

OCTOBER 15, 2008

The South Harrison Township Committee held a finance and regular meeting on Wednesday, October 15, 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 – absent, Gary Spinner – present, John Eastlack, Solicitor - present, Richard Fini, 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 7, July 23, August 13, September 10 and September 23, 2008 was made by Gary Spinner, second by James McCall.

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.**

Motion to approve the regular session minutes of July 9, 2008 was made by Gary Spinner, second by Cornelius McIntyre.

Roll Call Vote: James McCall - abstained, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – absent, Gary Spinner – yes. **R.C.V.: 3 - yes', 0 – no's, 1- abstention. Motion carried.**

Committee Reports:

Police Department – September 2008 Report
Construction Code Official – September 2008 Report
Engineering Report – October 2008 Report
Public Works Department – October 2008 Report
Recreation Commission – October 2008 Report

Committeeman Spinner asked about the Mullica Crossings punch list of items to be corrected by the developer. Mr. Fini stated the inspectors were out and a new punch list prepared. The letter will be issued and Committee will be copied.

Theresa Roeder reported on the fall festival and thanked all who helped with the event. The crowds were not there, even though she thought she had ironed out all of the problems. However, that was not the case. Vendors were told by those who were there that people were told to stay away and not to patronize the other food vendors. Ms. Roeder feels the orchestrated boycott was known weeks ahead of time and no one did anything to stop it. Ms. Roeder read a letter from one of the vendors, reporting at the event was one of the worst she had ever attended.

Tax Collector Report: Taxes collected for the month of September \$1,640,480.41.

Treasurer's Report: No additions

Old Business: **Ordinance – O-08-23**
An Ordinance Appropriating the Sum of \$4,100.00 from the Capital Improvement Fund for the Upgrading of the Emergency Management Trailer and a New Portable Two-Way Radio

Public hearing and final adoption

Open Meeting to the Public:

Motion to open the meeting to the public on Ordinance O-08-23 only was made by James McCall, second by Gary Spinner. 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 Ordinance O-08-23 was made by James McCall, second by Gary Spinner. Motion carried.

Motion to adopt Ordinance O-08-23 was made by was made by James McCall, second by Gary Spinner.

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.**

Ordinance – O-08-

24

An Ordinance Appropriating the Sum of \$3,200.00 from the Parkland Trust Fund for the New Roof for the Concession Stand at Stewart Memorial Park

Public hearing and final adoption

Open Meeting to the Public:

Motion to open the meeting to the public on Ordinance O-08-24 only was made Gary Spinner, second by Cornelius McIntyre. Motion carried.

Marc Nagtegaal pointed out that Chapter 21 Section 9 of the Township Code states that these funds can not be used for maintenance items at the park. Mr. Eastlack reviewed this and agreed, suggesting the Committee table the ordinance and advising that it will have to be amended and re-introduced.

Close Meeting to the Public:

Motion to close the meeting to the public on Ordinance O-08-24 was made by Gary Spinner, second by James McCall.

Motion to table Ordinance O-08-24 was made by Gary Spinner, 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.**

Ordinance – O-08-

25

An Ordinance Amending Chapter 90 of the Code of the Township of South Harrison to Amend the Mandatory Development Fee Requirements to Assist the Township in Meeting its Affordable Housing Obligations

Public hearing and final adoption

Open Meeting to the Public:

Motion to open the meeting to the public on Ordinance O-08-25 only was made by Gary Spinner, second by James McCall. Motion carried.

Close Meeting to the Public:

Motion to close the meeting to the public on Ordinance O-08-25 was made by Gary Spinner, second by Cornelius McIntyre. Motion carried.

Motion to adopt Ordinance O-08-25 was made by Cornelius McIntyre, second by Gary Spinner.

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.**

Resolution R-08- 99

Resolution of the Township Committee of South Harrison Setting Forth the Policies Regarding the Issuance of Press Releases

Motion to table Resolution R-08-99 was made by Charles Tyson. Seeing no second the motion failed.

Motion to deny Resolution R-08-99 was made by Gary Spinner, second by James McCall.

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.**

New Business:

Ordinance O-08-26

An Ordinance Appropriating the Sum of \$3,200.00 from the Capital Improvement Fund for the Purchase of a 7' Grader Box, 7' Landscape Rake and a Fuel Transfer Tank/Tool Box for the F350 for the Public Works Department

Introduction and first reading

Motion to adopt Ordinance O-08-26 on first reading was made by James McCall, second by Gary Spinner.

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.**

Public hearing and final adoption set for November 12, 2008 at 7:30 pm.

Resolution R-08-107

Resolution Accepting a Right-of-Way Dedication Deed Regarding Marl Road

Motion to adopt Resolution R-08-107 was made by Cornelius McIntyre, second by Gary Spinner.

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.**

Resolution R-08-108

Resolution Approving of the Reduction of the Performance Bond of Marlands, LLC Regarding the Hickory Ridge Project

Motion to adopt Resolution R-08-108 was made by Gary Spinner, second by Charles Tyson.

Roll Call Vote: James McCall - no, Cornelius McIntyre - yes, Charles Tyson – yes, Robert Campbell – absent, Gary Spinner – yes. **R.C.V.: 3 - yes', 1 - no's. Motion carried.**

Ordinance O-08-27

An Ordinance of the Township of South Harrison Amending the Code of the Township of South Harrison to Add Chapter 113 Entitled "Regulation of Activity at Stewart Park"

Introduction and first reading.

Motion to adopt Ordinance O-08-27 on first reading was made by Gary Spinner, 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.**

Public hearing and final adoption is set for November 12, 2008 at 7:30 pm.

Committeeman Spinner advised Mr. Eastlack that Nancy found out that South Harrison is a dry town. Ms. Kearns advised that she was informed of this fact by Joann Frascella from the Liquor Control Board. Committeeman Spinner advised that a member of the Economic Development Committee mentioned that a resident is interested in exploring the possibility of opening a restaurant in the township, and he was also approached about a liquor store. At this point it is all exploratory and if it was decided to do this, an ordinance would have to be put in place and a referendum would have to be put on the ballot for the residents to decide. Any funds derived from a license would go to the general fund. Ms. Kearns will email Mr. Eastlack with her contact information.

Administrator Bianco spoke about the franchise agreement with Comcast Cable. The contract had expired in 2007, and Barry Taylor of Comcast reached out to her to get this back into negotiations. Committeeman McIntyre advised of where the negotiations were the last time he had discussed this with Comcast. It was determined that Mr. Eastlack will look into this matter.

Nancy Kearns, Municipal Clerk spoke of the need for digital recording equipment and computer hardware/software for the Committee and Planning/Zoning meetings. Ms. Kearns advised that she has been looking into the cost for these items and does have a good estimate of the cost at this time and is requesting the introduction of a spending ordinance in order to move forward with quotes and purchase of the equipment.

Ordinance O-08-28

An Ordinance Appropriating the Sum of \$2,200.00 from the Capital Improvement Fund for the Purchase of Digital Recording Equipment, Hardware and Software for the Township of South Harrison Council Room, Municipal Clerk and Planning/Zoning board Clerk/Secretary

Introduction and first reading.

Motion to adopt Ordinance O-08-28 on first reading was made by James McCall, second by Gary Spinner.

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.**

Public hearing and final adoption is set for November 12, 2008 at 7:30 pm.

Resolution R-08-106

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

Motion to adopt Resolution R-08-106 was made by Gary Spinner, 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.**

JIF Dividend

Motion to apply the JIF Insurance dividend as a credit to the future premiums was made by Gary Spinner, second by James McCall. Motion carried.

COAH Update

Rich Fini of Bach Engineering advised that the new COAH rules have come down from Trenton and the Township's plan needs to be submitted before December 31, 2008. Leah Furey, Township Planner has asked for a subcommittee to be formed to work with her in the development of the plan, requesting 2 Committee Members, 1 Planning/Zoning Member and Colleen Bianco, Township Administrator, as she is the Municipal Housing Liaison. The Sub-Committee will be comprised of: Mayor Tyson, Committeeman Spinner, Colleen Bianco and a member of the Planning/Zoning Board to be determined.

Agenda Procedure

Committeeman McIntyre spoke to the Committee regarding Resolution R-05-92 which sets forth the procedure for agenda-setting, and pointed out that it has been used since its adoption. Committeeman McIntyre then read an email regarding the issue of the agenda, which stated that Mayor Tyson would be approving the agenda prior to any other Committee Members receiving it. This is in conflict with the Resolution that has been used since its adoption. John Eastlack advised that there should be a new resolution adopted every year at the re-organization meeting setting forth the procedure.

Resolution R-08-109

Resolution of the Township Committee of the Township Renewing Resolution R-05-92 Setting forth Procedures for Agenda and Public Sessions for the South Harrison Township Committee Meetings

Motion to adopt Resolution R-08-109 was made by Cornelius McIntyre, second by James McCall.

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.**

Committeeman Spinner questioned whether this should be an ordinance to make this a standard practice moving forward. Mr. Eastlack responded that it is possible to do an ordinance, but the Township Committee should have that discretion annually.

Committeeman Spinner addressed the Committee about an email from Chief Mabey regarding the possibility of a shooting range in South Harrison Township.

Mayor Tyson then read a follow-up email from the Chief sent to clarify the issue that the GCPCA has several locations that are being discussed and South Harrison Township is on that list, and there have been preliminary discussions with Gloucester

County Officials. There has been no decision yet and there will be further discussion and a meeting with the South Harrison Township Officials.

Open Meeting to the Public:

Motion to open the meeting to the public was made by, second by. Motion carried.

Don Moul of 433 Franklinville Road spoke about the County EMS and gave the Committee some statistical information regarding the County wide EMS program. Mr. Moul questioned if the Committee has made a decision to transfer to the County or not. The Committee is still looking into this matter.

Robert Diaz then spoke about the figures and definitive care that is started at the scene before the ambulance arrives, further pointing out that the Unity Ambulance costs to the Township in 2008 were zero.

Marc Nagtegaal stated that in addition to a digital recording system there should be a Wi-Fi hot spot in the Council room for internet access.

Robert Holston requested that the portion of the meeting set aside for the Ethics Committee be done in closed session.

Jack Fitzpatrick of 911 Monroeville Road stated that if the County is guaranteeing 24/7 and a hub for EMS in South Harrison that the Township should get that in writing. Mr. Fitzpatrick also asked why the Mayor voted to deny the resolution he proposed on issuing press releases. Mayor Tyson replied because the other members did not want it.

Patty Marino spoke about hearing that Gloucester County is going to agree to a gun range in South Harrison that would back up to her farmland and advised that the Landfill is moving ground and the machines start up at 6 – 6:30 a.m. with the noise.

Matt Warner of 34 Ashford Court is also worried about a gun range in South Harrison and advised that he went on a tour of the Landfill and they are moving dirt, but it is for the Landfill.

Sebastian Marino of 574 Harrisonville Road stated that his niece in Connecticut has a gun range close to her house and she has bullet fragments all over her yard and feels the Township needs to do all it can to stop this from coming into South Harrison.

John Eastlack, Township Attorney advised that in the end the County does not need the Township's approval, but that does not mean you can't try to stop it.

Resolution R-08-110

Resolution Opposing the Placement of a County Gun Range within the Borders of South Harrison.

Motion to adopt Resolution R-08-110 was made by Gary Spinner, second by James McCall.

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.**

Janice Huggins of Lincoln Mill Road asked why the Township needs an Ethics Board at the local level when the State has one. Committeeman McIntyre advised that that issue will be talked about later in the meeting. Ms. Huggins commended Theresa Roeder on her work for Community Day.

Ms. Chelius of Commissioners Road spoke on the issue of the County EMS, stating that she feels the County has too many issues yet and does not feel the Township would get the same level of care, but maybe in the future this would change.

Dan Webster spoke, stating he is not crazy about having a gun range in the Township.

Chester Randall of Lincoln Road thanked Theresa Roeder for all of her hard work on Community Day and feels that the new direction did not work and hopes the Committee is looking at ways to resolve the issue. Mr. Randall then asked about his request for money to be in the budget for the Senior Citizens Club. The Committee agreed to give the Club \$1,500.00 for their bus trip.

Sara Freeman of 781 Eldridges Hill Road asked why so much money is going to the seniors, when the Recreation Commission is also doing a luncheon for the senior citizens. Committeeman McCall explained that the Seniors Club is separate from the luncheon that is given to the seniors of South Harrison Township.

Jeanine Campbell of 706 Lincoln Road thanked Theresa Roeder and Recreation Commission for their hard work on Community Day and the residents who attended.

Ed Crispin stated he has been a volunteer for 58 years and volunteerism is going down the tube. No one contributes any time & effort and it should be “we” and “us” not “I” or “me”.

Mary Howard asked for clarification on the work session agenda, as she came for the Ethics Board portion of the meeting. Mary Howard was advised that this will be a closed session first and after closed session the meeting will be re-opened to the public.

Dan Webster of the Ethics Board invited Ms. Howard to come to the next Ethics Board meeting, which is next Monday. The meeting is open to the public.

Debra Stanton of 9 Greenbriar Court spoke about the over night parking in her development and is requesting an ordinance for no parking on the street between the hours of 2 am and 6 am. The Committee will look into this matter.

Close Meeting to the Public:

Motion to close the meeting to the public was made by, second by Motion carried.

Approve Payment of the Bills:

Motion to approve payment of the bills was made by, second by.

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.**

Adjournment:

Motion to adjourn was made by, second by. Motion carried.

Respectfully submitted,

Nancy E. Kearns, RMC
Municipal Clerk