

88TOWNSHIP OF QUINTON
COUNTY OF SALEM
REGULAR MEETING
QUINTON TOWNSHIP MUNICIPAL BUILDING
December 7, 2021

Call to order by Mayor Sperry at 7:00pm

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 a public notice which was filed with the Quinton Township Clerk, forwarded to the South Jersey Times, posted on the township website and the bulletin board located in the lobby of the Quinton Township Municipal Building.

Roll Call Mayor Sperry, Deputy Mayor Hannagan, Committeeman Owens, CFO Bowman, Solicitor Arbittier

Minutes to be approved – October 27, 2021 Work Session, November 2, 2021 regular meeting,
November 17, 2021 Special Meeting

Motion Hannagan Second Owens 3 RCV yes

Vouchers approved

Motion Hannagan Second Owens 3 RCV yes

ORDINANCE to be Reintroduced

ORDINANCE NO. 2021-10 AN ORDINANCE AMENDING AN ORDINANCE OF THE TOWNSHIP OF QUINTON, SALEM COUNTY, NEW JERSEY, ESTABLISHING THE SALARIES AND COMPENSATION OF VARIOUS OFFICERS AN EMPLOYEES OF THE TOWNSHIP OF QUINTON FOR THE YEAR 2022

Motion Hannagan Second Owens 3 RCV yes

ORDINANCE to be introduced

ORDINANCE NO. 2021-11 AN ORDINANCE APPROPRIATING THE SUM OF \$230,230.00 TO BE USED FOR THE RECONSTRUCTION OF LAKE AVENUE SECTION II WITHIN THE TOWNSHIP OF QUINTON, COUNTY OF SALEM, STATE OF NEW JERSEY

Motion Hannagan Second Owens 3 RCV yes

RESOLUTIONS to be approved

**RESOLUTION NO. 2021-87
RESOLUTION DIRECTING THE DISTRIBUTION
OF TOWNSHIP OF QUINTON
NET RETURNED SURPLUS FUNDS
HELD IN TRUST BY THE
GLOUCESTER, SALEM, CUMBERLAND COUNTIES MUNICIPAL
JOINT INSURANCE FUND**

WHEREAS, the Township of Quinton hereinafter referred to as MUNICIPALITY, participated as a member municipality of the Gloucester, Salem Cumberland Counties Municipal Joint Insurance Fund, hereinafter referred to as FUND, for one or more of the following FUND fiscal years beginning January 1, 2007, **and**

WHEREAS, the FUND is a statutory filed municipal joint insurance fund as defined in N.J.A.C. 11:15-2.1 et seq., **and**

WHEREAS, the MUNICIPALITY joined the FUND knowing that membership carries with it joint and several liability with all other member municipalities for each year of the MUNICIPALITY's membership, **and**

WHEREAS, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any available statutory surplus will be released by the FUND, **and**

WHEREAS, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any projected deficit will be declared as an additional assessment due to the FUND, **and**

WHEREAS, the MUNICIPALITY understands that Available Statutory Surplus is defined to be the amount of money in excess of the projected value of claims by line of coverage, plus an actuarially determined value for Incurred But Not Reported claims, subject to the surplus reserve calculations as defined in N.J.A.C. 11:15-4.6 et seq., and subject to review and approval by the Department of Banking and Insurance and Department of Community Affairs, State of New Jersey, prior to release by the Executive Committee of the FUND, **and**

WHEREAS, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier release of Available Statutory Surplus due to the possibility that a FUND year wherein a return of Statutory Surplus has been duly authorized could later be presented with a claim for which it could be responsible causing a demand for an additional assessment from each participating member municipality of that FUND year, **and**

WHEREAS, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier collection of an additional assessment due to the possibility that a FUND year wherein an additional assessment has been duly authorized could later be presented with a need for additional assessments from each participating member municipality of that FUND year, **and**

WHEREAS, the MUNICIPALITY understands that its options for directing the distribution of its net share of released Statutory Surplus to be as follows:

1. Direct the FUND to apply the MUNICIPALITY's share to the MUNICIPALITY's premium as a credit in the next FUND fiscal year (N.J.A.C. 11:15-4.21(e)),
2. Direct the FUND to issue a check to the MUNICIPALITY for the MUNICIPALITY's share,
3. Direct the FUND to apply the MUNICIPALITY's share to the FUND's Aggregate Excess Loss Contingency Fund (A.E.L.C.F.), which provides member municipalities with an available individual contingency balance for use in satisfying any possible need for a supplemental assessment for any year they were a member and an annual capacity to use all or a portion of a member municipality's available balance in offsetting future premiums, **or**
4. Direct the FUND to apportion the MUNICIPALITY's share as a stated dollar amount among options 1, 2 and 3 above such that the sum total of allocated dollars equals the amount of the Net Distribution available to the MUNICIPALITY as noted above.

NOW THEREFORE, the MUNICIPALITY directs the FUND to distribute the MUNICIPALITY's share of its Net Distribution as follows (**check the boxes that apply**):

- ☐ Apply a portion of the amount as a credit to the MUNICIPALITY's next FUND Year premium.
- ☐ Apply a portion of the amount as a check to the MUNICIPALITY.
- ☐ Apply a portion or the full amount to the MUNICIPALITY's share of the FUND's Aggregate Excess Loss Contingency Fund (A.E.L.C.F.).

Designate the amount as follows (Sum of below must equal full dividend amount):

- **Credit** \$ 7000.00 (Requires signed Dividend Release form only)
- **Check** \$ _____ (Requires signed Dividend Release form and signed voucher)
- **A.E.L.C.F.** \$ 865.00 (Requires signed Dividend Release form and resolution)
- Total Dividend** \$ 7865.00

Motion Hannagan

Second Owens

3 RCV yes

RESOLUTION 2021-88
RESOLUTION AUTHORIZING EXECUTIVE SESSION

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

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 Hannagan Second Owens 3 RCV yes

RESOLUTION 2021-89
RESOLUTION AUTHORIZING REVISED
MID SALEM COUNTY MUNICIPAL COURT 2022 MEMORANDUM OF UNDERSTANDING

WHEREAS, the Quinton Township Committee has established a joint municipal court with Woodstown Borough, Elmer Borough, Mannington Township and Oldmans Township pursuant to *N.J.S.A. 2B:12-1, et seq.* (referred to as the “Mid Salem County Municipal Court”); and

WHEREAS, the representatives of the above named municipalities have met and discussed the 2020 Memorandum of Understanding as it is related to the operations of the Mid Salem County Municipal Court for the year 2022; and

WHEREAS, the Quinton Township Committee has reviewed and is prepared to enter into a Memorandum of Understanding with the named municipalities entitled “2022 Memorandum of Understanding – Mid Salem County Municipal Court – Woodstown – Mannington – Elmer – Quinton – Oldmans” to confirm matters pertaining to administration of the Mid Salem County Municipal Court for the year of 2022, including but not limited to the following:

- Percentage responsibilities for shared expenses;
- Salaries and wages;
- Hours of operation;
- Court schedule;
- Administrative fee apportionment;
- Billing;
- Budget; and
- Vacation policy;

NOW, THEREFORE, BE IT RESOLVED, by the Quinton Township Committee, as follows:

1. The Quinton Township Committee approves and hereby adopts the “2022 Memorandum of Understanding – Mid Salem County Municipal Court – Woodstown – Mannington – Elmer – Quinton – Oldmans” as the terms and conditions upon which the administrative matters addressed therein shall be governed for the year 2022.

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

Motion Hannagan Second Owens 3 RCV yes

RESOLUTION RECOMMENDING APPOINTMENT OF
MARTIN W. WHITCRAFT AS MUNICIPAL JUDGE
OF THE MID SALEM COUNTY MUNICIPAL COURT
FOR ANOTHER THREE-YEAR TERM
(JANUARY 1, 2022 THROUGH DECEMBER 31, 2024)
RESOLUTION 2021-90

WHEREAS, Martin W. Whitcraft has been appointed and currently serves as the Municipal Judge for the Mid Salem County Municipal Court for a three-year term pursuant to *N.J.S.A. 2B:12-4*, which term began on January 1, 2019 and will continue through December 31, 2021; and

