

HAINESPORT TOWNSHIP COMMITTEE MINUTES

**February 14, 2017
7:00 P.M.**

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of February 14, 2016 was included in a meeting notice sent to the Burlington County Times and Courier Post On January 10, 2017 and advertised in said newspapers on January 12, 2017, respectively posted on the bulletin board in the municipal building on January 10, 2017 and has remained continuously posted as required under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the Office of the Municipal Clerk.

1. **CALL TO ORDER** – by Mayor Porto at 7:00 P.M.
2. **FLAG SALUTE**
3. **ROLL CALL** - present were Committeewoman Gilmore, Committeeman Dickinson, Committeeman Fitzpatrick, Deputy Mayor Masciocchi and Mayor Porto. Also present were Clerk Amy Cosnoski and Solicitor John Gillespie.
4. **MINUTES**
 - A. **APPROVAL OF REORGANIZATION COMMITTEE MINUTES OF JANUARY 3, 2017**
 - B. **APPROVAL OF REGULAR COMMITTEE MINUTES OF JANUARY 3, 2017**
 - C. **APPROVAL OF EXECUTIVE SESSION MINUTES OF JANUARY 3, 2017**

Motion: Committeeman Dickinson. Second: Committeewoman Gilmore. All yes.
5. **REPORTS**
 - A. **Tax Collector** – January 2017
 - B. **Code Enforcement** – January 2017
 - C. **Fire Official** – January 2017
 - D. **Construction** – January 2017

Motion to approve the reports and spread the Tax Collector's report across the minutes: Committeeman Dickinson. Second: Committeewoman Gilmore. All yes.

6. DISCUSSION/PRESENTATION

- A. Annual Joint Land Use Board Report
- B. Hainesport School – 8th Grade Class

This has been delayed until March because the school has a few questions that have to be resolved.

Motion: Committeeman. Second: Committeeman. All yes.

7. ORDINANCES

- A. **ORDINANCE 2017-1** – An Ordinance Amending the Code of the Township of Hainesport, County of Burlington, State of New Jersey, Eliminating Healthcare Benefits for Members of the Governing Body (**First Reading and Introduction**) (**Public Hearing and Final Adoption March 14, 2017**)

Motion: Committeewoman Gilmore. Second: Committeeman Masciocchi. Committeeman Fitzpatrick: no. All others yes.

- B. **ORDINANCE 2017-2** – An Ordinance to provide for Compensation for the Position of Fire Official for the Township of Hainesport. (**First Reading and Introduction**) (**Public Hearing and Final Adoption March 14, 2017**)

Motion: Committeeman Masciocchi. Second: Committeewoman Gilmore. Committeeman Fitzpatrick abstained. All others yes.

8. RESOLUTIONS

- A. **RESOLUTION 2017-48-2** – Resolution Authorizing Aerial Larvacide Application

Motion: Committeeman Dickinson. Second: Committeeman Masciocchi. All yes.

Mayor Porto said if the committee so decided, they would have motions and seconds in total for several of the resolutions in order to save time.

- B. **RESOLUTION 2017-49-2** – Resolution to Award a Professional Service Contract for Special Counsel for Affordable Housing Legal Services

- C. **RESOLUTION 2017-50-2**– Resolution Authorizing Contract for Joint Land Use Board Engineer for Year 2017
- D. **RESOLUTION 2017-51-2**– Resolution Authorizing Contract for Joint Land Use Board Planner for Year 2017
- E. **RESOLUTION 2017-52-2** – Resolution Authorizing Contract for Joint Land Use Board Solicitor for Year 2017
- F. **RESOLUTION 2017-53-2** – Resolution Authorizing Contract for Hainesport Township Planner for Year 2017
- G. **RESOLUTION 2017-54-2** – Resolution Authorizing Contract for Hainesport Solicitor for Year 2017
- H. **RESOLUTION 2017-55-2** – Resolution to Award a Professional Service Contract for Bond Counsel for Township of Hainesport
- I. **RESOLUTION 2017-56-2** – Resolution to Award Professional Services Contract for Conflict Counsel for Township of Hainesport
- J. **RESOLUTION 2017-57-2** – Resolution to Award a Professional Service Contract for Hainesport Township General Engineering
- K. **RESOLUTION 2017-58-2** – Resolution to Award a Professional Service, Employment Practices Liability Attorney Consultation Services
- L. **RESOLUTION 2017-59-2** – Resolution to Award a Professional Service Contract for Township Auditor

Motion: Committeeman Dickinson. Second: Committeeman Fitzpatrick. All yes.

- M. **RESOLUTION 2017-60-2** – Resolution Authorizing Contract for Computer Services for Year 2017

Mayor Porto asked for a motion to table this resolution because the committee is not ready to go forward with it.

Motion: Committeewoman Gilmore. Second: Committeeman Dickinson. All yes.

- N. **RESOLUTION 2017-61-2** – Resolution Acknowledging Budgetary Commitment for Volunteer Emergency Squad

Motion: Committeewoman Gilmore. Second: Committeeman Masciocchi. All yes.

- O. **RESOLUTION 2017-62-2** – Governor’s Council on Alcoholism and Drug Abuse Fiscal Grant – Cycle July 2014-June 2019

Mayor Porto asked for a motion to have this resolution tabled so they can get more information and paperwork to vote on it.

Motion: Committeeman Dickinson. Second: Committeeman Masciocchi. All yes.

- P. **RESOLUTION 2017-63-2** - Resolution Authorizing Change Order No. 1 for Pickleball Courts Contract with Command Company, Inc.

Mayor Porto also asked for a motion to have this resolution tabled because the committee is just finding out about this and apparently was never informed before work was done on this project. The only thing the governing body knows about it is that they received a bill for the work. There was a discussion among the committee members about whether or not this should be tabled or simply denied. After the discussion it was decided not to take any action on the resolution.

- Q. **RESOLUTION 2017-64-2** - Resolution Amending Resolution 2016-175-12 Relating to the Appointment of the Municipal Clerk

Motion: Committeeman Masciocchi. Second: Committeewoman Gilmore. All yes.

- R. **RESOLUTION 2017-65-2** – Resolution Authorizing Purchase of Electric Tarp Mechanism and Tarp for Grapple Truck

Motion: Committeeman Dickinson. Second: Committeewoman Gilmore. All yes.

- S. **RESOLUTION 2017-66-2** - Resolution Authorizing Purchase of new Housing for the Leaf Machine.

Motion: Committeeman Dickinson. Second: Committeewoman Gilmore. All yes.

- T. **RESOLUTION 2017-67-2** – Resolution Amending Resolution 2016-172-12, Appointing Chief Financial Officer and Affordable Housing Finance Officer.

Motion: Committeeman Masciocchi. Second: Committeewoman Gilmore. All yes.

- U. **RESOLUTION 2017-68-2** - Resolution Appointing Consultant to Assist with the Transition in the Township Finance Office.

Motion: Committeeman Fitzpatrick. Second: Committeeman Dickinson. All yes.

9. BUSINESS

A. Approval of Video/Pinball Amusement Machine License

2017-001 – Dunleavy's Restaurant

2017-002 – Carollo's Bar & Restaurant

Motion: Committeewoman Gilmore. Second: Committeeman Dickinson. Committeeman Masciocchi: no. All others yes.

B. Approval of Mobile Home Park License

2017-001 – Goss Mobile Home Park

2017-002 – Twin Shade LLC Mobile Home Park

Motion: Committeewoman Gilmore. Second: Committeeman Dickinson. All yes.

C. Approval of Charitable Clothing Bin License

2017-002 – Better World Books, 1520 Rte. 38 Hainesport NJ 08036, Crossroads Plaza

Motion: Committeeman Dickinson. Second: Committeeman Masciocchi. All yes.

D. Approval of Raffle License

PTO Fleetwood School, 50/50 Raffle at The Bradford Estates on March 24, 2017.

Motion: Committeeman Masciocchi. Second: Committeewoman Gilmore. All yes.

10. COMMENTS FROM THE PUBLIC (Comments are limited to 5 minutes)

Anna Evans, 63 Parry Drive – questioned why the public no longer receives copies of the resolutions and ordinances and noted she protests that decision. Mayor Porto noted questions will be addressed at the end of the public comment section so as not have a contentious back and forth discussion. Ms. Evans questioned when the ordinances and resolutions would be available to OPRA. Her final question was to find out the progress of the search for the new administrator/clerk.

Jennings Black, 2505 Elm Avenue – said he had three specific things he wanted to talk to the committee about. The most important topic was the fact that he has been trying to obtain a permit for a garage on his property. He was in front of the committee a few months back and Mr. Selb was trying to arrange an appointment with the DEP before he left. As of this date nothing has come of it. He said he is a veteran and disabled and this is very important to him. Mr. Black talked about how Trenton is requesting a considerable amount of information for him to get the approval to build a garage. He asked the committee to please help him with the situation and to just forget Trenton; go ahead and tell the construction clerk to allow him to build the garage. Mayor Porto asked Mr. Black for his telephone number so he can possibly help him. Mr. Black also talked about the possible pollution on the creek. He said there was a film on the water again. Someone needs to go out there and do something about the situation. This film does not look healthy. The third item Mr. Black wanted to talk about was the boat ramp at the end of Spruce Avenue; there is a tree there that needs to be removed and he is afraid someone is going to be injured if something happens. He thanked the committee for listening and said he would appreciate any help they could give him.

Catherine McNelis, 407 Bischoff Avenue – said on January 18, 2017 she put in two OPRA requests for all committee people receiving benefits and their share of the cost. She received an answer that stated that she had submitted two OPRA requests for all committee persons receiving medical benefits, the cost for each and what their share is. Ms. McNelis said that was exactly what she had put in and she received the three names of the people receiving benefits but was then informed that she was not going to receive the information as to the cost of each of their share because the clerk believes that the information would violate an executive order which declares that information regarding an individual's health history is not a government record subject to public access. Ms. McNelis wondered where the clerk got the health issues from medical benefit costs. She reminded the committee that Hainesport was sued for not giving up the same thing. Ms. McNelis went on to talk about the second OPRA request she had submitted. She wanted to know the employees working less than 35 hours a week and receiving medical benefits. She was given the names Donna Kilburn and Dawn Emmons. She said she thought Dawn Emmons quit and that was why we hired a CFO. Ms. McNelis asked why we have three people in the Finance Office and one of them getting full benefits when they supposedly quit.

Scott Cooper, 44 Patriot Way – said that there are two community Facebook pages in Hainesport called Hainesport Happenings and Hainesport Community Page. He was a member of both community pages until last month when he was removed and blocked from the Hainesport Community Page. The Hainesport Community Page is listed as a public group and states on the main page that it is a public page for everyone to know what is going on in Hainesport Township. He

said he has personally never posted a story or commented on this page but he was removed and blocked from it last month along with at least twelve people that he knows of. He said he is curious as to why he was blocked from the Hainesport Community Page.

Daton Tenn, 21 Adams Lane – stated that he had a question about the tennis courts at the Township Building. He asked what the procedure is to make a request for lights there. Mayor Porto told him there are no current plans for any lighting at the tennis courts. Mr. Dickinson told him if they have an evening that they are going to play tennis, the township has lights that they may be able to use for the group.

11. COMMENTS FROM THE SOLICITOR

Mr. Gillespie said he did not have anything to report but he would respond to the comments that were brought up tonight. He said it was at his suggestion that the ordinances and resolutions were not at the back of the room. These items are written before the meeting and the committee reviews them in advance but doesn't get a chance to discuss them and, as was heard this evening, they might not agree that it should be adopted. So it seems unfair to the committee not to have a chance to review something before it is made public because they may want to make changes to it. To put it out in public in a condition that has not yet been approved by the governing body, for whom it is prepared, is unfair to the committee and misleading to the public. So he suggested to the committee that until they act on one of the things that are written for them it really shouldn't be out to the public because it isn't adopted. It isn't a reflection of what the committee wants to do, it is a reflection on what has been put together for them to consider. Mr. Gillespie said that the answer to the second question as to whether or not this is going to be the practice going forward, he does recommend that this be the process going forward. Items prepared before a meeting are not able to be OPRAed because they are not public record yet. But, certainly, once the resolutions are adopted they are now public record. As far as the ordinance, once it is introduced, it has to have a public hearing, so it will be published in the newspaper or a summary of it will be published in the newspaper. Mr. Gillespie explained the process for ordinances. He went on to say that he is not sure about the OPRA request that was submitted. He doesn't remember that; he is sure that we gave some advice on it, he just doesn't remember. Mr. Gillespie is happy to look at that issue again and how we suggested the custodian respond to it for Ms. McNelis's purposes and he will get back to her.

12. COMMENTS FROM THE COMMITTEE

Committeewoman Gilmore stated that she wanted to thank Jay Jones and the Public Works Department for both the snow removal and the prompt response for a pick up removal and a pothole repair. Even though it was a problem that the water company should have taken care of, Public Works took care of it. She said

it was nice to see the scouts at the meeting tonight; hopefully they will come again. Mrs. Gilmore thanked everyone in the offices for their assistance in settling in. She said it has been a learning process and she is enjoying it. She hopes to be able to help Mr. Black.

Committeeman Masciocchi said as a follow up to his opening remarks from last month he thinks it is fitting that the first ordinance to be discussed is the one for health insurance for the committee. He praised the younger people in this town for becoming involved. They do make an impact. The insurance issue was brought up in the prior campaign and it is a good thing that there are changes being made. It is an optimistic thing for our town that young people are getting involved.

Committeeman Dickinson wanted to echo Mrs. Gilmore's remarks about Jay Jones and the Public Works Department; they did a great job. He reminded the public that if they have questions they should call the office. Also, all their emails are on the web site so they can be reached. Their job is to help; if they don't know the answer they will find it.

Committeeman Fitzpatrick had no comments tonight.

Mayor Porto said there was a question last month from Mrs. Virginia Cliver about the Shoe Box Project and the circumstances where the Committee had approved a resolution to send funds to the animal shelter. He contacted Donna Kilburn and was told that the shoes do, indeed, go to the charity that it is intended for and what happens is the charity also submits a small amount for each shoe box that is donated. Ms. Kilburn has requested that the money contributed go to the animal shelter. The next question was about outgoing employee Dawn Emmons who has served this township for a number of years. Now that the Committee has approved the measures tonight, Ms. Emmons will no longer be receiving benefits from the township. She will no longer be deemed an employee. As for the progress on Administrator/Clerk, they have advertised across the state and have received numerous resumes of interested applicants and the Township Committee is going to be going into that matter and will most likely have a special meeting for the interviews to be conducted. Mayor Porto apologized to any resident who hasn't had a follow up for anything that wasn't completed. He told Mr. Black that the Committee was under the impression that he had been assisted. He thanked everyone for coming out tonight; he said it was good to see the scouts. They recently celebrated a birthday of sorts and he appreciates their service to the community. He was a cub scout and at eighteen years old he got on the county committee so it's not too far off. If they ever think about public service he hopes they consider it.

13. **BILL LIST**

Motion: Committeeman Dickinson. Second: Committeeman Masciocchi. Committeeman Fitzpatrick abstained from bill 17-00012. All yes.

14. EXECUTIVE SESSION

A. RESOLUTION 2017-69-2 – Resolution to Enter into Executive Session

a. Personnel

Motion: Committeeman Dickinson. Second: Committeeman Masciocchi. All yes.

15. ADJOURNMENT @ 8:49 P. M.

Respectfully submitted:

Amy P. Cosnoski, RMC
Township Clerk