

TOWNSHIP OF QUINTON
COUNTY OF SALEM
REGULAR MEETING
QUINTON TOWNSHIP MUNICIPAL BUILDING
April 2, 2024

Called to order by Mayor Sperry at 6:00pm

Pledge of allegiance

Open Public Meetings Act

This meeting is being held in compliance with the Open Public Meetings Act. Advanced notice of this meeting was given by way of the annual notice which was filed with the Quinton Township Clerk, forwarded to the South Jersey Times and Elmer Times, posted on the website and the bulletin board located in the lobby of the Quinton Township Municipal Building.

Roll Call Mayor Sperry, Committeeman Owens, CFO Elwell, Clerk Uzdancovics, Solicitor Vigilante Hannagan Absent

Minutes to be approved March 5, 2024, March 20, 2024 Special Meeting
Motion Sperry, Second Owens 2 RCV yes

Vouchers

Motion Sperry, Second Owens 2 RCV yes to be approved

ORDINANCES to be adopted

ORDINANCE NO. 2024-03

ORDINANCE GRANTING CONSENT AND PERMISSION TO NEW JERSEY-AMERICAN WATER COMPANY, INC. TO FURNISH POTABLE WATER CONVEYANCE AND SERVICE TO A PORTION OF THE TOWNSHIP OF QUINTON, NEW JERSEY AND GRANTING MUNICIPAL CONSENT TO USE TOWNSHIP RIGHT-OF-WAY TO PROVIDE SAID SERVICE

WHEREAS, the Township of Quinton, County of Salem and State of New Jersey (the "Township"), hereby grants consent and permission to New Jersey-American Water Company, Inc. ("New Jersey American Water"), a New Jersey corporation, to furnish potable water conveyance and service to a portion of the Township as set forth below; and

WHEREAS, New Jersey American Water is in the process of acquiring the water and wastewater systems (the "Systems") currently owned and operated by the City of Salem, New Jersey, ("Salem") subject to regulatory approvals; and

WHEREAS, Salem is desirous of having New Jersey American Water acquire the Systems; and

WHEREAS, the Salem water system provides water service directly to Township residents in a portion of the Township described below, and by way of a service agreement the Salem wastewater system accepts wastewater from the Township; and

WHEREAS, New Jersey American Water is a regulated public utility corporation of the State of New Jersey presently seeking the municipal consent of the Township to permit New Jersey American to provide services in the Township to include the right to provide potable water conveyance and service to the Township and directly to those Township residents in the area shown on Schedule A; and

WHEREAS, New Jersey American Water has requested the consent of the Township as required by N.J.S.A. 48:19-17 and 48:19-20, as amended, to lay its pipes beneath and restore such public roads, streets and places as it may deem necessary for its corporate purposes, free from all charges to be made

for said privilege (except that fees for road opening permits shall be paid), provided that all said pipes installed after the date of this Ordinance shall be laid at least three feet (3 ‘) below the surface and shall not in any way unnecessarily obstruct or interfere with the public travel or cause or permit other than temporary damage to public or private property; and

WHEREAS, it is deemed to be in the best interests of the citizens of the Township to provide this consent;

WHEREAS, the Mayor and Township Committee have concluded that granting of said consent shall enhance the health, safety and welfare of the citizens of the Township.

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE AS FOLLOWS:

Section 1. That exclusive and perpetual consent and permission to furnish water conveyance to residents, businesses and government buildings on properties situated within the Township as shown on Schedule A (the “Designated Franchise Area”), is hereby given and granted to New Jersey American Water, its successors and assigns, subject to approval of such consent and permission by the New Jersey Board of Public Utilities (“Board”).

Section 2. That exclusive consent and permission is given to New Jersey American Water, its successors and assigns, under the provisions of N.J.S.A. 48:19-17 and N.J.S.A. 48:19-20, as amended, without charge therefore, (except fees for road opening permits which shall be paid) as the same may be required in order to permit New Jersey American Water to own and operate the water system, add to, extend, replace, operate and maintain said system in the public property described herein in order to provide said potable water conveyance service within the Designated Franchise Area. This shall include permission to lay pipes, valves, pumps, manholes and other necessary equipment beneath the public roads, streets, public property and public places within the Designated Franchise Area. The privilege granted herein shall include the right to construct, install and maintain fire hydrants within the Designated Franchise Area. As permitted by N.J.S.A. 48:3-15, the term of this Municipal Consent shall be fifty (50) years commencing on the effective date of this Ordinance.

Section 3. That a certified copy of this Ordinance, upon final passage, shall be sent to New Jersey American Water who shall send same to the Board.

Section 4. That the grants of a Municipal Franchise and a Municipal Consent are subject to a final order issued by the Board approving the Municipal Franchise and Municipal Consent given by Salem to New Jersey American Water.

Section 4. That the consent granted herein shall be subject to New Jersey American Water complying with all applicable laws of the Township and/or the State of New Jersey including, but not limited to, any and all applicable statutes and administrative agency rules and/or regulations.

Section 5. The Mayor and the Township Committee are authorized to execute the documents and agreements necessary to effectuate this municipal consent.

Section 6. Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Section 7. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage, approval and publication as required by law.

Schedule A
Designated Franchise Area

NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Quinton, held on the 5th of March 2024 and will be considered for final passage at a meeting of the Township Committee of the Township of Quinton, to be held on the 2nd day of April 2024 at 6:00 p.m. at which time and place any interested party will be given the opportunity to be heard.

Open Public Hearing Motion Sperry, Second Owens 2 RCV yes
Close Public Hearing Motion Sperry, Second Owens 2 RCV yes
Motion to Adopt Motion Sperry, Second Owens 2 RCV yes

ORDINANCE NO. 2024-04

ORDINANCE APPROPRIATING THE SUM OF \$134,360.00
TO BE USED FOR THE RECONSTRUCTION OF N. BURDEN HILL ROAD SECTION I WITHIN
THE TOWNSHIP OF QUINTON, COUNTY OF SALEM, STATE OF NEW JERSEY

WHEREAS, the Governing Body desires to authorize the Reconstruction of North Burden Hill Road Section I within the Township of Quinton: and

WHEREAS, sufficient funds are available for said purpose from the New Jersey Department of Transportation Trust Fund and from the Township's Capital Improvement Fund;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Quinton, County of Salem, State of New Jersey, that:

SECTION 1: There is hereby appropriated from the following sources the sum of \$134,360.00 to be used for the following capital project within the Township of Quinton:

	Purpose/Improvement	Estimated Total Cost	Capital Improvement Fund	Grants
A.	Reconstruction of North Burden Hill Road Section I	\$134,360.00	\$17,500.00	\$116,860.00

SECTION 2: In connection with the amounts authorized in Section 1, the Township makes the following determinations:

- a) The purpose described in Section 1 is not a Current Expense and is an improvement, which the Township may lawfully make as a general improvement.
- b) The period of usefulness of the purpose described in Section 1 hereof is within the limitations of the Local Bond Law and according to the reasonable life thereof is five (5) years or more.
- c) No debt is authorized by this ordinance.
- d) The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Municipal Clerk and available for inspection.

SECTION 3: All ordinances or parts of ordinances that are inconsistent with the terms of this ordinance be and the same are hereby repealed to the extent of their inconsistency.

SECTION 4: This ordinance shall take effect immediately upon proper passage, publication in accordance with law and after final adoption as provided by law.

NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Quinton, held on the 5th of March 2024 and will be considered for final passage at a meeting of the Township Committee of the Township of Quinton, to be held on the 2nd day of April 2024 at 6:00 p.m. at which time and place any interested party will be given the opportunity to be heard.

Open Public Hearing Motion Sperry, Second Owens 2 RCV yes
Close Public Hearing Motion Sperry, Second Owens 2 RCV yes
Motion to Adopt Motion Sperry, Second Owens 2 RCV yes

ORDINANCE NO. 2024-05

AN ORDINANCE AMENDING ARTICLE II, CHAPTER 141 OF THE CODE OF THE TOWNSHIP OF QUINTON ENTITLED "GARBAGE, RUBBISH, REFUSE, AND RECYCLING"

WHEREAS, certain amendments to the Township Code are necessary to ensure that solid waste and recyclable collection comply with the terms of the Shared Services Agreement;

WHEREAS, the Township Committee of the Township of Quinton finds it necessary to amend Chapter 141 to clarify the responsibility for replacement and the cost of receptacles for replacement purposes only;

NOW, THEREFORE BE IT ORDAINED by the Township Committee of the Township of Quinton, County of Salem and State of New Jersey, that Article II, §141 of the municipal code of the Township of Quinton is amended to add:

A. All receptacles (referred to herein as "trash carts" or "recycling carts" or "carts") required herein shall be issued initially by the Township of Quinton, and shall remain the property of the Township of Quinton. Upon any change of ownership or occupant, all such receptacles shall remain with the property. The property owner and/or occupant is responsible for the replacement of any damaged, stolen or missing receptacles. The replacement must be purchased from the Township of Quinton and the fee is \$75.00 per receptacle. The fee is required to be paid at the time a replacement receptacle is requested and provided by the Township of Quinton.

NOTICE

This Ordinance was introduced for first reading and approval at a Regular meeting of the Quinton Township Committee held on March 5, 2024 at 6:00 pm in the Quinton Municipal Building, 885 Quinton Road, Quinton NJ 08072, and after posting and publication according to law it will be presented for public hearing and adoption on April 2, 2024 at 6:00 pm at a meeting of the Quinton Township Committee.

Open Public Hearing Motion Sperry, Second Owens 2 RCV yes

A resident asked what happens if the trash company breaks the can? Mayor Sperry responded they should call the clerk, she will contact the trash company and they will look into issue. Committeeman Owens said the cans should not be on the roadway. They should be at least 6 foot off the road if possible.

Close Public Hearing Motion Sperry, Second Owens 2 RCV yes
Motion to Adopt Motion Sperry, Second Owens 2 RCV yes

ORDINANCES TO BE INTRODUCED

**ORDINANCE NO. 2024-07 ORDINANCE AMENDING THE QUINTON TOWNSHIP CODE
CHAPTER 216, STORMWATER MANAGEMENT TO COMPLY WITH THE
REQUIREMENTS OF THE NJDEP TIER A STORMWATER GENERAL PERMIT"
Re: Quinton Township Ordinance No. 2024-07**

The purpose of the Ordinance is to cause Quinton Township's Stormwater management and control ordinance to conform with recent amendments to the New Jersey Department of Environmental Protection's (NJDEP) Stormwater Management rules at N.J.A.C7:8, which were amended on July 17, 2023. The Ordinance includes revisions to Chapter 216 Stormwater Management of the Quinton Township Code. It adopts sections of the code to regulate pet waste, wildlife feeding, litter Control, yard waste collection, Improper waste disposal, illicit stormwater sewer system connections, private storm drain inlet retrofitting, privately-owned storage of salt and de-icing materials.

The Ordinance can be reviewed at the Quinton Township website; www.quintonnj.com

Copies of the Ordinance are on file for public inspection, examination and acquisition at the office of the Township Clerk, Marty R. Uzdanic, at her office in the Quinton Township Municipal Building, 885 Quinton Road (Route 49), Quinton, New Jersey 08072, between the hours of 9:30 a.m. and 1:30 p.m. on Monday, Wednesday and Thursday (excluding holidays). Members of the public may obtain copies of the Ordinance without cost from the Township Clerk, before and after final adoption.

Motion Sperry, Second Owens 2 RCV yes

Solicitor Vigilante explained this ordinance is being done because the state changed a lot of towns from a Tier B to a Tier A Stormwater designation and the NDEP requires all Tier A municipalities to adopt these amendments to their Storm Water Management Ordinances.

RESOLUTIONS FOR APPROVAL

RESOLUTION NO. 2024-45
**RESOLUTION AUTHORIZING THE CANCELLATION OF 2023 TAXES AND REFUND OF
OVERPAYMENT FOR A TOTAL DISABLED VETERAN**
(Block 55, Lot 76 – Ehle, Amanda M & Robert H)

WHEREAS, THE TAX ASSESSOR OF QUINTON TOWNSHIP has certified that the above-referenced taxpayer has been approved for tax exempt status effective December 1, 2023; therefore, the fourth quarter taxes should be cancelled and pro-rated in the amount of \$865.11, together with subsequent billing; and

WHEREAS, THE TAX COLLECTOR OF QUINTON TOWNSHIP has certified to the Mayor and Township Committee that the above-referenced taxpayer has been approved for total disabled veteran exempt status; therefore, the fourth quarter should be cancelled and pro- rate in the amount of \$865.11, together with subsequent billing; and

WHEREAS, THE TAX COLLECTOR OF QUINTON TOWNSHIP has additionally certified to the Mayor and Township Committee that CoreLogic Servicing Agent on behalf of their Mortgage Company paid the fourth quarter of 2023 and the first quarter of 2024, property taxes which has generated an overpayment in the amount of \$3,298.94 and that the books of the Tax Collector be adjusted to reflect said overpayment; and

WHEREAS, THE TREASURER OF QUINTON TOWNSHIP shall make said refund from the Current Account;

WHEREAS, based on the approval for tax exempt status effective December 1, 2023, this total disabled veteran is no longer required to pay property taxes on Block 55, Lot 76 for as long as he owns the property and it is his permanent primary residence;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township of Quinton, County of Salem, and State of New Jersey, cancel the fourth quarter pro-rated tax 2023 real estate taxes as noted above, refund the overpayment of the pro-rated fourth quarter of 2023 and the entire first quarter of 2024 taxes in the amount of \$3,298.94 to CoreLogic Servicing Agency, P.O Box 9202 Coppell, TX 75019-9760 and the books of the Tax Collector be adjusted to reflect the cancellation and overpayment as noted above.

Motion Sperry, Second Owens 2 RCV yes

RESOLUTION NO. 2024-46

RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH STOW CREEK TOWNSHIP AND THE TOWNSHIP OF QUINTON FOR THE USE OF QUINTON TOWNSHIPS ZONING OFFICE PHONE LINE FOR THE YEAR 2024

WHEREAS the Township of Stow Creek would like to enter into an interlocal agreement with Quinton Township to share the Zoning Office phone line, and,

WHEREAS municipalities can enter into an Interlocal Agreement pursuant to N.J.S.A. 40:8A-10 et seq., and;

WHEREAS Stow Creek Township will pay \$35.00 monthly for the use of the phone line starting January 1, 2024; and

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Quinton authorizes the Mayor and Clerk to execute an Interlocal Agreement for the sharing of the Zoning Office phone line with Stow Creek Township, and;

BE IT FURTHER RESOLVED that a copy of the resolution be forwarded to the Clerk of Stow Creek Township.

Motion Sperry, Second Owens 2 RCV yes

RESOLUTION NO. 2024-47 GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

Motion Sperry, Second Owens 2 RCV yes

RESOLUTION NO. 2024-48 INTRODUCTION OF THE 2024 MUNICIPAL BUDGET (Public Hearing and Adoption May 7, 2024)

Motion Sperry, Second Owens 2 RCV yes

RESOLUTION NO. 2024-49 A RESOLUTION APPROVING LIST OF ACTIVE CERTIFIED VOLUNTEERS FOR LOSAP 2023

WHEREAS, the Township of Quinton (“Quinton”) currently has a Length of Service Award Program which was established pursuant to N.J.S.A. 40A:14-183, et seq., and

WHEREAS, N.J.S.A. 40A:14-192 requires the sponsoring agency, which in this case is Quinton, to review the annual certification list of each participating emergency service organization and approve the final annual certification; and

WHEREAS, N.J.S.A. 40A:14-192 further provides that the approved list of active certified volunteer members shall then be returned to each participating emergency service organization and posted for at least 30 days for review by members; and

WHEREAS, the list of active certified volunteer members has been attached hereto as Attachment A.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Quinton that:

- 1.The list of active certified volunteer members attached hereto as Attachment A is hereby approved.
- 2.The list shall be returned to each participating emergency service organization and posted for at least 30 days for review by members
- 3.The list shall be posted in the office of the Township Clerk and in a prominent location for each participating emergency service organization.
- 4.In accordance with N.J.S.A. 40A:14-188, an active volunteer member whose name does not appear on the approved certification list or who is denied credit for service prior to the establishment of the service award program may appeal within 30 days of posting of the list. The appeal shall be in writing and mailed to the clerk of Quinton.

AND, BE IT FUTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

Motion Sperry, Second Owens 2 RCV yes

RESOLUTION NO. 2024-50 RESOLUTION APPROVING THE CONTRACT FOR TRIAD ADVISORY SERVICES, INC. (Professional Services) RESOLUTION APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH TRIAD ADVISORY SERVICES, INC.

WHEREAS, The Township Committee of the Township of Quinton has a need for a Grant Consultant; and

WHEREAS, The Township Committee of the Township of Quinton has approved the Professional Services Agreement with TRIAD ADVISORY SERVICES, INC. not to exceed \$7500.00; and

WHEREAS, the Township CMFO has certified that there is sufficient and legally appropriated funds for OE Budget for the period of 2023 thru 2024; and

NOW THEREFORE BE IT RESOLVED, The Township Committee of the Township of Quinton has approved this fee agreement with TRIAD ADVISORY SERVICES, INC.

Motion Sperry, Second Owens 2 RCV yes

RESOLUTION NO. 2024-51 RESOLUTION APPROVING THE AGREEMENT WITH TRIAD

ADVISORY SERVICES, INC. (Fire Truck)

WHEREAS, The Township Committee of the Township of Quinton has a need for a Grant Consultant; and

WHEREAS, The Township Committee of the Township of Quinton has approved the agreement with TRIAD ADVISORY SERVICES, INC. in the amount of \$7500.00 to prepare and submit a USDA Community Facilities (CF) Program Application to obtain the release of approved FY2024 Congressionally Directed Spending (CDS) Funding for the purchase of a Pumper Truck; and

WHEREAS, the Township CMFO has certified that there is sufficient and legally appropriated funds for OE Budget for the period of 04/01/24 - 12/31/24; and

NOW THEREFORE BE IT RESOLVED, The Township Committee of the Township of Quinton has approved this fee agreement with TRIAD ADVISORY SERVICES, INC.

Motion Sperry, Second Owens 2 RCV yes

DISCUSSION ITEMS

Chairperson of Administration and Environmental
Chairperson of Public Buildings and Grounds, Trash and Recycling
Chairperson of Streets and Roads, Fire, Ambulance and recreation

PUBLIC SESSION

The Residents that live near Freedom Farm (Wild Oaks) asked for an update on the situation there. Solicitor Vigilante informed them that we secured a court order for no further hunting and to remove the gate at Gill Drive until further order of the Court. 75 Wild Oaks has not removed the barrier, attempted to conduct another hunt and delayed the inspection of the property by our Zoning office. The Township will ask for a contempt order. Solicitor Vigilante shared we were informed of a hunt that was taking place last weekend and the State Police were called and shut it down. According to reports, the attorney for and tenant of 75 Wild Oaks claimed to be unaware of the court order. Solicitor Vigilante explained the attorney was on the Zoom hearing when the Judge made the order. She also informed us a motion to transfer the matter to the Agriculture Board was filed. Solicitor Vigilante said we will respond and if you see activity that is not allowed let the Zoning officer know. Another resident asked if the buildings were not approved would they be torn down. Solicitor Vigilante said the judge did not order any buildings to be taken down. Another asked if the state permit was granted? Solicitor Vigilante said it was and the season ends May 5, 2024. Solicitor Vigilante informed everyone that we are taking every action we are allowed to protect the town. The judge will determine what we can do.

RESOLUTION NO. 2024-52 RESOLUTION TO EXCLUDE THE PUBLIC

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12b permits a public body to go into a closed session during a public meeting to discuss certain matters as follows:

- (1) Matters Required by law to be confidential: Any matter which by express provision of the Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Any matter in which the release of information would impair the right to receive federal funding.
- (3) Matters involving individual privacy: Any matter, the disclosure of which constitutes an unwarranted invasion of individual privacy such as records, data, reports, recommendations or other

personal material of any education, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including, but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned .

(4) Matters pertaining to a collective bargaining agreement: Any matter involving a collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

(5) Matters relating to the purchase, lease acquisition of real property or investment of public funds: Any matter involving the lease, purchase or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

(6) Matters of public protection: Any tactic and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection.

(7) Matters relating to litigation, negotiations and attorney-client privilege: Any matter of pending or anticipated litigation or contract negotiation other than in (4) above in which the Township is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required for the attorney to exercise ethical duties as a lawyer.

(8) Matters relating to the employment relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of , promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all of the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed in public.

(9) Deliberations after public hearing. Deliberations by the Township occurring after a public hearing that may result in a civil penalty or the suspension or loss of a license or permit of a responding party; and

WHEREAS, the Township Committee has determined that it is necessary to go into a closed session to discuss certain matters relating to the items as permitted by N.J.S.A. 10:4-12b

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of Quinton that the Committee will go into closed session to discuss the following, in accordance with the aforesaid provisions of the Open Public Meetings Act, after which it will reconvene in the public:

7. Attorney Client / Contract Negotiations
8. Matters related to employment relationships

BE IT FURTHER RESOLVED, that the minutes of the closed session will be made available to the public when the need for privacy no longer exists.

Motion Sperry, Second Owens 2 RCV yes

Motion to close Open Session for Attorney Client/Litigation - Sperry, Second Owens 2 RCV yes
Motion to open Closed Session - Sperry, Second Owens 2 RCV yes

No Action is being taken.

There being no further business motion to adjourn at 7:09pm by **Sperry, Second Owens 2 RCV yes**