

AUGUST 13, 2008

The South Harrison Township Committee held a finance and regular meeting on Wednesday, August 13 2008 at 7:00 and 7:30 p.m. in the South Harrison Township Municipal Building.

Mayor Charles T. Tyson called the meeting to order and was followed by the flag salute.

Requirements of the "Open Public Meetings Act" were met. Notice of this meeting was given by: (1) sending sufficient notice herewith to the Today's Sunbeam of Salem and the Gloucester County Times of Woodbury; and (2) posting notice on the public bulletin board at the South Harrison Township Municipal Building.

Roll Call: James McCall - present, Cornelius McIntyre – present, Charles Tyson - present, Robert Campbell – present, Gary Spinner – present, John Eastlack, Solicitor - present, Steve Bach, Engineer – present, Christie Melfi, CFO – present, Colleen Bianco, Administrator – present, Celeste Keen, Deputy Clerk – present, Nancy Kearns, Municipal Clerk - present.

Minutes:

Motion to approve the regular session minutes of May 14, 2008 was made by Gary Spinner, second by James McCall.

Roll Call Vote: James McCall - yes, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – yes, Gary Spinner – yes. **R.C.V.: 5 - yes', 0 - no's. Motion carried.**

Committee Reports:

Police Department – July 2008 Report
Construction Code Official – July 2008 Report
Public Works – Update on Harrisonville Lake Project
Recreation Commission – July 2008 Report

Tax Collector's Report: Taxes collected for the month of July were \$78,991.81.

Treasurer's Report: No additions.

Old Business:

Susquehanna Bank

David Hibbard of Susquehanna Bank presented Susquehanna's proposal for banking services to the Committee and introduced Daniel Maney, Relationship Manager of Business Services and Jeremy Shackelford, Senior Vice President and Regional Retail Sales Manager. Mr. Hibbard advised that copies of the proposal were delivered for the Committee to review and he will just touch on a few of the services offered. Committeeman McIntyre asked how many of the items under the scope of services are new compared to what the Township has been receiving. Mr. Hibbard stated none of the services are new, although the Township has not taken advantage of using all of these services. Committeeman Spinner asked if Susquehanna was giving the Township 36 basis points in the past. Mr. Hibbard responded absolutely, ever since he came to town. Mr. Hibbard thanked the Committee for the privilege of allowing him to come and talk with them. The Committee thanked Mr. Hibbard for coming out to the meeting.

Open Meeting to the Public:

Motion to open the meeting to the public was made by Robert Campbell, second by Charles Tyson. Motion carried.

John Coleman addressed the Committee stating he has been in the banking business since 1972. Mr. Coleman stated that Commerce owns South Jersey, the next biggest bank in South Jersey is Wachovia, and Mr. Coleman can't see Commerce giving

South Harrison anything special. Mr. Coleman stated he would take any of the community banks over Commerce. Committeeman Spinner spoke of Mr. Coleman's previous endorsement Commerce.

Marc Nagtegaal asked if the Township Committee voted on going to Commerce Bank. Mr. Nagtegaal was advised that it was an unanimous decision of the Committee to go with Commerce.

Close Meeting to the Public:

Motion to close the meeting to the public was made by Gary Spinner, second by James McCall. Motion carried.

Deputy Mayor Campbell spoke about a meeting with Tom Colavecchio, Tax Assessor, in which John Coleman and the Mayor were present. Deputy Mayor Campbell left that meeting with an understanding of the time table and the costs that would be incurred for the re-valuation/re-assessment. RFP's went out and only two (2) RFP's came back. Deputy Mayor Campbell is not comfortable with this and since the time table has not been met and the re-assessment process will not start until September, it should be opened back up and the Township should go back out for RFP's again.

Deputy Mayor Campbell made a motion to rescind the original awarding resolution and get new RFP's, second by Charles Tyson.

Roll Call Vote: James McCall - no, Cornelius McIntyre - no, Charles Tyson – yes, Robert Campbell – yes, Gary Spinner – no. **R.C.V.: 2 - no's, 3 - yes's. Motion failed.**

Ordinance O-08-13

Ordinance of the Township of South Harrison Amending Chapter 90, the Land use and Development Ordinance of the Township of South Harrison

Public hearing and final adoption

Open Meeting to the Public:

Motion to open the meeting to the public on this ordinance only was made by James McCall, second by Cornelius McIntyre. Motion carried.

No questions or comments were received from the public.

Close Meeting to the Public:

Motion to close the meeting to the public on this ordinance was Gary Spinner, second by Cornelius McIntyre. Motion carried.

Motion to adopt Ordinance O-08-13 was made by Cornelius McIntyre, second by Gary Spinner.

Roll Call Vote: James McCall - yes, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – yes, Gary Spinner – yes. **R.C.V.: 5 - yes', 0 - no's. Motion carried.**

Ordinance O-08-19

An Ordinance Amending Ordinance O-08-15 "Ordinance of the Township of South Harrison Amending Chapter 90, Land use and Development Ordinance of the Township of South Harrison

Public hearing and final adoption

Open Meeting to the Public:

Motion to open the meeting to the public on this ordinance only was made by Gary Spinner, second by Cornelius McIntyre. Motion carried.

No questions or comments were received from the public.

Close Meeting to the Public:

Motion to close the meeting to the public on this ordinance was Gary Spinner, second by Cornelius McIntyre. Motion carried.

Motion to adopt Ordinance O-08-19 was made by Gary Spinner, second by Robert Campbell.

Roll Call Vote: James McCall - yes, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – yes, Gary Spinner – yes. **R.C.V.: 5 - yes', 0 - no's. Motion carried.**

Ordinance O-08-20

An Ordinance Appropriating the Sum of \$6,000.00 from the Capital Improvement Fund for the Updating of the Code of the Township of South Harrison

Public hearing and final adoption

Open Meeting to the Public:

Motion to open the meeting to the public on this ordinance only was made by Gary Spinner, second by Cornelius McIntyre. Motion carried.

Marc Nagtegaal questioned why the Code can not be updated more than once a year and if the Township could not get a better rate. Nancy Kearns, Municipal Clerk responded advising that the cost is based on the amount and content of ordinances submitted and the ordinances that have already been adopted this year are at General Code for updating.

Close Meeting to the Public:

Motion to close the meeting to the public on this ordinance was Gary Spinner, second by James McCall. Motion carried.

Motion to adopt Ordinance O-08-20 was made by Gary Spinner, second by James McCall.

Roll Call Vote: James McCall - yes, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – yes, Gary Spinner – yes. **R.C.V.: 5 - yes', 0 - no's. Motion carried.**

Ordinance O-08-21

An Ordinance Appropriating the Sum of \$828.99 from the Capital Improvement Fund for Purchase of a Quantum DAT 72 External Drive and Adaptec 29160 Ultra 100 Controller for Back-up of the Township Server

Public hearing and final adoption

Open Meeting to the Public:

Motion to open the meeting to the public on this ordinance only was made by Cornelius McIntyre, second by Gary Spinner. Motion carried.

Dan Webster asked about the size of the drive. Mr. Webster was advised that Colleen Bianco, Administrator would have that information and she was out of the room at present.

Close Meeting to the Public:

Motion to close the meeting to the public on this ordinance was Gary Spinner, second by Cornelius McIntyre. Motion carried.

Re-Open Meeting to the Public:

Motion to open the meeting to the public on this ordinance only was made by James McCall, second by Cornelius McIntyre. Motion carried.

Dan Webster asked about the size of the drive. Colleen Bianco, Administrator responded that the information was in her office and she would get it to him.

Close Meeting to the Public:

Motion to close the meeting to the public on this ordinance was James McCall, second by Gary Spinner. Motion carried.

Motion to adopt Ordinance O-08-21 was made by James McCall, second by Gary Spinner.

Roll Call Vote: James McCall - yes, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – yes, Gary Spinner – yes. **R.C.V.: 5 - yes', 0 - no's. Motion carried.**

Ordinance O-08-22

Ordinance of the Township of South Harrison Amending Chapter 136 "Vehicles and Traffic" of the Code of the Township of South Harrison

Public hearing and final adoption

Open Meeting to the Public:

Motion to open the meeting to the public on this ordinance only was made by Cornelius McIntyre, second by James McCall. Motion carried.

Dan Webster asked what this ordinance covers regarding traffic. Mr. Webster was advised that the ordinance has to do with Traffic control during construction and maintenance of roads.

Close Meeting to the Public:

Motion to close the meeting to the public on this ordinance was Gary Spinner, second by James McCall. Motion carried.

Motion to adopt Ordinance O-08-22 was made by James McCall, second by Cornelius McIntyre.

Roll Call Vote: James McCall - yes, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – no, Gary Spinner – yes. **R.C.V.: 4 - yes', 1 - no's. Motion carried.**

New Business:

Resolution R-08-88

Resolution Authorizing the Execution of an Agreement Between the State of New Jersey Department of Transportation and South Harrison Township

Motion to adopt Resolution R-08-88 was made by James McCall, second by Cornelius McIntyre.

Roll Call Vote: James McCall - yes, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – yes, Gary Spinner – yes. **R.C.V.: 5 - yes', 0 - no's. Motion carried.**

Resolution R-08-89

Resolution Authorizing the Tax Collector to Extend the Third Quarter Grace Period

Motion to adopt Resolution R-08-89 as amended was made by James McCall, second by Gary Spinner.

Roll Call Vote: James McCall - yes, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – yes, Gary Spinner – yes. **R.C.V.: 5 - yes', 0 - no's. Motion carried.**

Resolution R-08-90

Resolution of the Township Committee of the Township of South Harrison Endorsing S-1976/A-2982, An Increase in State Police Surcharges to Defray Costs of Local Police Services

Motion to adopt Resolution R-08-90 with the insertion of South Harrison Township and County of Gloucester was made by Gary Spinner, second by James McCall.

Roll Call Vote: James McCall - yes, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – yes, Gary Spinner – yes. **R.C.V.: 5 - yes', 0 - no's. Motion carried.**

Resolution R-08-91

Resolution for Excluding the Public (Contract Negotiations and Personnel Matters)

Motion to adopt Resolution R-08-91 was made by Cornelius McIntyre, second by Gary Spinner.

Roll Call Vote: James McCall - yes, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – yes, Gary Spinner – yes. **R.C.V.: 5 - yes', 0 - no's. Motion carried.**

Gypsy Moth Program

Motion to participate in the Department of Agriculture gypsy moth survey program was made by James McCall, second by Cornelius McIntyre. Motion carried.

Motion to amend Resolution R-08-91 to include possible litigation was made by Cornelius McIntyre, second by Gary Spinner.

Roll Call Vote: James McCall - yes, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – yes, Gary Spinner – yes. **R.C.V.: 5 - yes', 0 - no's. Motion carried.**

Resolution R-08-92

Resolution of the Township of South Harrison Requesting the Director of the Division of Local Government Services to Authorize the Insertion of a Special Item of Revenue in the 2008 Budget of the Township of South Harrison County of Gloucester State of New Jersey

Resolution R-08-93

Resolution of the Township of South Harrison Requesting the Director of the Division of Local Government Services to Authorize the Insertion of a Special Item of Revenue in the 2008 Budget of the Township of South Harrison County of Gloucester State of New Jersey

Resolution R-08-94

Resolution of the Township of South Harrison Requesting the Director of the Division of Local Government Services to Authorize the Insertion of a Special Item of Revenue in the 2008 Budget of the Township of South Harrison County of Gloucester State of New Jersey

Resolution R-08-95

Resolution of the Township of South Harrison Requesting the Director of the Division of Local Government Services to Authorize the Insertion of a Special Item of Revenue in the 2008 Budget of the Township of South Harrison County of Gloucester State of New Jersey

Motion to adopt Resolutions R-08-92, 93, 94 and 95 was made by James McCall, second by Cornelius McIntyre.

Roll Call Vote: James McCall - yes, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – yes, Gary Spinner – yes. **R.C.V.: 5 - yes', 0 - no's. Motion carried.**

Committeeman McIntyre addressed the Committee and audience in recognition of the passing of Mark Horner. Mr. Horner was a life-long resident of South Harrison and was very active in his community and commitment to the community. He served as Mayor and as a Committee Member of the Township. In addition he was also dedicated to the Fire Company serving as both the Chief and a member. He was a true public servant. Committeeman McIntyre thought maybe the Committee would consider a contribution to the Harrisonville Fire Company or Unity Ambulance; this would be in lieu of flowers.

Open Meeting to the Public:

Motion to open the meeting to the public was made by Gary Spinner, second by Cornelius McIntyre. Motion carried.

Marc Nagtegaal asked for a copy of the bill list. Ms. Melfi gave him one.

Ed Crispin reiterated Committeeman McIntyre's recognition of Mark Horner giving a brief bio highlighting a few of his many involvements with the Community.

- Mr. Horner helped get donations to re-build and supply the new school.
- Mr. Horner was very active in the Fire Company and got LePont to donate their old fire equipment to the Harrisonville Fire Company.
- Mr. Horner was very active in fundraisers for the Fire Company.
- Mr. Horner was instrumental in having the dry pipe installed at the lake.
- Mr. Horner gave of his time and donated materials to build the new fire house.
- Mr. Horner was very involved in civic activities and anonymously helped less fortunate residents.

Mr. Crispin cited several stories of Mr. Horner's involvement with his neighbors and community, closing by stating that Mr. Horner was what this Township is all about and how it has been built; you and your leadership will be missed. A moment of silence was observed in Mr. Horner's memory.

Mr. Crispin stated the records and the accuracy of the records are very important in this township. Years ago the Township sold a property at a tax sale and the taxes were paid on it, this occurred because of poor record keeping. Mr. Crispin then spoke about the Planning/Zoning Board along with the Environmental Commission doing a great job on with a new Master Plan, but there is an error on one of the maps. The land across from the school is in farmland preservation and it does not show on the map. Leah Furey, Township Planner has been advised of this oversight.

Dan Webster addressed the Committee regarding a fatal accident at the corner of Ferrell and Commissions Roads and feels something needs to be done about this corner. Mr. Webster understand that there may not be a possibility of a stop light, due to the number of vehicles. The stop sign itself is several feet away from the actual area were you need to stop. Mr. Webster recommends, at the very least, painting the word stop on the street. Committeeman Spinner advised that the Chief has talked to the County Engineers about using oversized stop sign and the possibility of a blinking light. Committeeman McCall stated that the site triangle needs to be improved and in the past he has had Public Works remove a lot of the growth there. The County has to go in and fix that corner. Mr. Bach stated for it to become a 4 way stop the County would have to make an application to the NJDOT and it would take several months. Theresa Roeder stated the issue is the intersection is not equal, one side has a shoulder which sets the intersection off, another shoulder is needed to make it equal.

Dan Webster advises that at the slightest rumble of thunder he loses power. Is there something the Committee can do to find out what Atlantic Electric needs to do to improve their system? Numerous persons stated that between the electric and phone companies the problem is everywhere.

Robert Gaines, 912 Franklinville Road, asked why the Committee was split on the budget vote. Mayor Tyson responded that he voted no because he feels it is irresponsible. John Eastlack read a letter on behalf of Deputy Mayor Campbell, which was addressed to Mayor Tyson and setting forth his deductions and reasons for voting no on the budget.

Mr. Gaines asked if this memo was sent out to everybody on the Committee. The Committee members stated that they never saw it. Committeeman McIntyre stated that we are all tax payers; I have seen them go up dramatically, but the other option that night was a 4.8 cent increase. The 3 to 2 majority voted in favor of a 3 cent increase. We got 60,000 less in state aid. 3 cents equates to 60,000.00. The State this year gave additional money to education and took it away from the municipalities. The real culprit is the State. The ones with the more conservative budgets are the ones that get penalized in this.

Committee Spinner asked Mr. Gaines if his concern is stemming from a 3 cent increase. Mr. Gaines replied a little bit, but the older people in the township, when can we stabilize this. Committee Spinner stated that back on March 19th there was a meeting where the CFO talked about what we are looking at from a revenue stand point and what we are looking at from expense stand point. Where do you want the tax rate to be? Based on the numbers projected we were looking at a 10.8 cent increase. One of the Committeemen said if we are looking at 10.8 why can't we just make the tax increase 3 cents to cover the state aid. Other members said we are getting back 12 plus from Kingsway and since that is coming down instead of 10.8 why not go to the 12. The talk that was out there was why don't we take the 12 or 15 cents. Committeeman Spinner suggested Mr. Gaines listen to the tapes and see who was talking about higher taxes if he is concerned about 3 cents. The Committee was trying to see what the State comes in with and the Committee was trying to decide whether to reduce the levy or keep it at 6 cents and take whatever they gave back and put into the reserves. The Auditors' then advised that there is a CAP and we could only go 3 cents.

Mike Hoey, St Johns Lane, addressed the Committee regarding the new four-day work schedule and asked if the new hours are more or less hours than before. Committeeman Spinner stated the total hours are the same. If the motivation was to save energy Mr. Hoey thinks you will only be saving \$10.00. The purpose of the services here are to service the tax payer. We are losing a full day of services for \$10.00. A taxpayer may have to wait 72 hours to receive service. Mr. Hoey questioned the validity of this move. Committeeman Spinner advised that this a 60 day trial bases. This was not done just to save energy; the extended hours were for the benefit of residents that can not get here during the normal 9 to 5 day. Mr. Hoey feels energy savings is a sham and you are taking away services from the residents by closing the offices on Fridays. Mr. Hoey asked the Committee to think about their fiduciary responsibilities to the tax payers to provide services when and if they need it. Committeeman McIntyre responded it was a sixty day trial period and we certainly value any input we get positive or negative. Committeeman McIntyre asked Mr. Hoey if earlier in the year he had a problem with essentially the building being closed on Fridays because the Clerk was part time. Mr. Hoey responded no he did not have a problem with that.

Mr. Hoey addressed the earlier issue of power failures in South Harrison stating Atlantic Electric is doing a reliability study.

Lucas Murray, Gloucester County Times stated for the record he does not touch the editorials.

Robert Diaz addressed the Committee regarding an incident that occurred about four months ago involving a member of the Planning Board. This individual tried to hack into the computer systems at South Harrison Township and when questioned he lied to the police about it. Mr. Diaz stated this is a criminal activity; my information is on those computers, my confidential information, your information, the residents' information - what gave this person the authority to try and hack into the systems and then deny it to the police officers? Why is the individual still setting on the Board, I don't understand that, why wasn't he arrested? Mayor Tyson said because it is my decision. John Eastlack stated no it is not his decision. There is not a legal basis by which anybody on the Committee can remove someone from the Planning Board. The Ethics Code is clear

about what it covers, which is mostly financial conflicts of interest and personal conflicts of interest; it is not allowed to by state statute to cover other kinds of wrong doing that are covered by other statutes. Mr. Eastlack stated it is a police matter and the Township Committee can not answer as to why he was not arrested. Committeeman McCall responded that he is in the process of filing an ethics complaint on this matter and is strongly against what happened and thinks there are 2 people involved - one on the Committee and one on Planning/Zoning and it is totally wrong. Mr. Diaz stated he did not have the authority to do this and if it was legitimate it would have been done with people standing over you like the Police Chief, the Administrator and/or a Township Committee person. You do not have someone go in, on their own and try to hack into the system and go out and brag about it. This Committee needs to take action. The Ethics Board in South Harrison Township is just another way to sweep things under the rug.

Ed Crispin stated the tax increase since 1985 is 400%. Mr. Crispin stated he was here on July 31st at 10 am when the door was locked, and came back on August 1st at 10:40 am and the building was open, the air conditioner was on and you can't shut it off in the hall, you are not saving anything there. Mayor Tyson stated he comes here on Fridays to see what is on and what is not on and to see there are any residents coming to the building.

Marc Nagtegaal stated the Planning/Zoning Board Attorney was not paid for his services on one occasion and also one of John Eastlack's, what are the particulars on this. Christie Melfi, CFO responded that Gary Thompson's bill was paid. Committeeman McIntyre raised an issue with Mr. Eastlack's bill and will be asking Mr. Eastlack about this later in the meeting. Mr. Nagtegaal then stated that after the hail storm the other day, the rocks and stones of a driveway of an unoccupied house in Lenape covered the road. The Township should have got the road department to clean that street. Mr. Bach spoke to the drainage problem and notified the developer: we do not have the authority, and notice has to be given to the developer.

Close Meeting to the Public:

Motion to close the meeting to the public was made by Gary Spinner, second by James McCall. Motion carried.

Return to Open Session:

Motion to return to open session was made by Cornelius McIntyre, second by Gary Spinner. Motion carried.

Deputy Mayor Campbell stated the minutes were not transferred to the new website. Administrator Bianco asked if this is in reference to Nancy (Kearns) or me, because I wasn't "RICE'D". Deputy Mayor Campbell said it is in relation to Nancy. Colleen Bianco stated Nancy does nothing for the website other than forward items to me. The Committee discussed the issue of the minutes and the procedure that was set forth and this has not been followed by a certain Committee member.

Deputy Mayor Campbell excused himself from the meeting.

Return to Closed Session:

Motion to return to closed session was made by Gary Spinner, second by Charles Tyson. Motion carried.

Return to Open Session:

Motion to return to open session was made by Gary Spinner, second by James McCall. Motion carried.

Committeeman Spinner advised that he was approached regarding liquor licenses in South Harrison Township and he would like to know whether or not it would be an option for the Committee to consider.

Minutes:

Motion to approve the regular session minutes of February 26, March 19, April 2, April 9, April 16, April 23 and April 28, 2008 was made by James McCall, second by Cornelius McIntyre.

Roll Call Vote: James McCall - yes, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – absent, Gary Spinner – yes. **R.C.V.: 4 - yes', 0 - no's. Motion carried.**

Approve Payment of the Bills:

Motion to approve payment of the bills with the exception of voucher 08-00714 was made by Cornelius McIntyre, second by Gary Spinner.

Roll Call Vote: James McCall - absent, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – absent, Gary Spinner – yes. **R.C.V.: 3 - yes', 0 - no's. Motion carried.**

Adjournment:

Motion to adjourn was made by Cornelius McIntyre, second by Gary Spinner. Motion carried.

Respectfully submitted,

Nancy E. Kearns, RMC
Municipal Clerk