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## HAINESPORT TOWNSHIP COMMITTEE MINUTES

February 11, 2020

7:00 P.M.

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of February 11, 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.

1. **CALL TO ORDER** by Mayor MacLachlan at 7:00 P.M.
2. **FLAG SALUTE**
3. **ROLL CALL** - present were Mayor MacLachlan, Committeewoman Gilmore, Committeewoman Schneider, Committeeman Costa and Committeeman Clauss. Also present were Township Clerk/Administrator Paula Kosko and Attorney John Gillespie.

4. **MINUTES**

- A. **APPROVAL OF REORGANIZATION COMMITTEE MINUTES OF JANUARY 7, 2020**

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

- B. **APPROVAL OF REGULAR COMMITTEE MINUTES OF JANUARY 7, 2020**

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

5. **REPORTS**

- A. **Tax Collector** – January 2020
  - B. **Code Enforcement** – January 2020
  - C. **Fire Official** – January 2020
  - D. **Construction** – January 2020
  - E. **Emergency Services Reports** – January 2020

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

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

**Anna Evans**, 63 Parry Drive – requested that Resolution “N” be removed from the Consent Agenda. Residents would like to know why we are reengaging with New Jersey Animal Control after so much upset about the video of him abusing the dog. Second, Resolution “R” reappointment of Tristan Sylk on the Joint Land Use Board. He is a property developer, involved in an affordable housing development. It is her feeling that this is a conflict of interest and that we should not have a property developer on the Joint Land Use Board. She said Resolution 2020-66-2 rescinding the resolution from December of last year passed unanimously by the previous Committee. The only change is that we have a new Mayor. Why did two members they change their vote on this issue?

**Louis Mozdzen**, 62 Parry Drive – asked if we have bids for the professional appointments that the public could see. **Mayor MacLachlan** said absolutely. **Ms. Kosko** added that anyone can see the bids. They just need to fill out an OPRA request.

**Louis Lopez**, Mt. Holly – wished everyone a Happy New Year. He said a resident thanked him for recording the meetings. He asked what Resolution “X” and “Y” were about, and **Mayor MacLachlan** explained them to him.

7. **ORDINANCES**

A. **ORDINANCE 2020-1** - To Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14) **(First Reading and Introduction) (Public Hearing and Final Adoption March 10, 2020)**

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

8. **CONSENT AGENDA RESOLUTIONS**

The items listed below are considered routine by the Township of Hainesport and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

A. **RESOLUTION 2020-37-2** – Award a Professional Service Contract for Hainesport Township General Engineering – Martin G. Miller, Richard A. Alaimo & Associates

B. **RESOLUTION 2020-38-2** – Award a Professional Service Contract for Hainesport Township Special Projects Engineering – Christopher Noll, Environmental Resolutions, Inc.

C. **RESOLUTION 2020-39-2** – Award a Professional Service Contract for Hainesport Township Special Projects Engineering – Wendell Bibbs, Remington & Vernick

D. **RESOLUTION 2020-40-2** – Authorizing Contract for Joint Land Use Board Engineer – Martin G. Miller, Richard A. Alaimo & Associates

- E. **RESOLUTION 2020-41-2** – Authorizing Contract for Hainesport Township Solicitor – John Gillespie, Parker McCay P.A.
- F. **RESOLUTION 2020-42-2** – Award a Professional Service Contract for Bond Counsel – Phillip A. Norcross, Parker McCay, P.A.
- G. **RESOLUTION 2020-43-2** – Authorizing Contract for Joint Land Use Board Solicitor – Robert E. Kingsbury, Esq.
- H. **RESOLUTION 2020-44-2** – Award Professional Service Contract for Employment Practices Liability Attorney Consultation Services – Susan S. Hodges, Parker McCay, P. A.
- I. **RESOLUTION 2020-45-2** – Award Professional Services Contract for Conflict Counsel – Timothy Prime, Prime & Tuvel
- J. **RESOLUTION 2020-46-2** – Award a Professional Service Contract for Township Auditor – Robert P. Nehila, Bowman & Company
- K. **RESOLUTION 2020-47-2** – Authorizing Contract for Township Planner – Scott Taylor, Taylor Design Group
- L. **RESOLUTION 2020-48-2** – Authorizing Contract for Joint Land Use Board Planner – Scott Taylor, Taylor Design Group
- M. **RESOLUTION 2020-49-2** – Authorizing Contract for Affordable Housing Planner – Randall Gottesman & Megan York, CGP&H
- N. **RESOLUTION 2020-50-2** – Awarding a Contract for Animal Control Services – New Jersey Animal Control
- O. **RESOLUTION 2020-51-2** – Authorizing Contract for Affordable Housing Administrative Agent Services – Randall Gottesman & Megan York, CGP&H

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

## **9. RESOLUTIONS**

- P. **RESOLUTION 2020-52-2** – Authorizing Aerial Larvacide Application

Mr. Clauss verified that the public will be notified by email blasts, the website and postings before the sprayings.

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

- Q. **RESOLUTION 2020-53-2** – Authorizing Amendment to “Hainesport Township Employee Handbook” to Provide for Domestic Violence Policy

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

- R. **RESOLUTION 2020-54-2** – Appointment of Class IV Alternate #2 Joint Land Use Board Member – 2 year term expiring 12/31/2021 - Tristan Sylk

Mr. Costa made the motion stating that the Planning Board attorney would have Mr. Sylk recuse himself if a conflict of interest arises.

**Motion: Committeeman Costa. Second: Mayor MacLachlan. No: Committeewoman Schneider. All others yes.**

- S. **RESOLUTION 2020-55-2** – Authorizing Change Order No. 1 in Contract for FY 2018 NJDOT Trust Fund Resurfacing of Phillips Road

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

- T. **RESOLUTION 2020-56-2** – Releasing Retainage for FY 2018 NJDOT Trust Fund Resurfacing of Phillips Road

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

- U. **RESOLUTION 2020-57-2** – Accepting a Maintenance Bond for FY 2018 NJDOT Trust Fund Resurfacing of Phillips Road

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

- V. **RESOLUTION 2020-58-2** – Authorizing Acceptance of New Jersey Department of Environmental Protection Radon Awareness Program Grant

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

- W. **RESOLUTION 2020-59-2** – Adopting the Burlington County Multi-Jurisdictional Hazard Mitigation Plan

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

- X. **RESOLUTION 2020-60-2** - Authorize a 1-Year Extension of the Contract with TLC Landscape Co. for Lawncare and Field Maintenance of Hainesport Recreation Complex, Hainesport Chase Park, Hainesport Township Public Park, and Rancocas Heights/Samuel H. Robins Park

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

- Y. **RESOLUTION 2020-61-2** – Acknowledging Budgetary Commitment for Hainesport Volunteer Fire Company

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

- Z. **RESOLUTION 2020-62-2** – Adopting Technology Risk Management Standards in Compliance with the NJ Municipal Excess Liability and Joint Insurance Fund's Cyber Risk Management Plan's Tier 1 Requirement

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

- AA. **RESOLUTION 2020-63-2** – Authorizing Specifications and Solicitation of Bids for Solid Waste Contract

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

- BB. **RESOLUTION 2020-64-2** - Support for the Celebration of the 100<sup>th</sup> Anniversary of Women's Suffrage

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

- CC. **RESOLUTION 2020-65-2** – Authorizing Purchase of Sound Barrier Panels for Pickleball Courts

Committeeman Clauss inquired about the wind load calculation of the panels. Ms. Kosko said our Public Works would take the panels down if we had a major wind event. She also stated she will reconfirm the panels will sustain high wind loads.

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

- DD. **RESOLUTION 2020-66-2** – Rescinding Resolution 2019-172-12 and Reinstating Cafeteria Plan Benefits to Eligible Retirees **TABLED**

- EE. **RESOLUTION 2020-67-2** – Authorizing Administrator to Conduct a Municipal Sidewalk Study

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

## 10. BUSINESS

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

- B. **Approval of Mobile Home Park License**

**2020-01** – Goss LLC

**2020-02** – Russlyn Mobile Home Park

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

**2020-01** – Better World Books

**2020-02** – Turnkey Enterprises, LLC

- D. **Approval of Junk Yard License**

**2020-01** – AmeriCycle, Inc

- E. **Approval of Video/Pinball License**

**2020-01** – Dunleavy's

Mr. Costa recused himself from his business license.

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

## **11. CORRESPONDENCE**

- A. Hainesport resident Nancy Scullion Email Dated January 23, 2020  
RE: Non-Sanctuary Township
- B. Hainesport Resident Nancy Scullion Letter and Sample Resolution Rcd January, 2020  
RE: Resolution Declaring Hainesport Township a Second Amendment Township

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

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

**Louis Mozdzen**, 62 Parry Drive – asked about graffiti on the sound barrier panels for the pickleball courts. He wanted to know if the paint would wash off.

**Anna Evans**, 63 Parry Drive – stated that no one responded to her comments during the first Public Comment, but there was response to other people's comments.

**Mayor MacLachlan** said that he has no problem talking to her, but the comments didn't warrant a response. Ms. Evans said she doesn't want it to go back to the days where the Committee wasn't transparent with information. Mayor MacLachlan responded to her inquiry about New Jersey Animal Control by saying that we have to have an Animal Control officer and only one bid was received. **Mr. Gillespie** added that no one wanted to remove that resolution from the Consent Agenda. They knew there was only one bid.

**Mayor MacLachlan** suspended Public Comment to read two letters that were accepted into Correspondence from Nancy Scullion. Public Comment was resumed.

**Nancy Scullion**, 7 Lumberton Road – elaborated on her Correspondence letters. She said she hopes Hainesport passes resolutions to make it a Non Sanctuary Township and a 2<sup>nd</sup> Amendment Township, supporting current gun laws and not adding more restrictions.

**Virginia Cliver**, 118 Mt. Laurel Road – stated she does not want to pay for Mayor MacLachlan's health benefits.

**Mark Murdy**, 2614 Creek Road – had questions for the State Police that were present about how many crimes were committed by licensed gun owners in New Jersey. **Sgt. Ray Lalley** stated that he did not have that answer at this time. He thanked the Committee for what they do. He is happy with the U.S. Attorney General Barr's actions against New Jersey pertaining to the Sanctuary State issue.

**Catherine McNelis**, 407 Bischoff Avenue – asked why we do not have a cat ordinance. She has taken abandoned cats to the shelter and paid to have them spayed or neutered. She asked if we can register the cats. She says Animal Control doesn't come out. She asked about the 85 year old with benefits. **Mayor MacLachlan** said

he would address that in his statement. She also asked if the State Police were still in our building. Mayor MacLachlan responded yes.

**Cliff Toy**, Tabernacle – visiting Hainesport due to the Sanctuary idea. He provided a list of 2<sup>nd</sup> Amendment Non Sanctuary cities in New Jersey. He stated that he is a Purple Heart Veteran and that he fought to defend the Constitution.

**Joe Bucs**, Columbus – questioned whether our meetings were conducted by Robert's Rules. He inquired whether the Mayor could pull an item from the Agenda. He added that he supports the 2<sup>nd</sup> Amendment and urged the Committee to pass that resolution.

**Anna Evans**, 63 Parry Drive – stated that the push for the 2<sup>nd</sup> Amendment resolution is a waste of time. The Burlington County Times will make fun of us again. Forces will organize against it.

**Nancy Scullion**, 7 Lumberton Road – said the Committee took an Oath to uphold the United State Constitution, and the 2<sup>nd</sup> Amendment is not to be infringed upon.

**Louis Lopez**, Mt. Holly – asked what the Township is doing for Black History Month. **Ms. Schneider** responded that the school does that. He also asked the status of our video views – if we knew how many we had. **Ms. Kosko** told him we have not checked but can go on YouTube and see the number of views.

**Sgt. Ray Lalley**, State Police – wanted the residents to know that they are full time and Hainesport is a substation. Bordentown is their headquarters. The troopers are out there around town and they have zero late calls. Please come see him if you have any questions or concerns.

**Mark Murdy**, 2614 Creek Road – wanted to let everyone know about the TNR program for cats. He also thanked the Committee.

### 13. COMMENTS FROM THE ADMINISTRATOR

**Ms. Kosko** presented the status of the 2019 Road Program publication for receiving bids will be February 19 with bid opening March 4 for milling, paving and meeting ADA requirements by Memorial Day. The 2019 CDBG Subgrant Agreement will provide \$75,000 (\$78,000) along Washington, Edwin, Cottage, Broad and Rancocas and we will do an RFP for bids this week. She is working with the Finance liaisons and CFO to review the budget proposal, which should be adopted April 7. Ms. Kosko and Tara Wicker are taking online classes for Registrar of Vital Statistics so we can be the current Registrar's Deputy and Alternate Deputy. We have received a state Radon Grant \$2,000 reimbursement to give free test kits to residents. We were able to get a couple hundred kits. We will get information out soon as to how and when they will be available at the Township building and Community Day if we have any left.

#### 14. COMMENTS FROM THE SOLICITOR

**Mr. Gillespie** had no comments.

#### 15. COMMENTS FROM THE COMMITTEE

**Mrs. Gilmore** thanked everyone for coming. She noted that resolution 2020-64-2 recognizes the 100<sup>th</sup> year anniversary of women's suffrage. She attended the Environmental Commission meeting. They are planning their event at Hainesport Day and the butterfly garden. She also attended a meeting with the Burlington County Bridge Commission regarding finance options for grant writing, planning and economic development assistance. She attended a NJ American Water meeting in which they discussed raising fees to all classes of service 12.3%. Please check their website for meeting dates. She mentioned the Senior Citizen Club has meetings on the 13<sup>th</sup> and the 27<sup>th</sup> this month. They will be starting a Seniors Read to Kids program the first one will be March 6 from 10am to 11:30am. Check the website and contact Donna Casey at extension 120 here at the building for details. She also congratulated the two new fire fighters.

**Ms. Schneider** thanked everyone for coming and said drive home safe.

**Mr. Clauss** said he had some comments about solicitors. They are allowed to be out until 8:30pm. He wants to check in to changing the ordinance so they are allowed to be out to dusk only. Concerning the 2<sup>nd</sup> Amendment issue, he said he knows he took an Oath and would support a constitutionally accurate resolution. He will not be intimidated by the opposition. He will do the right thing. He stated he questions how is the Governor is not following the Constitution.

**Mr. Costa** welcomed everyone to the meeting. He stated that he brought a resolution last year criticizing the Attorney General for the sanctuary status of the State of New Jersey concerning illegal aliens and it was shot down. His informal poll has shown that people are in his favor. He vowed to bring another resolution this year. He also discussed guns. He shared that he is a card-carrying gun owner. He stated that criminals do not follow the rules and the rules can be very confusing.

**Mayor MacLachlan** read the following statement to be entered into the record:

"Each person up here is their own person with their own opinions, I respect and encourage this.

I believe people deserve to know what the deal is when they come and give you their lives of employment. We all understand that if the money or business runs out change is coming and it is not good.

That is not the case with the Resolution passed in December stripping already or almost retired 72 and 85 year olds with very few years left in their lives who worked for us for 25 years and more of a promise made for standing in the freezing rain directing traffic at an accident, or awoken in the middle of the night to clear trees out of the road, or toiled under pressure to try and make sure the taxes were collected and the figures balanced, or put this town first as he buried his only son. I was here, I saw all this first hand.



Hainesport Township is unique in a number of ways and to compare us to what happens from the State of Federal Government, or in our own jobs or lives is just not applicable or fair for Hainesport Employees. Pulling the rug out from under these people for an amount that in my calculation is around .0014 of our budget now just does not work for me.

Our finances are super strong and our taxes stable because our employees have always managed our town efficiently and we have been lucky to employ a small staff of special people who deserve what they bargained for when their relationship with Hainesport started.

Next time it snows in the middle of the night and you hear the snow plows coming by, be thankful we have great dedicated people working for us who all do what it takes to run this town no matter what.

If we are going to change our employment policies, let's have the courage to change them for new hires and not back peddle on Promises we made just to look good to get elected or placate a few town agitators on Facebook.

Thank you for listening."

#### **16. BILL LIST**

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

#### **17. EXECUTIVE SESSION**

**A. RESOLUTION 2020-68-2 – Resolution to Enter into Executive Session**

1. Personnel

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

**Motion to re-enter Open Session: Committeewoman Schneider. Second: Committeeman Clauss. All yes.**

#### **18. ADJOURNMENT @ 9:00 P. M.**

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

Respectfully Submitted,

*Paula L. Kosko*

Administrator/Municipal Clerk

**OFFICIAL ACTION MAY BE TAKEN ON ANY ITEM ON THE AGENDA**