pompper

Nays: none Abstain: none Absent: none

Motion (Palombo, Bradway) for Resolution 2019-81, a Resolution to award a contract to Autocon, Inc. to provide HVAC services for the period October 1, 2019 through September 30, 2021.

### **RESOLUTION 2019-81**

#### **AWARDING A CONTRACT TO AUTOCON, INC. FOR HVAC SERVICES FROM OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2021**

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 services, and;

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

WHEREAS, AUTOCON, INC. of PEDRICKTOWN, New Jersey submitted the lowest bid at \$80.00/hr for the Regular Rate and \$100.00 /hr for the Overtime & 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 2019 Budget (account # 9-01-26-310-216) 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 Autocon, Inc. of Pedricktown, New Jersey to provide HVAC Services from October 1, 2019 through September 30, 2021 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 2019-81 to award a contract to Autocon, Inc. to provide HVAC services for the period October 1, 2019 through September 30, 2021 passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Venable, Bradway, Collier and Pompper

Nays: none Abstain: none Absent: none

Motion (Palombo, Bradway) for Resolution 2019-82, a Resolution to award a bid to Eurofins Qc, LLC for Waste Water and Well Water Lab Analysis Services for the period October 1, 2019 through September 30, 2021 at a bid price of forty six thousand three hundred and fifty nine (\$46,359.00).

## **RESOLUTION 2019-82**

A RESOLUTION AWARDING A CONTRACT TO EUROFINS QC, LLC OF SOUTH HORSHAM PA, FOR WASTE WATER AND WATER LAB ANALYSIS FROM OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2021

WHEREAS, the Township of Lower Alloways Creek has need of Waste Water and well Water Lab Analysis Services and;

WHEREAS, the Purchasing Agent has advertise such specifications as necessary to receive Request for Proposals (RFPs) for such services, and;

WHEREAS, RFPs have been solicited and received according to criteria established by the Purchasing Agent, and;

WHEREAS, Eurofins QC, LLC has submitted the lowest responsive bid proposal at a price of forty six thousand three hundred and fifty nine (\$46,359.00) for a two year contracting period, and;

WHEREAS, the Purchasing Agent of the Township is recommending the contract be awarded to Eurofins QC, LLC., who has performed this service satisfactorily in the past.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Lower Alloways Creek does hereby award a two year contract beginning October 1, 2019 and ending September 30, 2021 to Eurofins QC. LLC of Horsham PA., in the amount of forty six thousand three hundred and fifty nine (\$46,359.00) for Waste Water and Water Lab Analysis Services.

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

The motion for Resolution 2019-82 to award a bid to Eurofins Qc, LLC for Waste Water and Well Water Lab Analysis Services for the period October 1, 2019 through September 30, 2021 at a bid price of forty six thousand three hundred and fifty nine (\$46,359.00).passed a vote of the Township Committee as follows: 5-0

Ayes: Palombo, Venable, Bradway, Collier and Pompper

Nays: none Abstain: none Absent: none

**OLD BUSINESS** None

**NEW BUSINESS**

Motion (Venable, Bradway) to approve the option for a four day – ten-hour workweek schedule for the CFO and Clerk.

The motion to approve the option for a four day – ten-hour workweek schedule for the CFO and Clerk 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:** All correspondence received has been distributed to the proper parties

**REPORTS TO THE COMMITTEE & COMMITTEE REPORTS:**

**Police Department:** Chief Venable reported that the Department is still waiting for the new camera system to be installed.

## **Mayor and Committee Members**

Mayor Pompper commented that the Danny Mitchell was a great help and worker at the last Log Cabin open house, this past Sunday.

No other Committeeman had any additional comments.

### **PUBLIC COMMENT:**

**Polly Ingram** commented that the Senior Lunch Program needs to provide more nutritious food choices, with less sugars and that seniors cannot survive on Costco (Sysco) products.

**Gail Donelson** gave a list of School activities and up and coming events. New behavioral programs which is going well, which has allowed the district to keep three students within the district rather than transferring them out of district.

The Pre k has been well received and because of the number signed up a second class was added, an additional teacher was hired who has a special education certification allowing one student to remain in district.

A new reward program has begun called “Our Super Hero” based on helping and respecting others. This has been well received by Students, Staff and Parents, students are highlighted for the good deeds they do and recognized for it.

We have instituted the Muskrat Reward System, which has created a great discussion among students, parents and teachers, student focus on creating goals for academics, behavior and attendance in order to receive rewards at the end of the marking period.

The Muskrat mascot is back as well.

A training class will be hosted on September 26 focusing on “You are the help till help arrives”, information will be given about what to do until emergency responders arrive.

A wellness committee was formed to focus on the students and staffs mental and physical health.

**Mayor Pompper** thanked Mrs. Donelson for the report and stated that she is sure someone from the Township Committee could attend the School Board Meeting if there was a need for it.

**Rose Kite** asked the Committee if there were any efforts being made to get better cell phone service in LAC Twp.

Mayor Pompper and the Clerk responded the different ways the Committee has tried to get a provider to setup a cell tower in the community, but the low population, economics and changing technology have kept providers from coming to our area. Mr. Bradway mentioned that we had given Verizon authorization to place Network Nodes, which are short range cell signal repeaters, but are not aware that they have installed any.

### **CLOSED SESSION**

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

### **RESOLUTION 2019-83**

#### **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.

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

1. Potential Litigation Notice of Tort Claim

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

1. 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: Bradway, Venable, Collier, Palombo and Pompper

Nays: none Abstain: none Absent: none

Motion (Bradway, Palombo) to come out of Closed Session and return to Open Session business of the Committee.

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

Ayes: Bradway, Palombo, Collier, Venable and Pompper

Nays: none Abstain: none Absent: none

## ADJOURNMENT

Motion (Bradway, Collier) to adjourn the meeting at 7:50 p.m.

The motion to adjourn the meeting passed unanimously.

Minutes of the September 17, 2018 Meeting were approved at a Township Committee Meeting held October 22, 2019

ATTEST:

LOWER ALLOWAYS CREEK TOWNSHIP

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

\_\_\_\_\_  
Mayor, Ellen B. Pompper