

JULY 11, 2007

The South Harrison Township Committee held a finance and regular meeting on Wednesday, July 11, 2007 at 7:30 and 8:00 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: Cornelius McIntyre – present, James McCall - absent, Charles Tyson - present, Robert Campbell – present, Gary Spinner – present, Yvonne Bullock, Chief Finance Officer - present, John Eastlack, Solicitor - present, Steven Bach, Engineer – present, Nancy Kearns, Municipal Clerk - present.

Minutes:

Motion to approve the regular session minutes of May 18 and 31, 2007 and the closed session minutes of May 18, 2007 was made by Gary Spinner, second by Robert Campbell.

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

Motion to approve the regular session minutes of May 31, and June 8, 2007 was made by Gary Spinner, second by Robert Campbell.

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

Committee Reports:

Construction Code Office – June 2007 Report
Police Department – June 2007 Report

Chief Warren Mabey reported the first six months of this year Municipal Court revenue brought into the township is in excess of \$41,000.00 for the entire year of 2003 we brought in \$37,000.00, 2004 \$21,000.00, 2005 \$47,000.00, 2006 \$54,000.00 making us just shy in the first six months in Municipal Court revenue for the entire previous year. Most of that is traffic enforcement; our officers are doing an outstanding job. Our calls for false alarms have been cut in half as of last month. On July 2nd our part-time officer was sworn in as a full time probationary officer.

Resident Task Force – June 2007 Report

Daniel Webster reported with regards to tracking paperwork, on a computerized system from department to department. In addition to computerizing the work load we need to look at what we spend on support. In my opinion we spend too much and I think we could see some savings, not with our server, but with some of the support invoicing. An example for savings would be the back up service. I think we need to sit with the IT provider to discuss this issue. I think I could report on this by the next township meeting.

Tax Collector's Report: Taxes collected for the month of June \$59,731.22.

Treasurer's Report: Yvonne Bullock advised that the Committee has before them the bill list and the investment account report.

Old Business: **Ordinance O-07-16**
An Ordinance Fixing and Establishing the Salaries and Benefits of the Officers and Employees of the Township of South Harrison in the County of Gloucester and State of New Jersey

Public hearing and final adoption.

Open Meeting to the Public:

Motion to open the meeting to the public on Ordinance O-07-16 only was made by Gary Spinner, second by Cornelius McIntyre. Motion carried.

Jack Fitzpatrick of Monroeville Road asked the Mayor, in the budget how much money is in the wage line item. Mayor Tyson stated about \$13,000.00. Mr. Fitzpatrick, then asked why is there \$13,000.00 if we are only going to spend \$5.00? Mayor Tyson said the chair person of the finance committee will speak for me. Deputy Mayor Campbell stated that the preliminary budget has been sent to the State setting forth a certain amount of money, and believes that amount had been taken down to \$10,000.00, this was done before we started talking about expenses in other areas. It was then decided, not unanimously, to reduce the salaries for the committee down to \$1.00 each. The budget does not have to reflect the \$5.00. Mr. Fitzpatrick then asked if the balance can be used for something else. Deputy Mayor Campbell said yes it can be transferred. Mr. Fitzpatrick asked if he knew what it will be used for. Deputy Mayor Campbell responded that it depends on what expenses we have that may not have been budgeted for, they will have to be offset some how. Mayor Tyson stated that some of us thought this was the year to give back salaries to help offset the budget. Mr. Fitzpatrick stated that he didn't agree he felt the committee should earn what they previously earned. Mr. Fitzpatrick then asked the Mayor about section three, wanting to know if anyone was hired. Mayor Tyson advised that yes there was someone hired. Mr. Fitzpatrick then asked what that person's salary is going to be. Mayor Tyson said he thought it was \$27,000.00 for this year. Mr. Fitzpatrick stated you have \$60,000.00 listed, but that is not for this year. Mayor Tyson stated not for this year. Mr. Fitzpatrick asked how many people were interviewed. Mayor Tyson replied that there were eight interviews. Mr. Fitzpatrick asked why this person was picked. Response was that this person offered us a lot, that she is very bright, has a lot of experience with grant writing and experience in working with Municipal Government. Mr. Fitzpatrick asked if she was experienced in how to handle Municipal Government. Mr. Fitzpatrick was advised that yes she is and will be starting her position on Monday. Mr. Fitzpatrick asked about section 25.3 and the Police Chief getting 5 weeks paid vacation and why does he get more vacation than anyone else. Response, he is getting the extra time off because for the last two years he has taken vacation time in lieu of a salary increase. Mr. Fitzpatrick asked if other employees could opt for a week vacation and not the increase. Mr. Fitzpatrick was told that if the raise equaled a week of vacation they could. Mr. Fitzpatrick asked how much is it going to cost for the Chief to take additional vacation regarding staffing of the police department and coverage. Mr. Fitzpatrick was told there should be no additional cost, because we have the coverage now with the additional officer. Mr. Fitzpatrick, so you are telling me, the payroll is the same when the Chief works, as when he doesn't. That is correct. Mr. Fitzpatrick stated that all the other employees need to work 10 years for three weeks, and asked how many weeks the new Administrator will get. Mr. Fitzpatrick was told that she gets the same as everyone else.

Close Meeting to the Public:

Motion to close the meeting to the public on Ordinance O-07-16 was made by Gary Spinner, second by Robert Campbell. Motion carried.

Motion to adopt Ordinance O-07-16 was made by Gary Spinner, second by Cornelius McIntyre.

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

Stewart Park Update

Steve Bach, Township Engineer provided an updated punch list for Stewart Park, stating that he is waiting for the consideration from the Township Committee in terms of the items needed to be addressed and what direction the Committee would like to take. Stewart Park was a project initiated by the Township, and while under construction, several design changes have occurred. Bach Associates was asked to analyze the engineering for what was acceptable and what was not, that has been done. We have provided the impacts for consideration, with regards to safety issues and the like. One of the Committee Members stated it looks like there are 29 items and there are still 24 that have not been resolved. Mr. Bach responded no and that is why I put this out there, because we had several discussions along with the committee. These are the deviations that does not mean they cannot stand as they are as far as some substitutions, but it is not my place to say, the committee needs to address them. Mr. Bach was asked if this is a common amount of deviations for this size of a project. Mr. Bach replied that it all depends on the method it was constructed under. Right now we are just looking at the plans that were approved against what is out there. I'm looking for the Committee to tell me what deviations are acceptable and what are not, so I can direct who I need to regarding different pipe, different parking arrangement, different drainage if that is the direction the Committee wants to go. I'm not to saying it doesn't work, but it is not what this Governing Body approved. John Eastlack, Township Solicitor stated this should probably go closed session due to contractual nature. Mr. Bach stated he has not been given any explanation as to the changes, and the Township is liable for any problems right now. The Committee approved the establishment of a sub-committee to meet and make recommendations regarding the park. This sub-committee will be Bob Campbell and Neil McIntyre both from the Township Committee along with Mel Robertson and Joe Wille. Their report is to include what was to be done and who was to do it, what was done and who did it, what remains to be done and who is going to do it. All in attendance agreed to serve on the sub-committee.

New Business:

Resolution R-07-75

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

Motion to adopt Resolution R-07-75 was made by Gary Spinner, second by Cornelius McIntyre.

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

Ordinance O-07-17

An Ordinance Appropriating the Sum of \$8,000.00 from the Capital Improvement Fund for the Updating of the Code of the Township of South Harrison

Introduction and first reading.

Motion to adopt Ordinance O-07-17 on first reading was made by Cornelius McIntyre, second by Gary Spinner.

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

Public hearing set for August 8, 2007 at 8:00 p.m.

Ordinance O-07-18

An Ordinance Appropriating the Sum of \$1,088.76 from the Capital Improvement Fund for the purchase of Mannington VCT 12 x 12 tiles, adhesive and cove molding from Matteo Family Kitchens, Inc. for the South Harrison Township Police Office

Introduction and first reading.

Motion to adopt Ordinance O-07-18 on first reading was made by Cornelius McIntyre, second by Robert Campbell.

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

Public hearing set for August 8, 2007 at 8:00 p.m.

Resolution R-07-76

Resolution for Excluding the Public (Personnel Matters and attorney/client privilege and contract negotiations)

Motion to adopt Resolution R-07-76 was made by Cornelius McIntyre, second by Gary Spinner.

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

Resolution R-07-77

Resolution Of The Township Of South Harrison Authorizing The Designation Of The National Incident Management System (NIMS) As The Basis For All Incident Management In The Township Of South Harrison, County Of Gloucester, State Of New Jersey

Motion to adopt Resolution R-07-77 was made by Robert Campbell, second by Gary Spinner.

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

Resolution R-07-78

Resolution for Public Fireworks Display

Motion to adopt Resolution R-07-78 was made by Robert Campbell, second by Cornelius McIntyre.

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

Recognition of Robert Tomchak

Charles Tyson noted Robert Tomchak a 17 year old firefighter took 3rd in nation in USA Skills fire science competition and would like to award him a plaque at Community Day in recognition of his achievement.

Open Meeting to the Public:

Motion to open the meeting to the public was made by Robert Campbell, second by Gary Spinner. Motion carried.

Don Moul of 433 Franklinville Rd asked where the Committee is with regard to the County EMS system. Mr. Moul was advised that the County came to last month's meeting and spoke for about 1/2 hour leaving everyone in the crowd and the committee with more questions than answers. Explaining that you can either opt in to the program or keep our own, but either way we will still be taxed. There was no formal vote. Mr. Moul stated so the township may pay for a system we may not use, I'm pretty sure the Township already donates to the ambulance system. One thing we did hear is you will be taken to the nearest hospital not the one of your choice. Special circumstances would

result in a different hospital transport. Questions still arise with response time, local or county, and who would be faster. Our volunteers may or may not be hired as full or part time, but could still volunteer, however, they may go away, there is no perfect answer. Mr. Butts did say if we did not participate, they would still back us up if our squad could not make the call. Mr. Moul, because of my address, the response time could be 16 - 20 min. with our volunteers and that is unacceptable to me. My neighbors address gets the county in approx. 3 min., I would use that address first. I think someone waiting for a call at the station, has to respond faster than someone who has to get up, dress, go to the station and then respond. The Committee has not made any decision at this time, there were too many questions still unanswered. Mr. Moul asked about a community task force for this. The Committee stated they were going to meet with some of the volunteers to discuss ideas. Chief Mabey stated he did not want to take anything away from our squad, but I would hope when you make a decision you do not take personal feelings into it. Chief Mabey stated there is nothing more frustrating than being first at the scene of an accident, or a fall, or cardiac arrest and most of the time our volunteer ambulance cannot respond because the volunteers are working, so we have to wait for the next responder. I think one of the main things to consider is the time of response. The Committee asked Mr. Moul, if he would serve on the task force. Mr. Moul stated he would, the Committee advised Mr. Moul to pick a couple other residents he feels comfortable with and report back next month.

Marc Nagtegaal of Franklinville Rd. stated his opinion will not change, unless 10 municipalities agree to go into the system, stating our average time is longer, because we respond to different areas such as Salem. I'm going to show this video to the volunteers. My concern is not to lose sight of what you have and I don't think there will be any improvement.

Chet Randall of Lincoln Road requested permission from the Committee to spend maybe \$300.00 - \$400.00 a reimbursable expense for my seniors to go on a trip. I understand I have to come to the Committee to ask for permission to get reimbursed. Mr. Randall was asked isn't there money in the budget. Mr. Randall stated but my question is in order to spend prior to, I won't have a voucher, I will pay first then get a receipt and request reimbursement. Committee, yes we can do that. Mr. Randall replied he was just making sure, he does not want to spend the money and then can't get reimbursed. The Committee stated he has permission to spend what is allocated.

Jack Fitzpatrick of Monroeville Rd. addressed the Committee stating he is trying to find out why you three gentlemen are trying to get rid of and continually criticizing our township clerk, because as far as I know the township clerk is not the problem, you three gentlemen are. Deputy Mayor Campbell stated this is a personnel issue and you cannot discuss a personnel issue. Mr. Fitzpatrick replied that this is not a personnel issue. The Mayor voted in favor of the way Nancy kept the minutes, you voted over 70 times, and said they were correct. Three months ago Mr. Campbell said she did not keep them correctly, you changed your mind, why, after five years of saying she was correct. Mayor Tyson stated he didn't change my mind. Mr. Fitzpatrick, well you said for five years she kept them correctly, she presented the minutes, Bob Campbell said they were incorrect, you agreed with him. Why after five years? Mayor Tyson stated there was a mistake made, it is not the first time there was a mistake made in the minutes. Mr. Fitzpatrick, it was not a mistake in the minutes, but how they were kept. You said for five years the way Nancy presented the minutes was correct, now because Mr. Campbell said they were not correct, you agree with him. Why after five years of agreeing with Nancy do you disagree with her? Mayor Tyson stated he has his own reason. Mr. Fitzpatrick asked what the reason is, after no response Mr. Fitzpatrick stated I guess you don't have one. Mr. Fitzpatrick addressed the Mayor stating in your campaign letter you stated your opponent Russell Marino has spent a good deal of time misrepresenting the progress you're making, can you tell me what and when? Mayor Tyson stated there was no name mentioned. Mr. Fitzpatrick stated you were only running against one person. You signed this, what did he say? Mayor Tyson replied that he said several things and I don't know. Mr. Fitzpatrick stated that in your letter the previous team did not have the knowledge or integrity to run the township, you were part of that team, so you did not have the knowledge or integrity, but once the administration changed... Mayor Tyson interrupted stating I'm not going sit here and let you take political attacks. Mr.

Fitzpatrick, this is not, this is your writing. Mayor Tyson stated that this has nothing to do about tonight's business. Mr. Fitzpatrick replied that this is the public portion. Mayor Tyson responded that it has to be pertinent to tonight's business and he would not talk about this. Mr. Fitzpatrick addressed Deputy Mayor Campbell stating his parents said you should always look for something good in a person. The one good thing, I think, since Mr. Campbell got elected Mayor Tyson does not have to run out after a meeting to get on the phone and tell Bob what happened. Deputy Mayor Campbell stated the minutes were wrong and Nancy admitted they were wrong and we cannot discuss personnel issues. Mr. Fitzpatrick on records the previous engineer had, you said at this meeting, why didn't Nancy get the records from the previous engineer, you were upset and filed a lawsuit, the township filed a lawsuit to get them, what was the results? You lost the law suit because they did not have to give the records, because you did not pay the bill. Deputy Mayor Campbell, Jack I'm really happy you stepped up here tonight, because everything you just said is wrong. Number 1, the minutes, on March 14th, they were incorrect in terms of what was on the tapes. If you look at the original minutes that were here and given for us to vote on, two of us flagged them saying they were not complete. Mr. Fitzpatrick, you said they weren't complete because of the public portion. The minutes that night were incomplete they were corrected and adopted. The other thing -the public portion- You raised this thing with the engineer. On or about Feb. 26, I called Chris Perks, because the week before that we had a meeting finding out that none of the records had been turned over to the township. When I called he got all over my case saying we owed him \$25,000.00, I knew nothing about, I was not on the committee last year, I asked for a detailed list of the monies we allegedly owed. He did fax them to me. We got the invoice; no one on this committee knew anything about it. We went to the planning/zoning board, no one knew of this \$25,000.00 liability. What Chris told me in no uncertain terms, and I taped this in my office and sent it to Mr. Eastlack, unless we paid this \$25,000.00 we could go to you know where and would not get the files. We put our CFO, Celeste, Sharon Wade, on the invoices as to why we owed this money. There was no back up for hardly any of it. It took almost 4 months to clean up, because we were not going to pay any monies to them unless we knew they did the work. So here is an engineering firm, that was replaced, holding the files, did not let us know for two months. Also, they were receiving violations from Soil conservation with Stewart Park and not notifying the Township that they had the violations and we could have been fined. Mr. Fitzpatrick, did you pay them after you got all the information? Yes. Then why did you have to go to court? Committee, because as a professional you do not hold records that do not belong to you for money. On June 13th, 42 boxes were delivered to the Township. Mr. Fitzpatrick stated you filed two lawsuits against South Harrison Twp., the one because you couldn't get the records you say Nancy was keeping. Deputy Mayor Campbell stated that's not true, it was because I was denied access under open public records act. To see the police records. I filed a complaint, under the open public act they found in favor of me. Mr. Fitzpatrick stated absolutely not, because there weren't any such records, so you cost the township almost \$4,000.00 in legal fees. You filed another lawsuit in South Harrison Twp. against Tom Sager, remember that. Deputy Mayor Campbell stated there was no lawsuit filed against Tom Sager. Mr. Fitzpatrick, you said he kept his records in his home; he was the treasurer and was allowed to keep all current records in his house, that's the law. I believe a letter was sent to the Department of Community Affairs, about the fact that Mr. Sager was continually taking records home. You'll see the Auditors mentioned that. I did file notice with OPRA, as to why the police files were not turned over to me; it did not cost anybody \$4,000.00. Mr. Fitzpatrick why was Nancy criticized about a community benefit check. Mr. Fitzpatrick, let me see if I have the letter, you sent this to me. Deputy Mayor Campbell asked why would you have a copy, what letter? Mr. Fitzpatrick, this thing here, about community benefits, the check you said there was a problem with depositing. Deputy Mayor Campbell asked how would you know that. Where did you get the information? Mr. Fitzpatrick, is it a secret? Deputy Mayor Campbell, you said it is in a letter, what letter are you referring to? Mr. Fitzpatrick, I don't have it here, I have these, I saw it in a letter. Mr. Fitzpatrick was asked who signed the letter. Mr. Fitzpatrick replied you did and so did you. Mr. Fitzpatrick was told that the Committee cannot discuss personnel issues. Mr. Fitzpatrick was asked who showed him the letter? Mr. Fitzpatrick replied nobody showed it to me.

Theresa Roeder addressed the Committee regarding basins and storm water management. Ms. Roeder stated the Reserve at Saddlebrook will be used as a model.

The township needs to get behind the issue of standardizing a maintenance schedule. This needs to be adhered to by all communities. Next Thursday evening at the Planning/Zoning Board I will have a presentation with the hope of having the adoption of an ordinance to standardize the maintenance so we are not over flowing our banks. The reason I came here, is because of our community landscape plan. It outlines the trees and shrubs that should have been installed in Nov. 06. I have called wanting someone to be responsible to install the landscape plan as outlined, what was installed falls far short of it. Memo April 07, 57 punch list items, #51 the landscape is yet to be complete, but they were unable to verify the health of the planting. If you look today, most are dead. Steve Bach stated his office went and looked and has put those items on a punch list. The project is still under bond, before any bonds are released, we will make sure all improvements are put in place. Mr. Bach stated with the Committee's permission I will forward you a copy of any correspondence regarding this issue. The basin issue, the best management practices have been adopted by the town; there is a very large binder the planning board is now required to use. Theresa, yes I know, but there has been no accountability.

Dan Webster addressed the Committee stating he lives in Saddlebrook also and there is also a question once the final paperwork is released what along Commissioners Rd. is to be maintained.

Close Meeting to the Public:

Motion to close the meeting to the public was made by Gary spinner, second by Cornelius McIntyre. Motion carried.

Return to Open Session:

Motion to return to open session was made by Gary Spinner, second by Robert Campbell. Motion carried.

Approve Payment of the Bills:

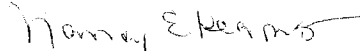
Motion to approve payment of the bills with the exception of Ball & Buckley and Scientifact was made by Robert Campbell, second by Gary Spinner.

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

Adjournment:

Motion to adjourn was made by Gary Spinner, second by Robert Campbell. Motion carried

Respectfully submitted,



Nancy E. Kearns, RMC
Municipal Clerk