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HAINESPORT TOWNSHIP COMMITTEE MINUTES

**April 9, 2019
7:00 P.M.**

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of April 9, 2019 was included in a meeting notice sent to the Burlington County Times and Courier Post On January 4, 2019 and advertised in said newspapers on January 6, 2019, and January 7, 2019 respectively posted on the bulletin board in the municipal building on January 7, 2019 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 Masciocchi at 7:00 P.M.
2. **FLAG SALUTE**
3. **ROLL CALL** - present were Committeewoman Gilmore, Committeewoman Schneider, Committeeman Costa, Committeeman Clauss and Mayor Masciocchi. Also present were Township Clerk/Administrator Paula Kosko and Attorney John Gillespie.
4. **MINUTES**

A. APPROVAL OF REGULAR COMMITTEE MINUTES OF MARCH 12, 2019

Motion: Committeeman Clauss. Second: Committeeman Costa. Mayor Masciocchi abstained. All others yes.

5. REPORTS

- A. **Tax Collector** – March 2019, 1st Quarter Ending March 2019
- B. **Code Enforcement** – March 2019
- C. **Fire Official** – March 2019
- D. **Construction** – March 2019
- E. **Emergency Services** – March 2019

Motion: Committeewoman Gilmore. Second: Committeewoman Schneider. All yes.

6. **COMMENTS FROM THE PUBLIC – Agenda items only**
(Comments are limited to 5 minutes)

Anna Evans, 63 Parry Drive – addressed the resolution 2019-76-4 stating that Hainesport Township will not collect new stormwater management or “rain taxes”. Ms. Evans said that she thinks it is something Ryan Peters is trying to push through. She noted that Jennings Black was just at the last meeting commenting on the “run off” water going into the creek. She believes we should keep every option open to stop pollution of the creek. She asked why we had to have a resolution to say we are not going to stop the pollution.

Kitty McNelis, 407 Bischoff Avenue – commented on ordinance 2019-3 adopting a redevelopment plan for Block 100.14 Lot 12. Ms. McNelis said that she thinks the township is allowing too many houses to be built and not enough businesses to come into the area. The houses are going to add to the school. We are painting ourselves into a corner.

Nancy Scullion, 7 Lumberton Road – said she is totally against the “Rain Tax”. She believes it is not needed in this town.

Luis Lopez, 98 Levis Drive, Mt. Holly – asked for more information about resolution 2019-73-4 and Township Administrator, Paula Kosko answered his question. Mr. Lopez also wanted information on resolution 2019-78-4 and the Township Attorney, Mr. Gillespie clarified the information for him.

Scott Cooper, 44 Patriot Way – wanted to echo what Ms. Evans said about the “Rain Tax”. He said it came up suddenly and he believes there should be more discussion on the matter. He doesn’t understand why there is such a rush on it.

Louis Mozdzen, 62 Parry Drive – wanted to know if there was any way we could find out how much pollution is getting into the creek. Mr. Costa said it was something beyond the expertise of the committee. He stated it would be more fitted for DEP or the County Health Department to determine. He suggested the county or the state get involved. Mr. Mozdzen also commented that the “rain tax” may or may not be of any help to the township and if it isn’t any help then we should get rid of it at that time. Mayor Masciocchi said that the assumption is that if this doesn’t pass in Hainesport there is going to be an environmental disaster here and that just is not true. Mr. Mozdzen said that his original question was what does the tax prevent? Is there a way to document what it does or doesn’t do?

7. **DISCUSSION/PRESENTATION**

A. 2019 Budget

Township Administrator Paula Kosko gave a presentation of the 2019 budget. She began the presentation with the 2018 charts and budgets and compared the various entity budgets. The budget proposal for the township is less than last

year's. We do not have any figures for the other entities and it would not be responsible to make assumptions. The local purpose budget increases 2.36% for the local tax rate to 0.334 which means that for the average home, taxes would increase by about \$21.38 per year. Ms. Kosko said if the committee wanted to change the budget, they could utilize the recently-awarded DOT grant for Bancroft Lane. We could reduce the line item for Bancroft Pipe Lining in the Capital Improvement Budget from \$100,000 to \$50,000 and utilize some of the grant money to offset what's in the Capital fund budget. If the committee decides on that, the amended local purpose tax would only increase to \$3.04 for the year for the average assessed home. The township auditor explained to the committee what would need to be done to implement this. He said there will need to be another public hearing on the budget. After everyone provides comment on the budget that will be introduced tonight, then we would move to amend the budget.

Ms. Kosko stated the first thing that has to be done is pass the resolutions on the agenda, beginning with Resolution 2019-81-4 which authorizes self-examination of the 2019 budget.

She said we have to schedule another meeting to amend the 2019 budget. The new meeting would be held April 25, 2019 at 7 P.M. It will be advertised in the Burlington County Times on April 22, 2019.

- B. **The State Police** gave a report of the activity during the last quarter. Sgt. Lally said that Hainesport really is a great place to live. Because of some recent car break-ins, he suggested that the residents make sure to lock their cars. He commended the acquisition by Ms. Kosko and the committee of the speed radar machine. It has already identified some roads with speeding problems and they are enforcing accordingly.

C. 2019 Road Improvement Program

Ms. Kosko gave a report based on the data received from the Street Scan inventory of every municipal roadway in the township. After communicating with the committee, she is making recommendations based on the information from the Pavement Condition Index from the Street Scan program. Some need major rehabilitation but most need preventative maintenance. A factor in her recommendations is based on the award of the DOT grants. Phillips Road is off the rehabilitation list because we received the 2018 grant for it. The 2019 grant money will go to Bancroft Lane. The committee has the list of the various roads that are marked for improvements. Mayor Masciocchi asked for a motion to approve the list of roads to be improved in 2019.

Motion: Committeewoman Schneider. Second: Committeeman Clauss. All yes.

8. ORDINANCES

- A. **ORDINANCE 2019-1** – To Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14) **(Public Hearing and Final Adoption)**

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

- B. **ORDINANCE 2019-2** – Amending and Supplementing Chapter 123 of the Township Code Entitled “Parks” to Improve Standards for Parks and Recreation **(Public Hearing and Final Adoption)**

Motion: Committeewoman Schneider. Second: Committeewoman Gilmore. All yes.

- C. **ORDINANCE 2019-3** – Adopting Redevelopment Plan for Certain Property Known as Block 100.14, Lot 12 **(First Reading and Introduction) (Public Hearing and Final Adoption May 14, 2019)**

Motion: Committeeman Clauss. Second: Committeewoman Schneider. All yes.

9. RESOLUTIONS

- A. **RESOLUTION 2019-72-4** – Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission

Motion: Committeewoman Gilmore. Second: Committeewoman Schneider. All yes.

- B. **RESOLUTION 2019-73-4** – Authorizing the Township of Hainesport to Execute an Agreement with Burlington County for Cooperative Participation in the Community Development Block Grant Program and Home Investment Partnerships Program Years (Federal FY) 2021-2023

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

- C. **RESOLUTION 2019-74-4** – Authorizing the Filing of a Recycling Tonnage Grant Application for the Year 2018

Motion: Committeewoman Schneider. Second: Committeeman Clauss. All yes.

- D. **RESOLUTION 2019-75-4** – Authorizing the CFO to Refund Late Fees for Two Dog Licenses

Motion: Committeewoman Gilmore. Second: Committeewoman Schneider. All yes.

- E. **RESOLUTION 2019-76-4** – Proclaiming to Local Residents and Businesses that Hainesport Township will not Collect New Stormwater Management or “Rain Taxes”

Motion: Committeeman Clauss. Second: Committeewoman Schneider. All yes.

- F. **RESOLUTION 2019-77-4** – Authorizing Issuance of Bingo and Raffle Licenses to the Ladies Fire/EMS Auxiliary

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

- G. **RESOLUTION 2019-78-4** - Authorizing and Directing the Hainesport Township Joint Land Use Board to Cause a Preliminary Investigation to be Made Pursuant to the New Jersey Local Redevelopment and Housing Law, as to Whether Certain Areas Along Route 38 and Specifically Block 42 Lots 1, 1.01, 1.02, 1.03, 1.04 and 2 and 2.01 Within the Township are “Areas in Need of Redevelopment” or “Areas in Need of Rehabilitation” Within the Meaning and Intendment of Said Statute

Motion: Committeeman Clauss. Second: Committeewoman Schneider. All yes.

- H. **RESOLUTION 2019-79-4** – Establishing a New Policy Relative to the Claimant Certification Requirements as Set Forth in N.J.S.A. 40A:5 – 16(a)

Motion: Committeeman Clauss. Second: Committeewoman Schneider. All yes.

- I. **RESOLUTION 2019-80-4** – Authorizing Execution of Developer’s Escrow Agreement

Motion: Committeewoman Schneider. Second: Committeeman Costa. All yes.

- J. **RESOLUTION 2019-84-4** – Authorizing the Award of a Contract for Municipal Hockey Rink Repair

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

Committeeman Costa wanted to make a motion for discussion only. This resolution would have Hainesport express it’s dis-satisfaction with the state’s sanctuary status for illegal aliens. He put his views on “Hainesport Happenings” and thinks some of the people in the audience have seen his postings.

Mr. Costa made the motion to introduce this for discussion only. Second: Committeewoman Schneider. All yes.

Mr. Costa talked about how much money the state has spent on “taking care of illegal aliens” in 2018. He said the Attorney General made a directive prohibiting law enforcement from helping ICE. Mr. Costa feels that this will give illegal aliens the desire to come into New Jersey and may cause additional crime. He thinks those reasons alone would make it appropriate to show our disapproval of that.

Mr. Clauss said he has some issues with the cost of illegal aliens but his issue basically comes down to what it costs us as Hainesport Township residents. The school has lost 2.36% of its budget this year and will lose more next year. He said he has problems with that while the state is spending money for illegal aliens to go to college. If it affects our town he has some concerns.

Miss Schneider said she would like to go through Mr. Costa’s resolution, but she is in agreement with what Mr. Clauss said.

Mrs. Gilmore stated that she has a problem with some of the things written and is not comfortable with it in its entirety. She is not an attorney and she knows that she doesn’t like anything that affects our community in a negative way. She doesn’t understand what this will do in the scheme of things. How will this affect the state of New Jersey?

Mr. Costa said the Attorney General’s orders prevent law enforcement from giving any identifying information, even tattoos, to ICE. He believes we are inviting illegal aliens to come here by tying the hands of the law. He is concerned about the effect illegal aliens will have on tax increases in the township.

Mayor Masciocchi said that if an illegal alien commits a crime in this state they will get deported. It happens every day in our state courts. He is an attorney and he sees it all the time. The notion of being a sanctuary state is something that falls at the feet of the politicians and government officials that come up with these ideas and then try to enforce them. In his mind it is a question of law and order. He thinks the resolution won’t help or accomplish anything. It’s time for laws to change and be enforced. Mayor Masciocchi thinks if the governing body is going to do anything, then a letter to the appropriate officials in strong language indicating and advising them to enforce the laws and prosecute those that violate those laws. He doesn’t want the township to be known for picking on a particular group.

Ms. Schneider said there is no need to pick on a specific group.

Mr. Costa again said it is not meant to pick on any particular ethnic group. It is really meant to protect our borders from illegal aliens.

Mayor Masciocchi said that in regard to the constitution, the state has the right from preventing the federal government from marshalling state resources to enforce federal law. This resolution, although well written, is really a toothless tiger. He thinks it’s much better to contact the people in charge and say that enough is enough.

10. 2019 BUDGET

- A. **RESOLUTION 2019-81-4** - Authorizes Self Examination of the 2019 Budget

Motion: Committeeman Costa. Second: Committeeman Clauss. All yes.

- B. **RESOLUTION 2019-82-4** - Authorizes the 2019 Budget to be Read by Title Only

Motion: Committeeman Clauss. Second: Committeewoman Schneider. All yes.

- C. Public Hearing on 2019 Budget

Motion: Committeeman Clauss. Second: Committeewoman Schneider. All yes.

There were no public comments on the 2019 budget.

- D. **RESOLUTION 2019-83-4**- Adopts 2019 Budget

Motion to table this resolution: Committeeman Clauss. Second: Committeewoman Gilmore. All yes.

- E. **Motion to add the Resolution 2019-85-4 to amend the 2019 budget of Hainesport Township to the agenda**

Committeeman Costa. Second: Committeewoman Gilmore. All yes.

- F. **Motion to adopt Resolution 2019-85-4**

Committeeman Clauss. Second: Committeewoman Schneider. All yes.

11. BUSINESS

- A. **Approval of Business Licenses** (See Attached)

Motion: Committeeman Costa. Second: Committeewoman Schneider. All yes.

- B. **Approval of Charitable Clothing Bin License**

2019-03 – Turnkey Enterprises, LLC.

Motion: Committeeman Clauss. Second: Committeewoman Schneider. All yes.

12. CORRESPONDENCE

- A. DOT Grant Award Letter

Motion: Committeewoman Gilmore. Second: Committeewoman Schneider.
All yes.

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

Luis Lopez, 98 Levis Drive, Mt. Holly – said he appreciated the fire department for giving him a ride home after the last township meeting. He also asked where he would go to apply for a gun license and was told it would be the State Police in Hainesport. Mr. Lopez said that you would have to go to the State Police. He also asked what would happen to any money left over from the previous year. Ms. Kosko told him it would go into the surplus fund.

Anna Evans, 63 Parry Drive – said she didn't know where to begin to comment on Mr. Costa's resolution. She thanked Mrs. Gilmore and Mayor Masciocchi for being the reasonable members on the committee. Her viewpoint was that two fifths of the committee don't want anything to do with the resolution and forty five percent of the residents who are Democrats and would vote against it, that would make an overwhelming number of residents against the resolution. Mrs. Evans went on to say that Mr. Costa used the phrase illegal aliens at least fifteen times when he spoke and said since she is a writer and an English instructor, she believes that is biased and "charged" language. She said the correct or preferred term is undocumented immigrant. At the least, she asked the committee to use the term undocumented immigrant. On "Hainesport Happenings", where Mr. Costa introduced his resolution, many people made some sensible points such as the fact that sanctuary states and city laws improve the safety of residents because it encourages illegal/undocumented immigrants. Ms. Schneider pointed out that Mrs. Evans used the word illegal. Mrs. Evans said that the reason we should use the unbiased language is so that people will continue to use unbiased language. She also asked Ms. Schneider if she could continue with her comments. She implored the committee not to approve the resolution if it is introduced at the next meeting.

Nancy Scullion, 7 Lumberton Road – told Mayor Masciocchi that when he said he didn't blame anyone for wanting to come here, he failed to say they should come here legally. Mayor Masciocchi noted that he didn't blame them for coming here legally or illegally. She said she feels very strong about this resolution. She is aware of the money that is put out for undocumented illegal immigrants it will cost us a lot of money. Other townships are doing this and she doesn't understand why we don't also. She asked why people wouldn't want to come to Hainesport. Mayor Masciocchi again said that this resolution can't do anything. Ms. Scullion said we are harboring people that are illegal and Mayor Masciocchi said he didn't know if we were. She said they aren't here yet but they will be. He reiterated that the resolution wouldn't do or change anything. It will simply stick our finger into the eye of the governor and say that we don't like what he is doing. Ms. Scullion said she is involved in a petition to recall the governor and anyone who wants to sign it should contact her.

Louis Mozdzen, 62 Parry Drive – said that our immigration system has been broken for at least thirty years and it is a federal and state problem, not a township problem. He said Mr. Costa made a good point when he said that we are a small local government and do not have the resources to deal with that. It only divides the people of the township. If they feel that strongly, they should write to their representatives. Mr. Costa said that if the state legislature were doing its job, by trying to get the Attorney General to retract his statement, then local governments would not have to shout about our objection. Mayor Masciocchi interrupted and said that the states were never obligated to cooperate in terms of resources or anything else from the federal government. The states cannot prevent information from being exchanged. They cannot direct state employees to not give information to federal government. Mayor Masciocchi asked what we are going to do with this document. Mr. Mozdzen said one of Mr. Costa's major optimum words was "we". Mr. Mozdzen does not think a township governing body has a right to speak for all individuals. This is not part of the townships business.

Kitty McNelis, 407 Bischoff Avenue – said it gets pretty expensive today to pay for anything but when people came over to our country it was expensive for people already here to help them. She does not think people should come here illegally but if she were being persecuted, she would go to the place that was the best and that is what the United States is – the best. Ms. McNelis went on to say that when she commented earlier about a property being developed, it occurred to her that she didn't mention which property it was. It is the property on Bancroft where they are going to put twenty homes on approximately seven acres of ground. Hainesport made a big mistake many years ago when they put Creekview in and allowed them to take five hundred feet of commercial property. That is when all of our schools had to be added on to. We have to stop putting houses on commercial property.

Shelby Maccar, 98 Washington Street – wanted to let everyone know that the Ladies Auxiliary of the Fire Company will be hosting a pancake breakfast on Sunday, April 14 from 8am to 1pm.

Jennings Black, 2505 Elm Avenue – said that he had friends that lived in Israel and when it was time to renew their visas they were told they would not be renewed and had to be out of the country in three weeks. He thinks that is how it should be. We should do that in our country. He has been watching the creek getting redder and redder all the time. He is not sure what it really is, but it is changing more and more every day. That all spills into the main branch of the Rancocas Creek. Mr. Black talked about a house on Pennsylvania Avenue that has some undesirables living there. He has had many problems with them for the past years and would like something done there. Many of the neighbors have complained to the State Police. He has been threatened more than once. There have also been drug related deaths recently there. Mr. Black asked if something could be done with the situation.

Paul Ferraro, 206 Northampton Avenue – said he had the good fortune of walking across the United States a few years ago and going across Route 60 through little towns all the way across. In every little town that had an MS13 problem they did not know how it happened. They never saw it coming. He is for anything that will be

fair to people but also make a statement that we are aware there could be a problem. Mr. Ferraro can't tell how many people died from drug overdoses and how it got here. After visiting hundreds of countries in his career and every place where people were allowed to enter the cities and break the laws, problems happened. He agreed with the Mayor that sending a letter to them or anything we can do as individuals should be done. Mayor Masciocchi agreed that the people that are breaking those laws should be prosecuted by law enforcement. He thinks the Attorney General should be prosecuted.

Erin Minero, 10 Longfellow Lane – said she is here tonight to show her discontent with Mr. Costa's resolution. She believes that immigration is an important issue in one form or another. Mr. Costa's resolution is not the answer. She read the draft and finds it contradicts Hainesport's mission. She then read the Mission Statement. She said there additional issues addressed in the resolution which also lack concrete solutions. After following the Hainesport Happenings online, she calculated that 168 residents have commented on the resolution, she is sure there are many more residents in the township. Mrs. Minero thinks that of those that contributed the vote does not seem to swing largely in favor of the resolution. She said that our time would be much better spent improving the lives of our neighbors rather than drafting a resolution that makes our town politically aligned with only one party.

14. COMMENTS FROM THE ADMINISTRATOR

Paula Kosko said the municipal gazebo sold on govdeals.com for \$621 and she thanked one of our Public Works employees, Joe Crain, for the suggestion. The buyer will be removing it within the next week. Ms. Kosko said the 1997 Ford had also been sold on govdeals.com for \$3,580. The 2020 census is gearing up. The shade system tables and ADA walkways at Rancocas Heights Park and the new pavilion will be installed by the end of the month. Ms. Kosko corrected herself when she said earlier that there was \$4M surplus, it was actually a \$3M surplus.

15. COMMENTS FROM THE SOLICITOR

Mr. Gillespie, commended the committee for having a discussion and being willing to do so on a subject that they do not all agree upon. But when you are presented and being told that the word illegal alien is the language of bias and the preferred term is undocumented immigrant it begs the question, preferred by whom? Who is to say that that is not a term of bias? Maybe the best term is undocumented illegal immigrant aliens, get them all in there. The statement that two members of the committee did not speak in support of the resolution are the only 'reasonable members' of the governing body is equally troubling. Isn't that the language of bias? Mr. Gillespie also commented on the gentleman that said the committee did not have the right to speak for the people. He said that the committee has the right and the

duty to speak for them. That is what they are elected to do.

16. COMMENTS FROM THE COMMITTEE

Ted Costa said for those who came out for the anti-sanctuary resolution, he thanks them. The prospect of doing nothing when our state legislature is already doing nothing, he feels, is inappropriate. He said he also disapproves of the “rain tax”. It would affect small businesses and 65% of New Jersey’s population.

Leila Gilmore addressed the comment that Kitty said about the Glen. She said taxes from the Glen were more than \$1.3M and that none of them have school age children so it is not a burden to the schools. She congratulated John Gillespie for the article he wrote for the New Jersey League of Municipalities on civility. It was an excellent article. She also congratulated the members of the workforce here in the township for their continuing education and getting further education in their fields. Mrs. Gilmore went to a JIF seminar with Ms. Kosko for ideas to keep our insurance down. They also attended a senior prom in Pemberton with Donna Casey for ideas on how to have one in Hainesport. Save the date of August 16, 2019. She met with the Environmental Commission to talk about the butterfly release for Community Day. Mrs. Gilmore and Ms. Kosko went to a legislative meeting in Trenton where there were discussions about affordable housing and also cannabis legislation. It was very informative. There was a lovely luncheon with the Senior Citizens Group she attended. On April 13th there will be the Easter Egg Hunt at the township and on April 14th there will be a Pancake Breakfast at the Fire House. Mrs. Gilmore will be attending a round table on affordable housing and cannabis in Mt. Laurel on April 16th. April 22nd is Clean-up Day at the Street Community Center. May 4th is the Community Yard Sale and May 31st is Designer Bingo.

Lee Schneider thanked Paula Kosko for her report on the budget. She was going to mention the Easter Egg Hunt but Mrs. Gilmore beat her to the punch. She congratulated Mr. Gillespie on his excellent article and thanked everyone for coming out tonight.

Gerry Clauss was going to mention the Easter Egg Hunt and the pancake breakfast. He wanted to address a comment about leaving him out of the reasonable people. He believed that Ms. Schneider seconded his opinion. He said they want to put the children and residents of the township first. If that is unreasonable he does not understand. There was a comment that the committee didn’t like the governor and he doesn’t think anyone said that. They said any decision they made is for all the residents. Mr. Clauss told Kitty McNelis that he thinks the township is right on the mark as to rateables as he had run on them. He said it is a major concern for the entire committee and he loves the budget.

Mayor Masciocchi thanked Ms. Kosko for the great presentation and for the work she, the auditor and the CFO, Donna Condo, did on the budget. Our residents will see the result of their work. He congratulated Mr. Gillespie on the article he wrote. It

was a great article. The mayor said that we are a nation of laws and they will protect us.

17. BILL LIST

Motion: Committeeman Clauss. Second: Committeeman Costa. All yes.

18. ADJOURNMENT @ 9:03 P. M.

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

Respectfully Submitted,

Paula L. Kosko, RMC

Municipal Clerk/Administrator

OFFICIAL ACTION MAY BE TAKEN ON ANY ITEM ON THE AGENDA