

TOWNSHIP OF QUINTON
COUNTY OF SALEM
REGULAR MEETING
(Corrected Minutes)
QUINTON TOWNSHIP MUNICIPAL BUILDING
March 5, 2024

Called to order 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, Elmer Times and posted as required by law.

Roll Call Mayor Sperry, Deputy Mayor Hannagan, Committeeman Owens, CFO Elwell, Clerk Uzdanovics, Solicitor Vigilante

Minutes to be approved Regular meeting February 6, 2024 Work Session, February 21, 2024

Motion Hannagan Second Owens 3 RCV yes

Vouchers to be approved

Motion Hannagan Second Owens 3 RCV yes

ORDINANCE Adopted

ORDINANCE NO. 2024-02

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Committee of the Township of Quinton in the County of Salem finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Committee hereby determines that a 1.0% increase in the budget for said year, amounting to \$11,984.26 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Committee hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Committee of the Township of Quinton, in the County of Salem, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Township of Quinton shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting

to \$41,944.91 and that the CY 2024 municipal budget for the Township of Quinton be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

| | | |
|---|---------------------|------------------|
| Open public Hearing Motion Hannagan | Second Owens | 3 RCV yes |
| Close Public Hearing Motion Hannagan | Second Owens | 3 RCV yes |
| Motion to adopt Motion Hannagan | Second Owens | 3 RCV yes |

ORDINANCES Introduced

ORDINANCE NO. 2024-03

AN 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.

Motion Hannagan Second Owens 3 RCV yes

ORDINANCE NO. 2024-04

AN 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.

Motion Hannagan Second Owens 3 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.

Motion Hannagan Second Owens 3 RCV yes

RESOLUTIONS approved

RESOLUTION NO. 2024-38

A RESOLUTION AUTHORIZING THE ADDITION OF A BANK ACCOUNT SIGNER FOR DOG REGISTRAR AND UNEMPLOYMENT COMPENSATION TRUST FUND

WHEREAS, there is a need to add a bank account signer for the Dog Registrar Account and Unemployment Compensation Trust Fund; and

WHEREAS, the following bank accounts will have new signers for any banking needs the Dog Registrar Account or Unemployment Compensation Trust Fund may have;

XXXX4003
XXXX4992

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Quinton, County of Salem, New Jersey, that the following personnel shall be the signers for the above bank accounts;

Marty Uzdanovics and Diane Elwell

A Resolution adopted at a regular meeting of the Township Committee of the Township of Quinton, County of Salem, New Jersey held on March 5, 2024.

Motion Hannagan Second Owens 3 RCV yes

RESOLUTION NO. 2024-39

RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR LAWN CARE SERVICE IN THE YEAR 2024

WHEREAS, The Township of Quinton has solicited bids for the provision of lawn care services for the year 2024 and,

WHEREAS, Ikee's Full Service Lawncare has submitted the lowest bid for the aforesaid lawn care service, and

WHEREAS, the Township CMFO has certified that sufficient and legally appropriated funds are available under CY2024 Public Buildings & Grounds Misc. OE Budget and Pending the successful passage and adoption of the CY2024 Public Buildings & Grounds OE Budget (4-01-26-310-298) in an amount not to exceed \$10,000.00 for Lawn care in the 2024 calendar year; and

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Quinton, County of Salem and State of New Jersey the contract is hereby awarded to Ikee's Full Service Lawncare; and

BE IT RESOLVED the mayor and clerk of Quinton Township are hereby authorized and directed to execute the contracts between Township of Quinton and Ikee's Full Service Lawncare; and

Ikee's Full Service Lawncare Service – Municipal Bldg. \$100.00 Per cut, Firehouse \$65.00, \$1200.00- one time mulch fee and trimming of bushes and flower beds through season.

J'boys – Will not bid

D'Angelo & Bro's Lawn & Outdoor Maintenance – No quote received

Motion Hannagan Second Owens 3 RCV yes

RESOLUTION NO. 2024-40

CANCELLATION OF TAXES PURSUANT TO NJS 54:4-3.30 TAX EXEMPT VETERAN

WHEREAS, the Township Tax Assessor has approved the real property tax exemption of the below taxpayer(s) pursuant to njs 54:4-3.31. as such, the below taxpayer(s) are exempt from any property taxes pursuant to njs 54:4-3.30 from the dates listed below; and

WHEREAS, the taxes paid thus far shall be remitted to the taxpayer prorated to the date of approval listed below pursuant to NJS 54:4-3.32.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Quinton, situate in the County of Salem, State of New Jersey that the tax collector is hereby authorized to make the proper adjustments to reflect the tax exempt status of the below taxpayers:

| <u>BLOCK</u> | <u>LOT</u> | <u>TAXPAYER</u> | <u>DATE OF EXEMPTION</u> |
|--------------|------------|---------------------------|--------------------------|
| 55 | 76 | EHLE, AMANDA M & ROBERT H | 12/01/2023 |

Motion Hannagan Second Owens 3 RCV yes

Motion to approve Tax Collectors Annual Report for 2023

Motion Hannagan Second Owens 3 RCV yes

Chairperson of Administration and Environmental - Nothing at this time

Chairperson of Public Buildings and Grounds, Trash and Recycling - Working on wish list for maintenance.

Chairperson of Streets and Roads, Fire, Ambulance and recreation- Nothing at this time

PUBLIC SESSION

There was a request for a handicap sign to be put up on East Avenue.

There were several residents that came to our meeting and had questions and complaints in regard to Freedom Farm. The Solicitor shared that the zoning officer went to the property to investigate noise complaints and noted violations for the building of pens that were to house 8000 fowl. That amount of fowl is in excess of what we allow. Shooting then began and a cease and desist order was issued and ignored. A temporary restraining order was filed prohibiting any shooting on site pending a site plan approval, given that there needed to be a 450 ft. safety zone. The judge declined to enforce the temporary restraining order as we hadn't met the burden of irreparable harm. The suit is ongoing and we have another hearing before the court to determine whether injunctive relief will be granted to stop all activity on the property. Zoning violations will be issued for all structures new or existing. We are asking that all activities on the property cease pending appropriate filing with the planning board.

RESOLUTION NO. 2024-41 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

Motion to close open session

Motion Hannagan Second Owens 3 RCV yes

Motion to open closed session

Motion Hannagan Second Owens 3 RCV yes

RESOLUTION NO. 2024-42

RESOLUTION AUTHORIZING THE TOWNSHIP SOLICITOR TO NEGOTIATE WITH ATLANTIC CITY ELECTRIC

WHEREAS, Quinton Township is negotiating with Atlantic City Electric in regard to an Easement needed for the Wind Port Project; and

WHEREAS, the Township Committee of the Township of Quinton has authorized the Township Solicitor to further negotiate with Atlantic City Electric in regard to Township Property needed to install electric poles for the Wind Port Project; and

NOW THEREFORE, BE IT RESOLVED that the governing body of the Township of Quinton authorizing the Township Solicitor to negotiate with Atlantic City Electric.

RESOLUTION NO. 2024-43
RESOLUTION AWARDING THE QUOTE TO CLEAN PUMP STATIONS

WHEREAS, The Township of Quinton has solicited bids for the provision of well cleaning of sewer pump stations for the year 2024 and,

WHEREAS, Certified Sewers, LLC. has submitted the lowest bid for the aforesaid well cleaning of sewer pump stations

WHEREAS, the Township CMFO has certified that sufficient and legally appropriated funds are available under CY2024 Sewer OE Budget and Pending the successful passage and adoption of the CY2024 Sewer OE Budget (4-03-55-502-201) for the well cleaning of sewer pump stations in the 2024 calendar year; and

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Quinton, County of Salem and State of New Jersey the contract is hereby awarded to Certified Sewers, LLC.; and

BE IT RESOLVED the mayor and clerk of Quinton Township are hereby authorized and directed to execute the contracts between Township of Quinton and Certified Sewers, LLC.;

and

There being no further business motion to adjourn at 7:15pm **Motion Hannagan Second Owens 3 RCV**
yes