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HAINESPORT TOWNSHIP COMMITTEE
MINUTES
May 12, 2020
7:00 P.M.

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of May 12, 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, Committeeman Clauss, Committeewoman Schneider and present by phone was Committeeman Costa. Also present were Township Clerk/Administrator Paula Kosko and Attorney Jose Calves.

4. **MINUTES**
 - A. **APPROVAL OF REGULAR COMMITTEE MINUTES OF APRIL 7, 2020**

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

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

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

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

Mayor MacLachlan read a statement from **Anna Evans**, 63 Parry Drive regarding Resolution 2020-108-5, Acknowledging the 2nd Amendment of the United States Constitution.

“I would like to comment on **RESOLUTION 2020-108-5** – Acknowledging the 2nd Amendment of the United State Constitution. I strongly believe Hainesport should NOT pass such a resolution because it is national political theater, divisive, and potentially dangerous.

The push to enact such resolutions comes from national groups such as Gun Owners of America, who enlist local gun rights activists to make the movement seem like grass roots. Posts about the Hainesport resolution are top of the page of the Burlington County 2A Sanctuary Facebook group, which links to the nj2asanctuary.com website. The website offers to provide cover letters and resolutions to be mailed to legislators. There are similar groups in every state. In passing such a resolution, the Committee would be aligning the town of Hainesport with the agenda of national gun rights lobbyists.

Everyone has been impressed by how united Hainesport has been over the last few difficult weeks. The COVID cowl photography shoot by Alleah Bucs generated positive press for the town, and the Easter Bunny parade and Teachers’ parade brought everyone together. This, on the other hand, puts a sharp rift right through Hainesport, with gun rights advocates on the one side, and gun safety advocates on the other. Why do this at all, but especially, why do it NOW when the town needs every ounce of community spirit it can muster?

Finally, as I have mentioned before, the resolution has potential dangers. I have no doubt that the Hainesport resolution is carefully worded so that it is symbolic and has no legal implications. However, as NJ State Attorney Grewal noted: These so-called ‘sanctuary’ resolutions will confuse otherwise law-abiding residents, who may incorrectly believe that they no longer have to comply with firearm safety laws, including carry laws and prohibitions on assault weapons, ghost guns, or large-capacity magazines. This confusion can create serious risks for law enforcement and the public at large, with potentially deadly consequences.

(<https://www.nj.com/news/2020/02/nj-ag-pro-gun-sanctuary-resolutions-mean-nothing-but-could-put-police-at-risk.html>)

Grewal’s point is that not everyone will READ the resolution. However, people will hear that Hainesport has passed some sort of “Second Amendment Sanctuary” resolution, and may assume that it DOES give people extra gun rights in Hainesport. Why would we risk this?

In conclusion, I urge the Committee to vote no on Resolution 2020-108-5.”

Nancy Scullion, 7 Lumberton Road – stated that she supports passing a Resolution for Hainesport Township to become a Second Amendment Township. Signing the Resolution will bring attention to the state government that law abiding residents of New Jersey are concerned with these anti-Second Amendment laws being pushed through the Legislature and signed by the Governor without any concern for the Constitution and the Bill of Rights. Eight counties and forty townships have passed Second Amendment Resolutions affirming their sworn oaths. She left copies of their passed resolutions for the Committee.

Mark Murdy, 2614 Creek Road – said it is reprehensible that the young lady who gave you input to this is not saying what 2A is all about. It is about this state doubling, tripling taxes on permits. If the state decided to charge your business ten times more for your licenses and permits, you would be upset. She was here at the meeting and heard it all. Mr. Murdy is upset with her for saying the residents of Hainesport Township are too ignorant to know what this is about. The Governor passed laws with Grewal without public input. This is part of the Constitution, Bill of Rights, Second Amendment. He urged the Committee to pass it.

Debra Plaia, 50 Bancroft – also commented on Resolution 108-5. She said it was being discussed on Hainesport Happenings. Some people have questions, others saw no purpose in the resolution. She sees it differently as a lawyer. The resolution does not create or take rights. She is opposed to any special interest group interfering with Hainesport politics. The Committee has already sworn to uphold the U.S. Constitution and the New Jersey Constitution, so the resolution is redundant. Hainesport Township cannot change 2nd Amendment rights. This is being pushed by a special interest group and the resolution is pointless. Any legal recourse to address violation of 2nd Amendment Rights would need to be based on the Federal Civil Rights Act or the New Jersey Civil Rights Act.

Robert Stanley, 11 Lumberton Road – called in about resolution 108-5. He stated that he is a member of the NRA, a special interest group and a citizen of Hainesport. He supports the resolution.

Ms. Kennedy, – called in and said that resolution 108-5 seeks to uphold the law. It expresses a sense of how important this right is to the constituents. There are record firearm sales in the country right now and people are buying because they are afraid their rights could be taken away.

Tabernacle caller – called in to support Resolution 108-5.

Doug Cutts, Tabernacle – called in to add that gun owners are big safety advocates. The resolution does not affect laws. Governor Murphy closed the gun shops due to the pandemic, which took away the 2nd Amendment rights. He then denied access to some reporters who wanted to ask about 2nd Amendment rights. We have since gained those rights back. Most anti-gun advocates are ignorant about the strict laws we have in New Jersey. You can say the NRA is a special interest group, but the 2nd Amendment and

the Constitution are more important than a special interest group. He thanked the Committee for serving the community.

Cliff Toy, Tabernacle - called in to add that he is a purple heart Vietnam Veteran who served in the Army. He swore an oath to support and defend the Constitution as did the Governing Body. These things matter. It is symbolic of that oath to support Resolution 108-5.

Emily Cutts, Tabernacle – called in and said she is a high school student, hunter and competitive shooter. She urged the Committee to vote yes on the resolution to support the Constitution.

Mark Cheeseaman – called in to say thank you for considering Resolution 108-5.

Ken Montgomery, 3 Wilkins Road – said the resolution shows a stance. He urged the Committee to please pass the resolution to show that we care about the 2nd Amendment and our rights.

7. **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 said he was initially hesitant about moving forward with this ordinance because of the impending economy and possible decline of tax revenue, but once he thought about it, our roads have about a twenty-year life expectancy. He feels that this is a good project for the town to undertake and for the residents to enjoy.

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

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

Mayor MacLachlan said that this has been a growing problem in town. We have a small, dedicated Public Works department that has trouble keeping up with some of the neighborhoods that are maturing. We are trying to find ways to manage the situation and that is what this ordinance attempts to do. **Mark Murdy** said that Public Works is doing a good job. There are more people home and working on their yards. Mayor MacLachlan added that this ordinance also requires that trash receptacles not be kept in front yards. They are not allowed to be visible from the roadway, which is starting to be a little bit of a nuisance. Information will be given to the public.

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

- C. **ORDINANCE 2020-4** - Authorizing the Approval and Payment of Claims Between Meetings of the Township Committee (**Public Hearing and Final Adoption**)

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

8. **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 2020-102-5** – Amending Budget for Additional Items of Revenue and Offsetting Appropriation (Chapter 159)
- B. **RESOLUTION 2020-103-5** – Amending Resolution 2020-67-2 Authorizing Sidewalk Condition Survey
- C. **RESOLUTION 2020-104-5** – Authorizing Estimated Property Tax Billing for the 3rd Quarter of 2020
- D. **RESOLUTION 2020-105-5** – Approval to Submit a Grant Application and Execute a Grant Contract with NJDOT for the Ark Road Resurfacing Project
- E. **RESOLUTION 2020-106-5** – Awarding Professional Service Contract for Survey Services – Stout & Caldwell

Ms. Kosko explained that this is for a Letter Of Interpretation with DEP regarding the wetlands at the Creek Turn Park/Pottery property.

- F. **RESOLUTION 2020-109-5** – Authorizing Purchase of Park Benches for Hainesport Municipal Park
- G. **RESOLUTION 2020-110-5** – Awarding Contract for Engineering Services for FY2019 & FY2020 NJDOT Municipal Aid Grants for Bancroft Lane and Stormwater Pipe Lining at 22 Bancroft Lane

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

9. **RESOLUTIONS**

RESOLUTION 2020-107-5 – Authorizing NJ Transit Marne Highway Bus Stop Relocation

Ms. Kosko stated that Committeeman Clauss received a request from a resident on Marne Highway to move the bus stop away from his property. With Coede Enforcement Officer Irene Barry's help, DOT approved the request to move it to the corner of Broad Street and Marne Highway.

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

- B. **RESOLUTION 2020-108-5** – Acknowledging the 2nd Amendment of the United State Constitution

Mayor MacLachlan said that this has been brought up quite a bit. John Gillespie, our solicitor, has said that the Committee had already sworn to uphold the Constitution, but Mayor MacLachlan asked Mr. Gillespie to craft a resolution to show support.

Mr. Clauss said that gun rights advocates and gun safety advocates are not on two different sides. He does not think our residents will be confused by the resolution. The Governor increased the price of an application to purchase by 1000% and the application to carry by 2000% really drives up the cost. Buying a gun illegally is cheaper than buying one legally. The cost is so high that it is effectively taking away rights and hurting people with lower incomes.

Mr. Costa added as a lawyer, he supports the Constitution and the Amendments. He is an NRA member. He supports all the rights given by the Founders of our country. New Jersey is one of the strictest states in the nation on gun laws and this resolution shows support for our Constitution.

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

Mayor MacLachlan commented that we have a lot of development opportunities in town. He commended members of the prior Committee for doing a lot of the leg work on some of this development. Hainesport was kind of skipped over between Mt. Laurel and Lumberton. The economic interest seems to have fallen on us now and we will try to set this development up in a correct manner to uphold our way of life in Hainesport. This next resolution is to have the Planning Board investigate if we can develop a blighted area, the old telephone pole creosote property along the tracks, to see if we can develop the area.

- C. **RESOLUTION 2020-111-5** – Authorizing and Directing the Hainesport Township Joint Land Use Board to Cause a Preliminary Investigation to be Made Pursuant to New Jersey Local Redevelopment and Housing Law as to Whether a Certain Area is a “Non-Condensation Area in Need to Redevelopment”

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

- D. **RESOLUTION 2020-112-5** – Authorizing Execution of Escrow Agreement with Black Creek Group BTC III Acquisitions, LLC

Mayor MacLachlan explained that this resolution is so this developer can investigate that same parcel that was just voted on.

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

10. BUSINESS

A. Approval of Business Licenses (See Attached)

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

11. CORRESPONDENCE

International Code Council Building Safety Proclamation

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

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

Nancy Scullion, 7 Lumberton Road – had a question about the Our Lady Queen of Peace Church building being built. She wanted to know about the ingress and egress on Marne Highway and Lumberton Road. We were going to have “in only” and “out only” traffic on Marne and Lumberton Road. The way it has been built does not look the same based on the shape of the concrete in the driveway. It looks like you can make a left turn onto Lumberton Road. The County had sent a letter asking the adjoining residents to give up 10 feet of land to make the shoulder bigger, but the residents said no. **Mayor MacLachlan** suggested that Ms. Kosko check with the Engineer, that whatever improvements were made to the site conform to the site plan that was approved by the Planning Board.

Anna Evans, 63 Parry Drive – called in and commented that the Tabernacle people calling in about the 2nd Amendment resolution were on the Burlington County 2nd Amendment Sanctuary page. The site gave details of how to call in and encouraged all to call in. Every county in New Jersey has one of these group pages and every state. She said the Committee is being manipulated by a national organization. She requested a copy of the resolution.

Debra Plaia, 50 Bancroft – commented that the cost of the permits are not affected by our resolution. This is not how laws are changed. You have to work with the Legislature to get a law changed.

Diane Beharry, 7 Melodie Court – called in to discuss the restriction on her deed regarding her basin. She would like the restriction removed. She emailed the Mayor and Deputy Mayor a copy of her survey of the basin. She asked them to take a look. She added that Public Works is doing a great job and thanked the Committee for extending the tax grace period. **Mayor MacLachlan** said he was probably involved in the formation of the basin on her property. We realized as a small town, as a lot of these developments took place that we did not have the physical ability to maintain these basins. We either requested a Home Owner’s Association take care of them or an adjacent property owner. He would take a look with our Administrator. Ms.

Beharry said this started two and a half years ago in 2017 with a discussion of where the survey line ends.

Shelly Kennedy, Atlantic Highlands– called in to congratulate the Committee on passing the 2nd Amendment resolution and to say thank you.

Mark Murdy, 2614 Creek Road – asked if there was any plan to address the sidewalks on Creek and Hainesport-Mt. Laurel Road. They are a safety hazard.

13. COMMENTS FROM THE ADMINISTRATOR

Ms. Kosko announced that the Solid Waste bid opening is at 10 am tomorrow. So far we have received one bid, but we are expecting more tomorrow. Tax collection as of today compared to last year, same day is at 84.75%. Last year we had 89.71% in at this time. We are 5% lower than last year, but we haven't had the tax sale and the lien holders have not paid yet. We are in a pretty good place with it, considering the effects of the pandemic.

While the building remains closed to the public, we are still here working for the township. We have our drop box to accept payments and our banker's box to use for larger correspondence including maps and permits. We are here to accept phone calls and email communications. We do make appointments, with proper screening, for in person meetings.

The EPA did not award either of the brownfield cleanup grants or assessment grants to Hainesport this year. Two million dollars of these federal grant funds were given to Camden, Cooper's Ferry, NJEDA and Jersey City. We will do the post-grant evaluation with our Region 2 EPA representative, as we did last year, to find out where we failed.

The Memorial Day Ceremony that was scheduled for 9am on May 25th has been cancelled this year. We still invite anyone who would like to honor our fallen soldiers to place a wreath at our Memorial at the Municipal Building.

The school districts have passed their budgets. The Hainesport School District levy of \$9,143,626 has a slight increase from last year of \$42,017, which translates to an increase of \$14.71 per year for the average assessed homeowner at \$278,497. The Rancocas Valley regional levy of \$3,829,132 for Hainesport taxpayers includes an increase of \$172,000. This does reflect the recently approved debt service for the high school building and the IT improvements.

We are now offering our meeting live on YouTube. If you search for Hainesport YouTube live, you can view our meeting as it is occurring. We are still working on making the YouTube chat link available during the meeting. We are doing everything we can to make our meetings available to the public and welcome participation. We will have the meeting link on our monthly meeting notices.

14. COMMENTS FROM THE SOLICITOR

Mr. Calves introduced himself as the counsel filling in for Mr. Gillespie for the evening, but had no comments.

15. COMMENTS FROM THE COMMITTEE

Miss Schneider asked everyone to stay safe and thanked everyone for attending and calling in to the meeting.

Mrs. Gilmore thanked everyone for coming. She looks forward to when the Township events can be announced again. She hopes everyone has a chance to read the Safety Proclamation. She thanked all the Township employees, volunteers and people keeping our spirits up.

Mr. Costa thanked Bruce Levinson for making face shields.

Mr. Claus addressed the comment made earlier that the Committee had been manipulated about the 2nd Amendment resolution. He said if he had listened to her he would have been manipulated. The resolution confirms support for the 2nd Amendment. He complimented the Township employees for working and still doing business through these difficult times.

Mayor MacLachlan mirrored Mr. Claus' comment about manipulation. He is proud to support the Constitution. He is in the construction business and sees how many towns are holding people up with their projects by not issuing permits. Hainesport is not holding people up. We are continuing to do business.

16. BILL LIST

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

17. ADJOURNMENT @ 8:15 P. M.

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

Respectfully Submitted,

Paula L. Kosko

Administrator/Municipal Clerk

OFFICIAL ACTION MAY BE TAKEN ON ANY ITEM ON THE AGENDA