TOWNSHIP OF QUINTON COUNTY OF SALEM REGULAR MEETING QUINTON TOWNSHIP MUNICIPAL BUILDING May 7, 2024

Call to order Mayor Sperry at 6:05pm

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 on the bulletin board located in the lobby of the Quinton Township Municipal Building.

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

Minutes to be approved April 2, 2024 Regular meeting and April 17, 2024 Work session, corrected March 5, 2024

Motion Hannagan Second Owens 3 RCV yes

Vouchers to be approved

Motion Hannagan Second Owens 3 RCV yes

ORDINANCES TO BE INTRODUCED

ORDINANCE NO. 2024-08 AN ORDINANCE OF THE TOWNSHIP OF QUINTONAMENDING THE QUINTON TOWNSHIP CODE CHAPTER 216, STORMWATER MANAGEMENT TO INCLUDE TREE REMOVAL AND REPLACEMENT TO COMPLY WITH THE REQUIREMENTS OF THE NJDEP TIER A STORMWATER GENERAL PERMIT. (Adoption June 4, 2024)

Motion Hannagan Second Owens 3 RCV ves

ORDINANCES TO BE ADOPTED

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"

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

Open Public Hearing Motion Hannagan Second Owens 3 RCV yes

Resident asked for clarification of the ordinance and Solicitor Vigilante explained the change from Tier B to Tier A was required by the state. It was designed to prevent development from adversely impacting existing Stormwater Management and what is going in the stormwater system. The residents were concerned it would cause a revaluation. Solicitor Vigilante said it really is just for Stormwater Management. Mr. Mattice asked if ground water was addressed in the ordinance and the impact on the flood plan? Solicitor Vigilante said no it does not and it does not have any tables to address it. You may want to take a look at the one we are required to pass by July 17. That one has tables but it is mainly for development.

Close Public Hearing Motion Hannagan Second Owens 3 RCV yes
Motion to Adopt Motion Hannagan Second Owens 3 RCV yes

RESOLUTIONS TO BE APPROVED

RESOLUTION NO. 2024-53RESOLUTION TO READ BUDGET BY TITLE ONLY

WHEREAS, N.J.S. 40A:4-8, as amended by L.2015,c.95 14, 2015, provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection and has been made available to each person upon request; and

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED, that the budget shall be read by title only.

Motion Hannagan Second Owens 3 RCV yes

RESOLUTION NO. 2024-54 ADOPTION OF 2024 BUDGET

2024-54

SECTION 2 - UPON ADOPTION FOR YEAR 2024

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			opriations.	(Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trans	(Sheet 43) Open Space, R	
		ó,	the following Supercine of (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of	Districts only (N.J.S.A. 18A:9-3) and cer	the following of	
		2	(Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in	to the certificate of amount to be raised	(Item 4 below) to be added	
		and	(Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by faxation and	urposes in Type I School Districts only (I	(Item 3 below) for school p	
				l purposes, and	(Item 2 below) for municipal purposes, and	(a) \$ 914,025.38
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Sheet 41

SUMMARY OF APPROPRIATIONS

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the May of May , 2024. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2024 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services. Certified by me this 7th _ day of

Sheet 42

Mr. Mattice asked if the county taxes were included in the budget. CFO Elwell said no the county tax is not in the budget but we have to include them in the tax rate. He then asked if we deal with tax breaks for businesses? Mayor Sperry said not we are not for that.

Close Public Hearing Motion Hannagan Second Owens 3 RCV yes Motion to Adopt Motion Hannagan Second Owens 3 RCV yes

RESOLUTION NO. 2024-55 RESOLUTION APPROVING SOUTH JERSEY GAS PERMIT

WHEREAS, South Jersey Gas has requested a Street Opening Permit for By Road; and

WHEREAS, South Jersey Gas has completed a Street Opening Permit which has been reviewed by the Township Engineer, Fralinger Engineering and is herein attached; and

WHEREAS, the Township Engineer has set forth the amounts necessary for the Street Opening Permit and inspection fee of \$500.00; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Quinton, in the County of Salem State of New Jersey, that the attached Street Opening Permit is hereby approved for South Jersey Gas as presented on the plans on file with the Township of Quinton; and

BE IT FURTHER RESOLVED, that the inspection and approval of these improvements is subject to review by the Township Engineer; and

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

Motion Hannagan Second Owens 3 RCV ves

RESOLUTION NO. 2024-56 RESOLUTION TO APPOINT MAINTENANCE AND REPAIR TECHNICIAN

WHEREAS, the Township of Quinton ("Quinton") is in need of a Maintenance and Repair Technician, and

WHEREAS, The Maintenance and Repair Technician appointment is from January 1, 2024 till December 31, 2024; and

WHEREAS, Quinton would like appoint Alison O'boyle; and

WHEREAS, the Maintenance and Repair Technician positions will be paid according to the current salary ordinance; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Quinton that Alison O'boyle is hereby appointed as Maintenance and Repair Technician Township of Quinton, effective as of January 1, 2024; and

AND, BE IT FURTHER 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 NO. 2024-57

RESOLUTION APPROVING THE PURCHASE OF FLOWMETERS FOR THE SEWER PUMP STATIONS

WHEREAS, The Township of Quinton has solicited bids for the provision of Sewer Flowmeters; and,

WHEREAS, Miller Energy has submitted the lowest bid for the aforesaid Flowmeters encumbered on December 13, 2023; and

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 purchase of Flowmeters for 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 Miller Energy; 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 Miller Energy; and

Quotes -

Stover Sensor Controls - \$6,162.00, Miller Energy - \$9680.00 Complete Controls - \$15,696.82

Motion Hannagan Second Owens 3 RCV yes

RESOLUTION NO. 2024-58 RESOLUTION AUTHORIZING THE REPAIR OF THE TRUCK BED

WHEREAS, The Township of Quinton has approved the use of Joseph Fazzio's; and

WHEREAS, Joseph Fazzio's is able to provide the medal needed for a truck bed repair for \$1935.95; and

WHEREAS, the Township CMFO has certified that sufficient and legally appropriated funds are available under CY2024 Streets and Roads OE Budget for the truck bed repair; and

BE IT RESOLVED that the Township Committee of the Township of Quinton has directed the Township clerk to proceed as necessary.

Motion Hannagan Second Owens 3 RCV yes

RESOLUTION NO. 2024-59

A RESOLUTION AUTHORIZING AN ASSIGNMENTOF TAX SALE CERTIFICATE

WHEREAS, N.J.S.A. 54:5-113 authorizes assignment by a municipality of tax sale certificates for the full amount of the certificate, including all subsequent municipal taxes and other municipal charges; and,

WHEREAS, Maria Villgomez has presented an offer to purchase, by assignment, Certificate of Sale #16-00022, which was issued to the Township of Quinton at a tax sale held on November 30, 2016, on Block 32, Lot 38.01, known as Waterworks Road, and assessed to Cunningham, James L & Harriet B in the amount of \$2,911.68, being the full amount of the certificate as of May 8, 2024, including all subsequent municipal taxes and other municipal charges; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township of Quinton hereby authorizes the Mayor and Clerk to execute the necessary assignment documents to effect assignment of the above referenced Municipal Lien Certificate.

BE IT FURTHER RESOLVED THAT, this resolution be forwarded to the Tax Collector

Motion Hannagan Second Owens 3 RCV yes

RESOLUTION NO. 2024-62

RESOLUTION AUTHORIZING THE PURCHASE OF FUEL TRANSFER PUMP (\$1630.00)

WHEREAS, The Township of Quinton has approved the purchase and installation of a Fuel Transfer Pump; and

WHEREAS, Moore's Country Side Heating is able to provide the Fuel Transfer Pump and install on the fuel tank at the fire house; and

WHEREAS, the Township CMFO has certified that sufficient and legally appropriated funds are available under CY2024 Public Buildings and grounds OE Budget for the purchase and installation of the Fuel Transfer Pump for the fuel tank and the fire house.; and

BE IT RESOLVED that the Township Committee of the Township of Quinton has directed the Township clerk to proceed as necessary.

Motion Hannagan Second Owens 3 RCV yes

RESOLUTION NO. 2024-63

RESOLUTION AWARDING THE QUOTE FOR TOWNSHIP GARAGE HEATER

WHEREAS, The Township of Quinton has approved the purchase and installation of a new heater for the Township Garage; and

WHEREAS, Moore's Country Side Heating is able to provide the Heater and installation; and

WHEREAS, the Township CMFO has certified that sufficient and legally appropriated funds are available under CY2024 Street and Roads OE Budget for the purchase and installation of the heater for the township garage; and

BE IT RESOLVED that the Township Committee of the Township of Quinton has directed the Township clerk to proceed as necessary.

Quotes – Moore's Country Side Heating \$6730.00

CW Services \$8369.27

Harris – Charge of \$300.00 to give a quote

Motion Hannagan Second Owens 3 RCV yes

MOTION TO APPROVE Tax collectors report of Delinquent taxes believed not collectible Motion Hannagan Second Owens 3 RCV yes

MOTION TO APPROVE Relief Association Application for Fire Company Motion Hannagan Second Owens 3 RCV ves

MOTION TO ACCEPT Resignation of Joseph Payne as crossing guard Motion Hannagan Second Owens 3 RCV yes

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

Pete Mattice 170 Elk terrace – Read a request for an amendment to Chapter 170 for warehouses, distribution centers etc. Mayor Sperry asked for a copy of the request and told Mr. Mattice the clerk will send to the planning board secretary for the planning board to review.

Joann Mathis – asked for the status of Freedom Farm. Solicitor Vigilante asked if Gill Drive was still blocked. A resident said it is. Solicitor Vigilante said we have a motion ready to file with the court for the gate. She then shared that the inspectors finally got in there to inspect and take pictures and the gate was still there. Solicitor Vigilante then said the motion to enforce the courts order for the obstruction will be filed Friday if the gate is still up. Solicitor Vigilante continued and said a motion to transfer the case to the Salem County Agriculture Board was filed by Freedom farm. The court heard the motion but did not transfer it. The court gave them 30 days to file an application before the Salem County Agricultural Board. They must file by the end of May. The Salem County Agricultural Board will decide if the use is agricultural in nature. If they are and if the structures are pertinent to those uses than those things may be allowed. The Injunction is still in place with no hunting allowed until further order of the court. The was a debate as to what they are calling agricultural. You can't raise fowl to kill them and call it agriculture. We have no idea how long this will take but the injunctive relief will stay in place, No hunting activity and removal of Gill Road Obstruction. That is the status quo until further order of the court. Hunting season ended May 1, and I don't think there are any other fowl hunting seasons. The Salem County Agricultural meetings are public. I don't know if the agricultural board will determine the uses we have observed are agricultural in nature. If that is the determination under the right to farm act then it stands subject to any appeals. This court would not be able to turn around and say no it is not agricultural. Thats squarely with the Agricultural Board and is why the buildings have not been taken down. The court said lets find out if this is an Agricultural use. If it is then this case may be moved, if not then we go back before the judge we've been before with the violations.

A resident asked if that included the runoff and the carcass removal? Solicitor Vigilante responded that those issues were not brought up since we could not inspect the property.

Mrs. Shultz said we would ask the Health department about those issues right? Solicitor Vigilante said you can but they may say it is not in their jurisdiction.

A resident said two days after the injunction was brought they had a hunt and they knew there was an injunction, is there anything that can be done? Solicitor Vigilante said we have information we can use if we need to it's in a police report.

Todd Boker - Does the agricultural board have jurisdiction over the town when it comes to things like the hunting preserve or Greenspire? Solicitor Vigilante said the right to farm act limits a towns ability to enforce Zoning laws on land designated agricultural and has the right to farm in regards to certain size buildings and improvements to the property in which they don't have to comply with planning board or filing a use variance. Mr. Boker also asked about public notice. He said he was able to get on NJPA as a source for public notice. Is that an all encompassing list? Clerk responded if you put in a keyword or date it will sometimes pull it up. It is not easy. Mr. Boker then asked Mayor Sperry why she abstained from the maintenance and repair technician resolution. Mayor Sperry said it was a family member. He then asked about our master plan and the plan for economic relief. Is the township board considering any kind of relief for the warehouse? Mayor Sperry said we are not aware of anything like that at this time. It has to go through the planning board. Mr. Boker said you have to have final approve right? Mayor Sperry said no the planning board makes the decision to approve or not. We would only get involved if the they were not approved an they appealed the decision of the planning board.

Mr. Mattice asked if we would tell the public if we gave them some kind of relief? Solicitor Vigilante said some of the towns do pilots or redevelopment and those decisions are done prior to anyone coming to planning board. Solicitor Vigilante said everything pending before the planning board is exclusive to the planning board. No pilots or redevelopment agreements of any kind have been done.

Mr. Warfle read a letter asking that Block 12 lot 34, 686 Salem-Quinton Road be rezoned PBR.

Mayor Sperry explained the expense of rezoning and making changes to the Master Plan.

Solicitor Vigilante explained the Committee cannot just change the zoning of a property. It must be done the legal and appropriate way.

Mr. Mattice said in 1995 and in early 2000 they did not make any changes to the Master Plan. I introduced an ordinance to change verbiage how much will it cost? Mayor Sperry responded that is not how it works. It goes to Planning Board, Planning board Attorney and Planning Board Engineer for review. Mr. Mattice asked are we talking thousands of dollars? Solicitor Vigilante said there are 2 attorneys and professionals that will have to review it. Its hard to estimate something like that.

Mrs. Shultz wanted clarification on Freedom Farm filing a motion to move his case before the Agricultural Board. Solicitor Vigilante said the court denied the transfer of the case but gave Freedom Farm a chance to file with the Agricultural Board to see if the use is considered an Agricultural use under the Right to Farm Act. Mrs. Shultz asked if granted does that give him the permission to still do the hunting and charging of people coming in? If the Agricultural Board determines Hunting Tourism is an agricultural use, then yes subject to whatever appeal will be filed.

Paul Rivell asked about uncollectible tax report- The clerk read the report that there aren't any uncollectible taxes.

Todd asked do we have a Site Plan Advisory Panel? Mayor Sperry said the planning and zoning are together. I believe the advisor board would be the full planning board. Deputy Hannagan said we have a hard time getting people. Solicitor Vigilante explained that sometimes Advisory Boards are not constituted if there are not enough people to fill the rolls. Mayor Sperry explained how the Planning board is set up of 2 members of committee, one Twp employee and the others are residents, total of 9 members.

Resident said so there isn't a Planning Advisory Board? Mayor Sperry replied not in this town.

Melanie Allen said she thinks the committee should know what the town wants. Mayor Sperry responded we need people to come to meetings so we know what people would like.

Beth Fox said she never thought the township would put a warehouse by there houses. Would you want a warehouse by you? Solicitor Vigilante replied the committee cannot say no we do not want it. If it fits the requirements they have to follow the rules.

Mr Mattice asked the Ordinance he introduced to have done would stop the warehouse. Solicitor Vigilante said no the application is already in. The committee said it is not approved yet.

Mrs. Shultz said the highway is dirty again and Mayor Sperry said she would contact Vulcan.

Resident – Any update on Acton Station Road Repair? Mayor Sperry said that is the county and there has not been an update.

RESOLUTION NO. 2024-60 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 / Contract Negotiations

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.

Contract Negotiations

Motion Hannagan Second Owens 3 RCV yes

Motion to close open session

Motion Hannagan Second Owens 3 RCV yes

Motion to pen closed session

Motion Hannagan Second Owens 3 RCV yes

No Action Taken.

RESOLUTION NO. 2024-61 A RESOLUTION APPROVING THE INTERLOCAL SERVICE AGREEMENT FOR PUBLIC HEALTH SERVICES WITH THE SALEM COUNTY HEALTH DEPARTMENT

Tabled - Motion Hannagan Second Owens 3 RCV yes

There being no further business motion to adjourn at 7:39 pm by Hannagan Second Owens 3 RCV yes

Marty Uzdanovics Clerk