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**HAINESPORT TOWNSHIP COMMITTEE  
MINUTES  
June 9, 2020  
7:00 P.M.**

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of June 9, 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 was advertised in the BCT on April 3, 2020, posted on the municipal website and exterior windows at the municipal building.

- 1. CALL TO ORDER** – by Mayor MacLachlan at 7:07pm
- 2. FLAG SALUTE**
- 3. ROLL CALL** –present were Mayor MacLachlan, Deputy Mayor Schneider, Committeeman Costa, Committeewoman Gilmore and Committeeman Clauss. Also present were Township Clerk/Administrator Paula Kosko and Attorney John Gillespie.
- 4. PRESENTATION**
  - A. Proclamation – Shaun Bradley – Mayor MacLachlan read the governing body’s proclamation and the governing body congratulated Mr. Bradley on his accomplishments, specifically being drafted to the 2020 Eagles Special Team.
- 5. MINUTES**
  - A. **APPROVAL OF SPECIAL MEETING COMMITTEE MINUTES OF MAY 7, 2020**
  - B. **APPROVAL OF REGULAR COMMITTEE MINUTES OF MAY 12, 2020**
  - C. **Motion: Committeeman Clauss. Second: Committeewoman Gilmore. All yes.**
- 6. REPORTS**
  - A. **Tax Collector** – May 2020
  - B. **Code Enforcement** – May 2020
  - C. **Fire Official** – May 2020
  - D. **Construction** – May 2020
  - E. **Emergency Services Reports** – May 2020

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

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

None submitted

## **8. ORDINANCES**

### **A. ORDINANCE 2020-5 - Establishing a Temporary Process for Permitting Outdoor Dining (First Reading and Introduction ) (Public Hearing and Adoption July 14, 2020)**

**Mayor MacLachlan** asked **Solicitor Gillespie** to explain the ordinance. Mr. Gillespie stated that the first action needed is to amend the town's ordinance that disallows outside consumption of alcoholic beverages. This ordinance does that and second reading will be done at the next meeting. There is a resolution on the agenda that states existing ordinances that would otherwise not allow outdoor dining will not be enforced. The COVID 19 Expansion Permit from ABC requires the establishment to show where the outdoor dining and consumption area is located and will be ultimately processed through the Clerk. The township's application will be processed through administration and zoning offices. **Mr. Costa** stated that he wants to do what is best for our businesses' success and prosperity and we are a business friendly township. Mr. Gillespie noted that public hearing must be on July 14 and not on June 22 (as written on the original agenda) due to the ordinance needing to be referred to the Joint Land Use Board and they next meet on July 9. Mayor MacLachlan stated that this is great work with government working to help private businesses and he is appreciative.

**Motion to Introduce: Committeeman Costa. 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 discuss an item(s) separately.**

### **A. RESOLUTION 2020-113-6 – Adopting Technology Risk Management Standards in Compliance with the New Jersey Municipal Excess Liability Joint Insurance Fund's Cyber Risk Management Plan's Tier Two Requirements**

### **B. RESOLUTION 2020-114-6 – Authorizing Contract for Website Service with CivicPlus**

### **C. RESOLUTION 2020-115-6 – Authorizing Lien for Property Maintenance Expenses for Property Located at 412 Broad Street**

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

## **10. RESOLUTIONS**

### **A. RESOLUTION 2020-116-6 – Authorizing a Shared Services Agreement with the Burlington County Soil Conservation District for Stormwater Related Services**

**Mayor MacLachlan** requested administrator to explain this resolution. **Ms. Kosko** explained that every five years, the township must renew its MS4 Stormwater Permit with NJDEP who regulates the township's Stormwater system, which includes inlets, basins and outfall pipes. All towns must provide electronic mapping by the end of the year. This resolution is a Shared Service Agreement with the county to do this for the 39 basins. The StreetScan program has already captured and mapped our 500+ inlets.

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

- B. **RESOLUTION 2020-117-6** – Authorizing Execution of Contract for LSRP Professional Services Relating to the “HITCO” Redevelopment Site at Creek Road and Route 38 East

**Administrator** explained that this is to authorize the township to draw from the most recent NJDEP Supplemental HDSRF grant for current testing being conducted at the site as opposed to the fund balance from the previous HDSRF grant. **Mr. Costa** stated that the town started this in 2001 and back then, there was a buyer to clean it up. It would have been great to have done that. You have to wonder when will this end! He knows we are not paying for the testing. **Ms. Kosko** added that NJDEP felt the same way as they called for roundtable with her and the LSRP assigned to the project in 2018. As a result, they reduced the scope of the project and the amount of the award. If they keep awarding the grants, they must see value to it. Administrator stated that she believes there will be one more round of testing due to the contamination possibly extending across Route 38. There is someone who keeps calling inquiring to the status but they do not say who they are.

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

- C. **RESOLUTION 2020-118-6**– Authorizing Extension of Existing Solid Waste (Municipal Trash) Contract

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

- D. **RESOLUTION 2020-119-6** – Approving a Block Party for Stonehaven Lane

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

- E. **RESOLUTION 2020-120-6** – Rejecting Solid Waste Contract Bid

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

**Administrator** requested an amendment to the agenda to add Resolution 2020-121-6 and 2020-122-6.

**Motion to Amend: Committeewoman Gilmore. Second: Committeeman Clauss. All yes.**

- F. **Resolution 2020-121-6** – Authorizing Temporary Outdoor Dining and Non-Enforcement of Section 47 of the Code of Hainesport Township Entitled “Alcoholic Beverages”

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

- G. **Resolution 2020-122-6** – Waiver of Zoning and Local Fees for Hainesport Township Temporary Outdoor Permit Application

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

## 11. BUSINESS

- A. Approval of Business Licenses (See Attached)

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

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

**Anna Evans, 63 Parry Drive** – commented on how wonderful the Black Lives Matter demonstration was and that Julia Testa did a great job. She is very proud of her. It was a great protest and demonstration of solidarity.

**Diane Beharry, 7 Melodie Court** - following up from the last meeting when they discussed the basin at 7 Melodie Court that she and her neighbor own and are responsible to maintain. She stated she had talked to Bill Banks, VP of Paparone and he said the township had approved and accepted other basins in the township, specifically the one on Taft Court. There is documentation that the town maintains other basins. She is following up to see if there is an opportunity to revisit this issue. **Mayor MacLachlan** stated that he spoke to the administrator and solicitor about it, he is aware that there have been other discussions and nauseam and there has been considerable expenses to the township including legal and engineering fees. The Mayor stated that he is not in a position to make any changes to the current situation. That is the advice of everybody involved. When these developments originated, the township realized that with the small workforce and the growth of the town, we would not be able to service these basins. We learned quickly to get homeowner alliances formed and attach them to certain properties. The Mayor said it sounds like she is the second owner of the property, which is co-owned and part of the deed. He asked if that is true. Mrs. Beharry said yes. She said that NJDEP stated that there should not be a deed restriction on a homeowner for a basin and it should not be the homeowners responsibility. Mayor MacLachlan stated it was done legally and it was done for a reason; you bought the property knowing you had the basin on your deed. We understand you are not happy but the committee is not in a position to take any further action on this matter.

**Mrs. Beharry** requested to make one more comment. Mayor MacLachlan asked that she be brief. She said the same issue occurred with the basin on Taft Court a few years ago. Mike Fitzpatrick was the Mayor. The township went back and removed the restriction. She questioned why the town removed that restriction and took care of that neighbor. **Mr. Clauss** stated that issue was re-opened which made the town responsible for it. There was an agreement that was changed which made the town responsible. We had to legally take that one over but her agreement has not changed.

## 13. COMMENTS FROM THE ADMINISTRATOR

**Ms. Kosko** reported that tax collection for the 2<sup>nd</sup> quarter was 95.08%. Last year 2<sup>nd</sup> quarter was lower at 94.32%. Both quarters combined this year is slightly higher than last year combined at 96.64%. The Mayor asked to send accolades to the Tax Collector. The Administrator stated she has been doing a great job. The grant writer for our EPA grants, BRS Inc., has offered to write the next EPA Clean-up Grant at no cost due to an error on one grant application question. This may be a contributing factor to Hainesport not receiving a grant this year. The meeting room had some water damage due to the storms. The damage was fully remediated and the contractor was onsite today to develop an estimate for repair. She reminded everyone that Clean-Up Day is scheduled for this Saturday from 7am – 12noon at the Street Center. Shredding will be at this location this year. It is for residents only, with proof of residency being checked on-site. Dumpsters will be removed after the cleanup on Saturday. Administration will mail out the Temporary Outdoor Dining Permit packets tomorrow to the nine Hainesport restaurants so that they can start preparing. We had a pre-construction meeting for our CY19 Road Program and it will begin in August. Ms. Kosko

listed the streets to be resurfaced. CDBG bid opening will be on June 18 at 10am for sidewalks, curbs and ADA ramps on Washington and Broad Streets.

#### **14. COMMENTS FROM THE SOLICITOR**

**Mr. Gillespie** commended Paula and the committee on the outdoor dining legislation. The governor did not issue EO150 until Wednesday, June 3. We had our agenda prep meeting on Tuesday, June 2 and Paula brought this up. The Mayor gave her the green light to start. If anyone thinks this was done as a response to the Governor, it was actually done before the Governor issued EO150. It was forward thinking, well done.

#### **15. COMMENTS FROM THE COMMITTEE**

**Mrs. Gilmore** thanked all the municipal employees who worked through the pandemic and through the storms. People in the building and public works have done a great job with cleaning up. Excellent job.

**Ms. Schneider** stated that she and Mayor MacLachlan attended the Black Lives Matter protest on Sunday. Commended resident Julia Testa for organized a beautiful, peaceful protest that exceeded her expectations. It was well organized. The participants all had great things to say. She felt very happy when she left. She wishes more people showed up that she recognized. She and Bruce were in awe over how well it was executed.

**Mr. Clauss** commended the Construction Office. There are so many people who can't get permits or inspections in other towns. Ours is doing a great job following the state guidelines, while still getting things done. Gene Blair, the whole inspections crew and Kathy make him proud because they are getting things done. The storm response by the township was excellent. The trash company was sent back to collect our trash since Mt. Laurel Road was closed for three days. There was a lot of cleanup done. Thanks to the county for getting all the big trees out of the road. He is very excited about the outdoor dining initiatives. He thanked everyone that got it together. It makes you proud to be from Hainesport as everything about it is top shelf.

**Mr. Costa** was impressed by the peaceful protest. If only the entire country had protestors like the ones from Hainesport. It is a shame that there was the unfortunate death of the career criminal in Minnesota, as he certainly did not deserve to die. It was a disproportionate response, resulting in ten more people being killed and riots across the country. There are protests being hijacked by people that do not like our country, our republic such as Antifa. They are causing a lot of mayhem and destruction. Mr. Costa offered a story about his friend who owns a coffee shop in Philadelphia, set to open during the rioting. Rioters destroyed all of his new equipment and the store. Thank God, we do not have that going on in our town of Hainesport.

**Mayor MacLachlan** said he heard about the march and made the decision to attend as the Mayor. He has tried to keep his personal beliefs out of the office. He represents everybody in Hainesport. He represented gun rights activists in the recent past. He welcomes the Black Lives Matter marchers here. It was quite passionate. He learned some things that he did not think he would learn from some of the speakers. He came out of it with a little bit of an education. There are Facebook people giving their opinions about him joining the march but

he thought he should be there as the Mayor. There were some chalk markings and posters around the building, but no damage. He is glad he went and he would do it again.

**16. BILL LIST**

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

**17. ADJOURNMENT @ 8:00 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**