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HAINESPORT TOWNSHIP COMMITTEE MINUTES

May 8, 2018
7:00 P.M.

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of May 8, 2018 was included in a meeting notice sent to the Burlington County Times and Courier Post On January 8, 2018 and advertised in said newspapers on January 11, 2018, respectively posted on the bulletin board in the municipal building on January 8, 2018 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 Fitzpatrick and Mayor Masciocchi. Also present were Township Administrator/Clerk Paula Kosko and Attorney Stephen Luttrell who stood in for Township Attorney John Gillespie. Mr. Gillespie arrived late.
4. **MINUTES**
 - A. **APPROVAL OF REGULAR COMMITTEE MINUTES OF APRIL 10, 2018**

Motion: Committeewoman Schneider. Second: Committeewoman Gilmore. Committeeman Fitzpatrick abstained. All others yes.
 - B. **APPROVAL OF EXECUTIVE SESSION MINUTES OF APRIL 10, 2018**

Motion: Committeewoman Gilmore. Second: Committeewoman Schneider. Committeeman Fitzpatrick abstained. All others yes.
5. **REPORTS**
 - A. **Tax Collector** – April 2018
 - B. **Code Enforcement** – April 2018
 - C. **Fire Official** – April 2018
 - D. **Construction** – April 2018

E. Emergency Services Reports – Not included

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

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

Anna Evans, 63 Parry Drive – thanked the committee for the opportunity to speak about the agenda items. She said she thinks they will find it useful in terms of improving the transparency in the dialogue between the committee and the residents. Mrs. Evans asked about the Burlington County Energy Program; she assumed they would hear more about the various aspects of it. She wanted to make sure they do their due diligence on it. There has been a lot of chatter on “Hainesport Happenings” when it came out that we were looking into this, and a lot of talk about the many different energy brokers and we have to make sure we are getting the best deal. On resolution 2018-88-5 Mrs. Evans asked who the liquor license is being transferred to and from. Ms. Kosko told her it is Carollo’s license and it is going to Giuseppe Cammarato who currently owns a bar/restaurant in Tabernacle and is purchasing Carollo’s. Mrs. Evans said it might be a stretch mentioning the donation to Mt. Holly Recreation because it reminded her that we already donate heavily to MHMUA in terms of the fees. She went on to say that now that summer is coming people will be watering their lawns and using their pools and the water consumption will rise and people will be getting upset again.

Catherine McNelis, 407 Bischoff Avenue – asked about the ordinance 2018-5 determining the rate of compensation for officials and employees of the township. She said if the information is going to be the same as it usually is that has all the money that goes to the position, could the names of the people who hold those positions placed on that also. That way the residents would know who is doing what and where and whatever.

7. DISCUSSION/PRESENTATION

A. Burlington County Energy Program

Ms. Kosko said she wanted to give the committee an opportunity to have some more discussion on the presentation from last month. After much discussion with various entities and with Mrs. Evans, a resident who came in to talk about the program, Ms. Kosko said the various residents of the other towns don’t feel that they should be opted in to the program automatically. But that is allowable under Title 15 and BPU. But everybody has an opportunity to opt out. She went on to say that the company and other towns have assured her that there is a huge outreach effort they put out within the municipality by establishing meetings and town hall sessions to have questions answered. She re-iterated that this is a guaranteed 3% savings over current residential utility billing (PSE&G). She inquired if the committee wanted to discuss it among themselves and if they want to move forward. The next step would be to introduce an ordinance approving the execution of the Government Aggregation

Agreement and other various agreements with Commercial Utility Consultants (Burlington County's assigned consultants for the BC Energy Aggregation Program). Mr. Costa had some questions for Ms. Kosko. He asked what would happen if a resident has already contracted with another supplier and or has solar panels. Would they be eligible for this program? Ms. Kosko stated they would not be opted in. He said he wonders if the residents would think that they are being coerced and thinks maybe we should put the word out and have them come in and express their feelings at one of our meetings before we do anything that looks like coercion. Mr. Costa asked if someone opted in and then changed their minds if they could opt out and was told they could opt out and in as often as they wanted to with no penalties. Mrs. Gilmore asked how long it would take effect when/if we decide to go with the program and Ms. Kosko answered about 3 to 4 months for the process. Mayor Masciocchi asked if there were any other suppliers competing for the township. Ms. Kosko said they are part of a co-op and the energy providers are part of the co-op for the county.

B. Ordinance 1976-8 Addressing Yard Sale Fees & Permits

Ms. Kosko requested the committee to consider amending the ordinance to, in essence, remove the requirement for permitting and fees associated with residential yard sales. Last year the town collected \$160 in yard sale permit fees. She said it does not even cover the cost for administering the permit process. There are yard sales going on all the time and most people do not apply for permits. She made some notations on the existing chapter and is making a request to remove the requirements for yard sales. Ms. Kosko wants to keep some of the provisions in place but remove others. This includes removal of the mandate that a resident can have only two yard sales per year. The hours for yard sales should be adjusted as well. The ordinance needs to be updated. If the committee is in agreement with that, it can be presented at the next meeting. The committee seemed in agreement with it.

8. ORDINANCES

A. **ORDINANCE 2018-5**– Provide for and Determine the Rate of Compensation of Officials and Employees of the Township of Hainesport (**First Reading and Introduction**) (**Public Hearing and Final Adoption June 12, 2018**)

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

9. RESOLUTIONS

A. **RESOLUTION 2018-88-5** – Person to Person Transfer of Carollo Bar and Restaurant Inc. Consumption Liquor License to G and C License, LLC

Motion: Committeewoman Gilmore. Second: Committeewoman Schneider. Mr. Costa abstained. All others yes.

- B. **RESOLUTION 2018-89-5** – Awarding a Contract for Bus Transportation for the Summer Recreation Program

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

- C. **RESOLUTION 2018-90-5** – Authorizing a Donation to Mt. Holly Recreation

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

Mayor Masciocchi indicated that the donation was for a fishing tournament in Mount Holly.

- D. **RESOLUTION 2018-91-5**- Authorizing Settlement of In Rem Foreclosure of Block 60, Lot 6

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

Mr. Costa explained the reason why this situation is happening.

10. BUSINESS

- A. Approval of Business Licenses (See Attached)

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

11. CORRESPONDENCE

- A. Memorandum – Sale of Bond Anticipation Notes

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

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

Winford Sanders, 4206 Sylon Boulevard – is the owner of Neta Scientific in Hainesport Industrial Park. He thanked everyone for the support his company has received in the past ten years. Dr. Sanders discussed the feline population in the Industrial Park and stated that it has gotten out of hand. He told the committee that the cats are posing a hazard to the general area. He knows there is a TNR (trap, neuter, spay) program there and showed that in other areas it has been proven that the TNR program does not work. There was a lengthy discussion about the cat situation and it was finally decided that the township would look into the matter and come back at a later date to discuss it.

Ron Napoli, 120 Paisley Place – said he had brought up the issue of the energy program a few months ago not knowing at that time that there was a guarantee of a

savings associated with the program. He said he wished someone would impose savings on him with the opportunity to refuse if he chose to. He said it doesn't seem that difficult. In November of next year the program could go away or not have the guarantee, which is possible. At that point we would probably withdraw from the program. Right now it looks like a slam dunk, so Mr. Napoli encourages the township to move ahead.

Anna Evans, 63 Parry Drive – asked what exactly is the township going to do about the MHMUA. Mayor Masciocchi said there are some things that require litigation so he can't disclose that but suffice it to say that they are on our radar and as soon as he is able to disclose it he will.

Mark Murdy, 2614 Creek Road – said first of all to remove the fees and permits for the yard sales; he applauded. On the energy program he asked who does the maintenance for the residents. Ms. Kosko told him it would be PSE&G. He then asked the name of the energy supplier and Mayor Masciocchi told him it is Commercial Utility Consultants. Mr. Murdy asked which townships were involved in the program and was told that 25% of Burlington County was involved and Ms. Kosko read off the names of the townships. He asked who approves the program and Ms. Kosko told him it is the governing body. Mr. Murdy said the township made a very nice gesture to the person involved the In Rem Foreclosure. He asked if the previous owner got out of paying the taxes or what. Mr. Gillespie explained that the tenant was actually renting a mobile home from the owner and was paying him but the owner wasn't paying taxes. He eventually lost the property to the township and the renter is being helped by the township. The original person lost his house. Mr. Murdy asked what the rate of bond anticipation notes is and Ms. Kosko told him it is 2.75% and it is tax exempt.

Scott Cooper, 44 Patriot Way – asked if the 3% savings for the energy program is negotiable and was told by Ms. Kosko it is not. It is determined by Burlington County Energy Aggregation Program. Any negotiations are done by the co-op, we do not have any control over that. Mr. Cooper asked how the person was able to not pay his taxes and why wasn't the township making him pay them. Mr. Gillespie told him the township foreclosed on the property.

Catherine McNelis, 407 Bischoff Avenue – thanked the committee for adding the second public comment section but said the residents really want to have a public comment after the committee makes their comments. She also asked Mr. Gillespie if he had ever seen it done that way and he answered in the negative. Ms. McNelis also asked Ms. Kosko if she had ever seen it done like that and was told no. She also asked them how many places they had been that only had one meeting a month and Mr. Gillespie told her there were none. Ms. McNelis said when there is only one meeting a month it is hard to keep track of the notes if you want to ask a question about something that was said during the comments from the committee members. She said that Hainesport Township had it here for many years and would like to have it back again. Ms. McNelis said she spoke to Ms. Kosko today and was told that the

governing body likes to have the last word. Ms. McNelis then said now that they have gotten rid of medical benefits she would like them to consider term limits.

13. COMMENTS FROM THE ADMINISTRATOR

Ms. Kosko said she wanted to correct what Ms. McNelis said. What she stated is that it is the governing body's meeting and it is their prerogative to have the final words at their meeting. We have had several suggestions about the public's comments and she is very happy to now have the second comment session for the public. The bid opening for construction work for Edwin, Albert and Washington Streets sidewalk improvement is scheduled for next Tuesday. This should be completed by the end of summer. Memorial Day Service at the township building is scheduled for Monday, May 28th. Ms. Kosko said she listened to the residents and the time was changed so it didn't interfere with Our Lady Queen of Peace Service. So instead of the service starting at 9 A.M., it will begin at 10 A.M. The township received a \$190,000, 2016 Municipal Park Development Grant for improvements at Rancocas Heights Park. Installation of the poured-in-place surface material for the playground, gazebo and pedestrian cross walk are the main components of the grant program. She will be working with the planner to get that project started.

14. COMMENTS FROM THE SOLICITOR

Mr. Gillespie had no comments tonight.

15. COMMENTS FROM THE COMMITTEE

Mr. Costa complimented the Mayor on establishing the new policy of having public comments on the agenda items. In doing so, he thinks we have done more than any other town that he knows of. He said the town is going beyond the call of duty for the residents.

Mrs. Gilmore thanked everyone that came out tonight and wanted to remind them that the tax grace period ends this Thursday. Senior Citizens Club is meeting on the 10th and 24th of this month at the Street Building. She is sure the Memorial Day Ceremony will be just as nice as it was last year. Mrs. Gilmore wished all the mothers a Happy Mother's Day.

Ms. Schneider thanked Ms. McNelis for the kind words she said about them, it means a lot to them. She encouraged everyone to come to the Memorial Day Ceremony and there will be a great guest speaker. She thanked everyone for coming out.

Mr. Fitzpatrick thanked the people of Hainesport that showed concern and well wishes for him and his family during the period of time of his surgery. The outpouring of thoughts, gestures, cards and gifts was overwhelming and it was nice to see that there was still a silent majority in this town of good people. He was very

happy and thankful to have those people helping him out. Mr. Fitzpatrick said, for the record, no one on the committee fits in to that category. One of the things he was asked was if he was going to run for re-election and he said physically he cannot. That is the main reason he is not running. The second reason he is not is because he was able to secure a long term contract with Mansfield Township where he is the administrator. Mr. Fitzpatrick said he owns two homes there and will probably be moving there eventually. The third reason he won't run is because "you are only as good as the people you work with". He went on to thank "Mayor Schneider" for holding up to her words as to getting rid of the health benefits. She did a great job and he thinks she held to her word. Ms. Schneider said she is a committeewoman and he apologized. He said she did not go behind his back and didn't lie to him. She made it clear she was going to get rid of the health benefits. He hopes she keeps to her word on the other issues like term limits; he thinks it is a great idea. He also said the MHMUA issue needs to be addressed.

Mayor Masciocchi said that leaves him to speak and he thinks that he is the Mayor. He addressed Mr. Fitzpatrick's comments about having his health benefits ended. This was not done behind his back. Mr. Fitzpatrick asked why the mayor was bringing up personal things and Mayor Masciocchi responded that he had brought them up first. Mr. Gillespie was asked if this was something that should be discussed during an open meeting and he responded that he wasn't sure if this should be done in closed session. He asked the mayor if he was going to talk about the ordinance that eliminated the health benefits and the mayor answered yes. Mr. Gillespie said if he was going to talk about the legislative action that would be fine but if he was going to talk about the nature of health benefits that would go to a HIPPA issue and would be a personnel issue which should be discussed in closed session. He said he did not know where the discussion was going. Mayor Masciocchi said that the notion that anything was done behind anyone's back was wrong. Mr. Fitzpatrick was invited to participate in the discussion. He did and the ordinance was passed with his input. Anything to the contrary is not true. Several times he asked how Mayor Masciocchi was named mayor and was told he was named mayor through the normal proceedings. Someone from the audience called out that Mr. Fitzpatrick should just resign and he said he wasn't going to take his ball and go home like Mr. MacLachlan did. Just because his benefits were taken away does not mean he is going to run away. Mr. Costa said he thinks everyone is getting far off field because the comments are going into the realm of Executive Session. Mayor Masciocchi agreed and said he had made his statement and he stands by it. Mr. Fitzpatrick said he does too.

16. **BILL LIST**

Motion: Committeewoman Gilmore. Second: Committeewoman Schneider. Mr. Fitzpatrick recused himself. All others yes.

17. EXECUTIVE SESSION

A. RESOLUTION 2018-92-5 – Resolution to Enter into Executive Session

1. Potential Litigation/Attorney Client Privilege (added during open session)

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

18. ADJOURNMENT @ 8:41 P. M.

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

Respectfully Submitted,

Paula L. Kosko

Paula L. Kosko, RMC
Municipal Clerk

OFFICIAL ACTION MAY BE TAKEN ON ANY ITEM ON THE AGENDA