

January 29, 2008
Pilesgrove Township
Work Session
Minutes

Mayor Bickford called the work session meeting of the Pilesgrove Township Committee to order at 9:00 A.M. followed by the Pledge of Allegiance. Mayor Bickford stated that the meeting was in compliance with the New Jersey Sunshine Law, and the Clerk read the annual notice:

This meeting is called pursuant to the provisions of the Open Public Meetings law. This meeting of January 29, 2008 was included in a list of meetings notice sent to the Today's Sunbeam and the Elmer Times on January 5, 2008, posted on the bulletin board at the Municipal Building on January 5, 2008 and has remained continuously posted as the required notices 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.

Mayor Bickford advised that proper notice having been given; the Clerk is directed to include this statement in the minutes of this meeting.

Attendance: Ernest Bickford
Edward Kille
William Miller
Michael M. Mulligan, Esq.

Chief Brian Facemyer of the Reliance Fire Company provided a handout to the Committee that detailed the activity of the Fire Company for the year 2007. Discussion followed on the budget request of the Fire Company for 2008 – request is for \$38,000.00 in the line item and 13,000.00 in capital expenses. Resident Cheryl Reardon inquired on report she had heard that indicated there are two different types of smoke detectors, one that can give a warning up to 15 minutes in advance of the other. Chief Facemyer indicated he would research the issue.

Discussion took place on the request of Michael Morgan, owner of the property at 58 Cedar Lane in the Township to place a trailer on his property for 6 – 8 months. Mr. Morgan's home was destroyed in a fire in December of 2007, and Township ordinance stipulates that a trailer can be placed on the property for 30 days at a time, with a 6 week interval between renewals of the permit. In a previous discussion of this issue, the Clerk was directed to contact the Township Planning Board Solicitor John Hoffman for input on the issue. Mr. Hoffman advised that Alloway Township has a procedure in place for this type of situation, and the Clerk presented the documentation obtained from Alloway Township. Mr. Mulligan advised that to adequately address this issue, the Township ordinance should be amended to provide for an emergency or hardship situation. The ordinance should also address the construction of a new home on a lot that already includes a principle dwelling. Township Committee authorized Mr. Mulligan to prepare an amendment to the Township ordinance for introduction and first reading at the February 5, 2008 Township Committee meeting.

Motion made by Kille, 2nd by Miller to approve the cost of a block/lot data base software package in the amount of \$3,000.00 from Municipal Information Systems, Inc. Quote and certification of availability of funds from the Township CFO attached. Ayes all.

Motion made by Kille, 2nd by Miller to approve payment of the Green Trust Fund loan in the amount of \$5,301.87. Ayes all.

Motion made by Kille, 2nd by Miler to approve resolution 08-016, appointing certain employees of the Township of Pilesgrove. Ayes all.

Motion made by Kille, 2nd by Miller to approve Resolution 08-019, approving a Shared Services agreement with the County of Salem with regard to the PARIS grant. Ayes all.

Discussion of ongoing projects in the Township:

Four Seasons Campground compliance matter – the Clerk advised that John Moustakas, Esq., new legal counsel for the Campground, requested that the meeting scheduled for Monday, January 28 be rescheduled to Monday, February 25, 2008 because his clients and the campground manager will not be available until that date. The Clerk advised Committee that in her conversation with Mr. Moustakas, she advised him that this issue could not be delayed past the February 25 date, and Mr. Moustakas stated that he would relay that to his clients.

Cable franchise renewal – The Clerk advised that Comcast Cable has processed the necessary paperwork with the State Board of Public Utilities for renewal, and the BPU has indicated that the Township can request additional services from Comcast, such as high speed internet to the Municipal Complex at no charge. Comcast has not yet returned the phone call.

Wastewater Management Plan – the Township has received a request from the Borough of Woodstown to post a \$5,000.00 escrow for the services of the Borough professional's in reviewing the Township WWMP. Mr. Mulligan thought it was unusual for another municipality to charge for this type of review. Mayor Bickford advised that Township Planner Chris Warren is moving forward with the Township plan, even though there has not been an endorsement of the plan by the Borough. Mr. Miller stated that he feels that the Borough would consider the Township plan if the Township were to change the plan to request sewerage service from the Borough to only the areas in the Township that must have service to comply with the Kings Road settlement agreement and facilitate the Township's immediate needs. While the State might look more favorably on a plan that has the agreement of both municipalities, non-contiguous clustering in the Township is several years away and not time sensitive right now.

Farmland preservation – in principle, the issue of the re-allocation of funds received from the State on the Ostrum and Byrnes farms has been resolved, with the County and the Township agreeing to a 50/50 split of the funds. It was the understanding of the Township that there would be two separate resolutions adopted by the County on farmland preservation; one that would address the re-allocation, and one that would address the next phase of the Planning Incentive Grant applications. The County provided only one resolution. The Clerk advised that she called Earl Gage, Clerk of the Board, and Mr. Gage has a call in to County Counsel E. Elaine Voyles on the matter, but has not provided an update. Motion made by Kille, 2nd by Miller to table action on this matter until it is clarified with the County. Ayes all.

Motion made by Kille, 2nd by Miller to open the public comment portion of the meeting. Ayes all.

Resident Cheryl Reardon asked if there would be action after the closed portion of the meeting, and Mayor Bickford advised that action would take place after the closed session.

Ms. Reardon stated that the Township January newsletter included a notice requesting e-mail addresses from residents for updates on Township matters. Ms. Reardon questioned whether the Township would be providing that list to any commercial organizations, and questioned the confidentiality of the e-mail addresses. Mr. Mulligan advised that if that list is compiled by the Township Clerk, it is a public record. The Clerk was directed to contact the Government Records Council on this matter, and discussion followed on the need to notify those residents providing their e-mail address that it would become a public record.

Ms. Reardon asked if the Township has any notification system in place for Township residents in the case of a health emergency or similar emergency. The Mayor advised that the Township does not, and the Clerk advised that she would check with the County Office of Emergency Management to inquire on such a system through that agency.

Motion made by Kille, 2nd by Miller to close the public comment portion of the meeting. Ayes all.

Motion made by Kille, 2nd by Miller to go into closed session to discuss matters in accordance with N.J.S.A. 10:4-12, specifically pending litigation in the matter of Pacilli v Pilesgrove and contract negotiations. Ayes all.

Motion made by Kille, 2nd by Miller to reopen the meeting to the public. Ayes all.

Motion made by Kille, 2nd by Miller to authorize Township Solicitor Mulligan to reply to Ms. Earlen Haven regarding her fee dispute of professional fees in her appeal of the Zoning Officer's decision to the Planning Board. Mr. Mulligan's authorization is to advise Ms. Haven that the Township's offer is for a total payment of \$1,500.00 for professional services. Ayes all.

Motion made by Kille, 2nd by Miller to authorize Township Solicitor Mulligan to contact William Ziegler, Esq. in the matter of Pacilli v Pilesgrove to advise that Section 145-61.6 of the Township Code indicates that the 10% cash bond requirement cannot be waived. In addition, Mr. Mulligan will contact Township Planning Board Solicitor John Hoffman regarding any outstanding items needed prior to authorizing the Township Planning Board Chairman and Secretary to sign the plat for this subdivision. Ayes all.

Motion made by Kille, 2nd by Miller to approve Resolution 08-017, appointing Special Counsel for the Township appeal to the Superior Court in the matter of Pacilli v Pilesgrove. Ayes all.

Motion made by Miller, 2nd by Kille, to authorize Mr. Mulligan to contact the Township Zoning Officer for further discussion on the situation on Block 3.06, Lot 18 to determine if it may be a land mining operation. Ayes all.

Motion made by Bickford, 2nd by Miller to adjourn at 12:40 PM. Ayes all.

Maureen R. Abdill, Clerk