



Assisted Listening
Available

HAINESPORT TOWNSHIP COMMITTEE
MINUTES
April 7, 2020
7:00 P.M.

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of April 7, 2020 was included in a meeting notice sent to the Burlington County Times and Courier Post On January 8, 2020 and advertised in said newspapers on January 10, 2020, and January 11, 2020 respectively posted on the bulletin board in the municipal building on January 9, 2020 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. An additional special notice with remote access directions for the April 7 meeting was advertised in the BCT on April 3, 2020, posted on the municipal website and bulletin board in the municipal building.

1. **CALL TO ORDER** – by Mayor MacLachlan at 7:00 P.M.
2. **FLAG SALUTE**
3. **ROLL CALL** –present were Mayor MacLachlan, Committeewoman Gilmore, Committeeman Clauss, and present by phone were Committeeman Costa and Committeewoman Schneider. Also present were Township Clerk/Administrator Paula Kosko and Attorney John Gillespie.
4. **MINUTES**
 - A. **APPROVAL OF REGULAR COMMITTEE MINUTES OF MARCH 10, 2020**
 - B. **APPROVAL OF EXECUTIVE SESSION MINUTES OF MARCH 10, 2020**

Motion: Committeeman Clauss. Second: Committeewoman Gilmore. All yes.
5. **REPORTS**
 - A. **Tax Collector** – March 2020, 1st Quarter Ending March 2020
 - B. **Code Enforcement** – March 2020
 - C. **Fire Official** – March 2020
 - D. **Construction** – March 2020
 - E. **Emergency Services Reports** – March 2020

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

6. **RESPONSES TO PREVIOUSLY-SUBMITTED QUESTIONS FROM THE PUBLIC ON AGENDA ITEMS ONLY**

Mark Murdy, 2614 Creek Road (in person) - asked about the 2nd Amendment resolution. He is concerned that gun permit prices are going up and people can't get permits right now because the state is shut down due to the Coronavirus (COVID-19). This action violates 2nd Amendment rights. **Mayor MacLachlan** said the resolution was being discussed with our solicitor and it will be looked at in the future.

Ms. Kosko said that we received one public comment about the road project ordinance from **Mr. H. Krollfeifer**. **Mr. Gillespie** recommended that we hold that comment for public hearing on that ordinance.

7. **DISCUSSION/PRESENTATION**

A. 2020 Budget

Township Administrator Paula Kosko gave a presentation of the 2020 budget. She began the presentation with the 2019 charts and budgets and compared the various entity budgets. Last year we raised almost \$19 million. Our budget proposal for this year is an increase of \$43,630. This equates to \$1.42 a month, \$4.25 a quarter, or \$17.01 for the average homeowner per year, with the average home assessed at \$278,496. Budget highlights the 2020 budget utilizes 26.32% of our total surplus. Our Township Auditor, **Mr. Bob Nehila** has stated that this is a fiscally responsible amount to utilize, leaving the township with ample surplus for future years. Some of it will be used to start our Road Program. The remaining balance of unutilized fund balance is the highest it has been in ten years. Our fund balance is \$3.2 million. The 2020 budget is \$84,000 under the state appropriation spending cap without utilizing any of the available CAP bank. It increases the local purpose tax rate by .00566 cents to .325 this year. Mr. Nehila added that the state has reviewed our budget and given us approval. **Mr. Clauss** summarized that this budget basically is going back to the 2018 numbers, so there really is no increase. Ms. Kosko said that we would have public hearing on the budget further in the meeting.

B. Proclamation Thanking Those on the Front Lines

Mayor MacLachlan read the Proclamation which thanked local businesses, the school, Fire/EMS and State Police for working through the COVID -19 virus pandemic.

8. **ORDINANCES**

A. **ORDINANCE 2020-2** – Appropriating the Sum of \$766,000 in Funding from the Capital Improvement Fund and Capital Fund Surplus for Various Road Improvement Projects (**Public Hearing and Final Adoption**)

Mayor MacLachlan stated that he would like to table the Ordinance for 30 days to see what happens with the township revenues due to the COVID-19 pandemic causing so many business closures. **Mr. Clauss** and **Mrs. Gilmore** asked if this money was not already appropriated. **Mr. Gillespie** asked if the contract was already

awarded. **Ms. Kosko** stated that it was awarded contingent upon passage of this ordinance. Mr. Gillespie said it can be tabled, but we need to know when the 60 days from the bid opening expire. He also said that the contractor may not extend the bid past the 60 days at those prices. Ms. Kosko verified that the bids were opened on March 4th. Mayor MacLachlan said that we do not know what is going to happen. We could have a tax shortage in the township. This is discretionary spending. We should wait and see where things land. Mr. Clauss said wouldn't the people saying they are losing money for rent still have received the first two months of rent for the quarter? Mayor MacLachlan said most businesses operate two weeks ahead of bankruptcy. Mrs. Gilmore asked how this would affect the budget. **Mr. Nehila**, reported that this project requires \$700,000 from Capital Fund and that we have \$672,000 in Capital Fund right now. Passing the budget would bring that fund up to \$700,000. Ms. Kosko said we need to be mindful of the 60 days. Some of the costs, like gas and asphalt could go up, that is a risk. We may have to go back out to bid, unless the contractor agrees to extend. Mrs. Gilmore asked since next quarter's taxes are not due until mid-May, what will we know differently in 30 days? Mr. Gillespie stated that the Committee needs to pick a date for the special meeting, or the Ordinance dies. **Miss Schneider** commented that Mayor MacLachlan was spot on, and that we should wait to consider the ordinance. Mr. Gillespie said we could have the public hearing tonight and not vote on it. The Committee could have a special meeting to have the vote. Ms. Kosko said there is another reason to have a special meeting and that is to discuss the second quarter tax payments. The Senate is meeting on Thursday and they may be voting on some items. Our next meeting is not scheduled until May 12th which is beyond our second period grace period. She was going to suggest a special meeting for that reason. Mayor MacLachlan said this is a lot of money and we are going to come up short on taxes. He asked when taxes are due. Ms. Kosko responded May 1st. It was agreed that the special meeting with public hearing will be held Thursday, April 30, 2020 at 3 p.m. **TABLED**

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

B. ORDINANCE 2020-3 - Amending the Code for the Township of Hainesport Regarding Trash, Yard Waste and Construction Debris Collection (First Reading and Introduction) (Public Hearing and Final Adoption May 12, 2020)

Mayor MacLachlan said we are trying to educate homeowners about how to get brush picked up and not have it out on the streets all the time causing traffic problems. Also, it addresses placement of trash and recycling containers on non-pick up days. He asked how we will get this information out to the public. **Ms. Kosko** said we would have public hearing next month.

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

C. ORDINANCE 2020-4 - Authorizing the Approval and Payment of Claims Between Meetings of the Township Committee (First Reading and Introduction) (Public Hearing and Final Adoption May 12, 2020)

Mayor MacLachlan said this ordinance allows us to pay the bills if we have disruption of meetings with the current situation.

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

Request to Amend the Agenda to add Resolution 2020-100-4 to Consent Agenda

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

9. **CONSENT RESOLUTIONS** - These items will be adopted simultaneously in one vote unless a member of the governing body wishes to separately discuss an item(s).

- A. **RESOLUTION 2020-85-3** – Authorizing Participation in NJ Clean Energy Smart Start Buildings Program and Bright-Idea-LED to Conduct All Work Needed to Install LED Equipment in Municipal Buildings
- B. **RESOLUTION 2020-89-4** – Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission
- C. **RESOLUTION 2020-90-4** – Accepting a Performance Bond for Anaker Group Burlington II, LP (Reserve at Creekside)
- D. **RESOLUTION 2020-91-4** – Approve Fireman into the NJ State Firemen’s Association – Lindsey A. Hustus
- E. **RESOLUTION 2020-92-4** – Determining the Rate for Services Provided to Strays by NorthStar Vets Animal Hospital
- F. **RESOLUTION 2020-93-4** – Authorizing Award of Emergency Contracts Under Section 6 of the Local Public Contracts Law
- G. **RESOLUTION 2020-94-4** – Adopting Policy Addressing the Protection and Safe Treatment of Minors
- H. **RESOLUTION 2020-95-4** – Establishing Rate of Compensation for Certain Positions for 2020
- I. **RESOLUTION 2020-96-4** - Accepting a Performance Bond for Hainesport Commerce Center Urban Renewal, LLC
- J. **RESOLUTION 2020-97-4** – Authorizing Execution of a Redevelopment Agreement for the Construction of Certain Facilities and Improvements in the “Lawrence Boulevard Redevelopment Area”
- K. **RESOLUTION 2020-100-4** – Award a Professional Service Contract for Engineering Services for 2019/2020 CDBG Project

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

10. 2020 BUDGET

A. **RESOLUTION 2020-98-4** - Authorizes the 2020 Budget to be Read by Title Only

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

B. **Public Hearing on 2020 Budget**

Mark Murdy, 2614 Creek Road – asked how much was the CAP Bank. Mr. Nehila responded \$27,230. Mr. Murdy asked if the money was already appropriated, why would we take away the road project and the jobs it would create for New Jersey workers. **Mayor MacLachlan** said we do not know where these workers live and we are only holding off the ordinance for 30 days at this point.

Louis Lopez, Mt. Holly resident (on phone) – asked what money we would be getting for our budget from the state. **Ms. Kosko** said our Energy Tax receipt is stable. **Mr. Nehila** said \$379,764 which is the same as last year. Ms. Kosko said it would most likely be coming at the end of the year due to the state changing its budget year, but we would get it.

C. **RESOLUTION 2020-99-4**- Adopts 2020 Budget

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

11. BUSINESS

A. Approval of Business Licenses (See Attached)

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

12. CORRESPONDENCE

A. Second Amendment Legislation Letter

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

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

Mark Murdy, 2614 Creek Road – said if anyone had problems with the 2nd Amendment stuff, reach out to him and he would explain it. Bass River had passed a 2nd Amendment resolution. I'm sure everyone is doing their best with the taxes. Hopefully we will all get back to work soon.

Cindy Tavormina, 105 Masons Woods Lane – (on phone) wanted information about the lot sold on Creek Road in March. She attended the Environmental meeting and they did not know of the plans there. She wants to know if low income housing apartment buildings will be built there. She heard three tall buildings were going up. No one seems to know anything about it. She asked how she would go about getting that on an Agenda. **Mayor MacLachlan** said that affordable housing builders want to

come into town. They choose towns with high tax credits, which we have. **Mr. Gillespie** stated that the township has a responsibility and an obligation under the Constitution to provide affordable housing for its fair share of the regional obligation for affordable housing. The project to which Ms. Tavormina refers is proposed affordable housing. It is not low income, it is low and moderate income housing. It has been proposed by a developer who will be seeking low income housing tax credits from the state to subsidize the development. There is no site plan application. There has been no approval of the project itself. It has been before the Township Committee and there were resolutions adopted regarding it, but it has not gone before any planning board. It is part of the township's proposed game plan as to how we will satisfy our affordable housing obligation. Nothing is finalized, but he believes they closed on the property. Ms. Tavormina asked if the area had been rezoned. Mr. Gillespie said it had not been rezoned. Ms. Tavormina asked how the concerned citizens could have a say. She said she was worried about three story buildings being by her neighborhood and the train bridge. Mayor MacLachlan said the public can have input in these things. There is a lot of competition for these projects.

Louis Lopez, Mt. Holly resident – asked if we were giving tax relief like Mt. Holly and what our administration is doing about COVID-19. **Mayor MacLachlan** said he would have a comment about the tax issue during his comments. Ms. Kosko asked what specifically is Mt. Holly doing to provide tax relief. Mr. Lopez said he was not sure but it was on their website. Mayor MacLachlan and **Ms. Kosko** responded that to address COVID-19, we have closed our building to the public, but are keeping our services going and that the employees are social distancing by having their own office space and having the Public Works guys each have their own truck. The Municipal playgrounds are closed, but kept the walking trails open. Ms. Kosko has conference call updates with the county for the latest information and our Emergency Management Coordinator is registering vulnerable citizens in the state data base, “Register Ready” so we know who may be in need of assistance.

Steve Parra, 119 Masons Woods Lane – (on phone) said he is concerned about the development that could be going in on the other side of Creek Road. He asked if approval would include traffic studies and access for fire trucks. **Mayor MacLachlan** said that that the Fire Official would have to approve the building plan and a traffic study would be conducted before any Planning Board approval. Mr. Parra asked if the Planning Board meetings are open for public comment. Mayor MacLachlan responded yes.

Mark Murdy, 2614 Creek Road – questioned papers with information on that area he brought in January to the meeting. He said he tried to give it to the Administrator and Committee and they didn't want anything to do with it. **Mr. Gillespie** corrected him that was for a different development – Hainesport Commerce Center Renewal on Route 38. **Mayor MacLachlan** said he heard the Creek Road property was closed on. The property can be purchased without approvals from the Governing Body.

14. COMMENTS FROM THE ADMINISTRATOR

Ms. Kosko said the Recreation Coordinator has decided that it is not in the best interest of the town to try to keep Community Day in June due to the COVID-19 pandemic social distancing rules. We will have a Fall Festival this year and it will be tentatively held the second weekend of October. The Movies in the Park and the Concerts in the Park will continue for now, as they are further in the year. She thanked the staff for continuing to work through this pandemic and that essential employee designation is a local management decision based upon operational needs. Public Works has continued operation, getting a lot of calls for brush and bulk pick up. They are getting to them as quickly as they can.

15. COMMENTS FROM THE SOLICITOR

Mr. Gillespie clarified for **Mr. Murdy** that he has no problem understanding the 2nd Amendment resolution he is putting forth. He has a problem with the resolution.

16. COMMENTS FROM THE COMMITTEE

Miss Schneider advised that we be cautious with money during this uncertain time. She also stated that Governor Murphy has closed the state parks.

Mr. Costa said the Committee passed a resolution in December authorizing low and moderate income housing on the Creek Road site. He is against it. The train trestle could pose a danger to people walking to the bus stop on Marne Highway. He invites anybody who wants to object to come to a Planning Board meeting and complain. Be safe.

Mrs. Gilmore noted that in difficult time, we rise to the challenge. She thanked everyone working to keep our town safe and healthy. She thanked the employees for working through this situation and volunteers for making masks and face shields. She mentioned the creative porch portraits being done by the homeowners and the Fire Department is coming around all the neighborhoods with the Easter Bunny Saturday at 10 am. She wished everyone a Happy Passover, Easter and Ramadan.

Mr. Clauss encouraged everyone to stay safe and stay home. The Governor is going to make an announcement about tax relief. He hopes it is just for people who need the deferment and business, not a blanket deferment for everyone because some can still pay. Stay safe.

Mayor MacLachlan said he expects an extended grace period on taxes, but the decision must be from the State. He is glad that we taped off the playground equipment to protect the children and discourage people from going on it. He thanked Ms. Kosko and Public Works for getting that done.

17. BILL LIST

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

18. ADJOURNMENT @ 8:35 P. M.

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

Respectfully Submitted,

Paula L. Kosko

Administrator/Municipal Clerk

OFFICIAL ACTION MAY BE TAKEN ON ANY ITEM ON THE AGENDA