

February 22, 2011 Galloway, NJ

The Regular Meeting of the Galloway Township Council and Utilities Division was held on the above date at 6:30 PM in Council Chambers, 300 E. Jimmie Leeds Road, Galloway, NJ with Mayor Keith Hartman presiding. Council Members present were:

BASSFORD - Absent	COPPOLA	GORMAN
KLEINER - Left Early	PURDY	ULLMAN

Also present were: Acting Township Manager Stephen Bonanni, Engineer Kevin Dixon and Solicitor Michael J. Blee.

Township Clerk, Lisa A. Tilton read the following announcement: On January 5, 2011 notice of the meeting was mailed to The Mainland Journal, The Press, The Current, and duly posted in Council Chambers.

Pastor Tom Douglas from Highland Community Church gave the Invocation.

Deputy Mayor Purdy led the flag salute.

On motion of Purdy, seconded by Gorman and carried the Regular Meeting Minutes of February 8, 2011 was approved as received: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Kleiner, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

On motion of Purdy, seconded by Ullman and carried the Closed Meeting Minutes of December 14, 2010 were approved as to content only: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Kleiner, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

On motion of Purdy, seconded by Ullman and carried the Closed Meeting Minutes of January 11, 2011 were approved as to content only: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Kleiner, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

On motion of Purdy, seconded by Ullman and carried the Closed Meeting Minutes of January 25, 2011 were approved as to content only: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Kleiner, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

On motion of Purdy, seconded by Coppola and carried the Closed Meeting Minutes of February 8, 2011 were approved as to content only: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Kleiner, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

COUNCIL COMMITTEE REPORTS

Mayor and Council submitted their Committee reports of various items discussed within the Marketing and Infrastructure Committees.

DISCUSSIONS - PERSONNEL MATTERS / LAND USE ADMINISTRATOR

Councilman Kleiner recused himself from the discussion as a conflict with IBEW

Solicitor Blee: This was an issue that arose from the last meeting. The employee did receive a Rice Notice and requested it to be discussed in Open Session. At the time there was a request for the Acting Manager to do an analysis and provide a report.

Acting Manager Bonanni: This was a quantitative analysis of the need for the position of Land Use Administrator at this time. I prepared a memo to Council. (Read memo into record). I would like to add that Jody Smith is a well informed good knowledgeable employee.

Solicitor Blee: It's up to Council on how you want to proceed. You can discuss the recommendation; there is Resolution on the agenda. Also Ms. Smith is here, you can offer the opportunity to her and the Public to speak.

Mayor Hartman requested any comments from Council. There was none.

Mayor Hartman opened to Public Comment for this issue only.

Jody Smith: At the last February council meeting Mayor Hartman indicated the budget committee decided to eliminate my position. At what meeting did the budget committee decide all of this?

Mayor Hartman: It was an agenda meeting, which also consist of the budget committee. The outcome of the meeting was that we would look into it.

Solicitor Blee: There was no decision made by the committee. It was a recommendation for further analysis.

Jody Smith: Did you look at the possibility of analyzing the entire town and the budget in every department and the function in every department or just the construction office and my position?

Mayor Hartman: The context of the conversation was the construction office and every department in the Township. The only recommendation at that point was the construction office. When we looked at your office there was a glaringly obvious position that stood out, there was not a lot of applications coming through that office and something we could act on immediately and not wait.

Deputy Mayor Purdy: It started weeks before that. It was part of a department head meeting that your department heard they were looking at outsourcing the whole construction department. It started with the Township Manager brought it to us. Construction came up in last year's budget process as well. Two of your supervisors came in on that meeting and Roger talked to them about the department. We tried to save employees.

Mayor Hartman: It's not you, it's the position.

Jody Smith: I do a lot of other things besides zoning permits. It's enforcing the zoning ordinance and the MLUL. I'm really community development not construction. Under the MLUL it's required you have an Administrative Officer. You have to have an administrative officer. You can't divide the duties into three people. I have functioned in that capacity for 14 years. Who will function in that capacity?

Acting Manager Bonanni: My recommendation would be to share amongst three employees who are still over there. They will be sharing that workload.

Jody Smith: Under the job qualifications under my job there is only one who is qualified and that's the Township Planner. If she takes over my job responsibilities, will her hours be increased?

Solicitor Blee: The discussion is about this position. We are not going to discuss any other employee.

Jody Smith: At the last meeting Mayor Hartman asked for a flow chart on how it would work. With the financial analysis that would have been discussed and the individual acting as Administrative Officer would have been determined.

Mayor Hartman: Steve, one person is qualified to do that job?

Acting Manager Bonanni: Yes. The Zoning Officer is the Construction Official.

Jody Smith: The Construction Official is not the Zoning Officer. I have letters and documents saying I'm the Zoning Official.

Acting Manager Bonanni: The title of Land Use Administrator is being eliminated.

Councilman Gorman: If that position goes outside the bargaining unit, is that going to pose any problems?

Acting Manager Bonanni: We spoke to Labor Counsel and the answer was no.

Councilman Coppola: Was this position created by ordinance?

Acting Manager Bonanni: The Land Use Administrator, No.

Jody Smith: The Zoning Officer, Yes in 1971. (Read case law on Administrative Officer.) This is a position by law has to exist. If not eliminating it, than you are giving it to someone else in the office.

Solicitor Blee: It has been explained, perhaps not to your satisfaction. This has been reviewed by Labor Counsel.

Jody Smith: I've worked here for 14 years and have given my heart and soul to this job. I went above and beyond a lot of times. I am very knowledgeable in what I do; anybody else in my office with the exception of the planner is not. I don't know when she will have the time to do the job. With all the points I made, I don't seem to have gotten the answers that I needed to hear.

Mayor Hartman requested additional Public Comment, the following individuals spoke:

Carl Collins: I thought Jody was really exceptional. You need to evaluate how the aftermath is progressing.

Jeanine Westcoat: Broker Owner of Zona Real Estate. I rely of Jody's knowledge and expertise.

Carolyn Sperling: I feel to dissolve her position now is very short sighted. She is extremely knowledgeable. You should offer her a reduced work week. She has been the Zoning Officer.

Deputy Mayor Purdy: Last year the public wanted us to look at other budgetary issues. We do it every week. I you rely a lot on Mrs. Smith, she does know Galloway Township. We have 52 Police Officers, employees are off on Mondays. It's not a particular person, this is a budgetary thing. We are at bare bones and still about 2 million in debt. I don't like anyone losing their jobs. Public Safety is our number one priority.

John Stetser: You're eliminating a position but are you eliminating her employment. You're eliminating the position, not the person. Requested if Mayor Hartman received the letter from his son.

Chris Delucia: Jody has been a tremendous help. Can Jody get answers for the questions she's asked?

Solicitor Blee: When we have lawyers involved and decisions that can impact the Taxpayers of the Township sometimes it's not easy to answer questions without divulging the Attorney Client Privilege.

Pat Conover: I'm a real estate appraiser. Getting rid of this position is not going to help attract commercial ratables.

Jerry McGettigan: Jody does an invaluable service to the Township, without her I wouldn't be able to determine values of properties.

Beverly Finneran: If the Planner is going to be working as the Zoning Officer and only working 14 hours a week, you understand permits need to be answered within 10 days.

Kate Calleta: If you are being someone in that makes twice the salary Jody makes, how will that save the Township money.

Solicitor Blee: This has been studied internally by the Manager and the supervisors of the Department, and there is a confidence level that a lot of those tasks can be picked up with a savings for the elimination of the position.

Deputy Mayor Purdy: Has there been any other positions in that department that have been eliminated or retirees in the last three years.

Deputy Manager Bonanni: I can't answer that, No

Deputy Mayor Purdy: There used to be two secretaries and now there is one. There used to be two fire inspectors, now there's one. There used to be code enforcement and we now have none. Every department has shrunk. Everyone has lost bodies.

Mayor Hartman requested a five minute recess at 7:45 pm — Council agreed

Mayor Hartman called the meeting to order at 7:55 pm

Councilman Kleiner left the meeting.

Mayor Hartman closed the Public Comment.

RESOLUTION # 69— LAND USE ADMINISTRATOR

On motion of Purdy seconded by Gorman and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Nay)

ORDINANCE # 1835— AMEND ORD 1577-04 ESTABLISH SPEED LIMITS ALONG REDWOOD AVENUE

On motion of Purdy, seconded by Gorman and carried the above Ordinance was introduced: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 70— REFUND ESCROW ACCT FOR INSTALLATION OF A LATERAL / DECATHLON CONST

On motion of Purdy seconded by Coppola and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 71— REFUND ESCROW ACCT FOR INSTALLATION OF A LATERAL / ERARIO

On motion of Purdy seconded by Ullman and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 72— AUTHORIZE EMERGENCY TEMPORARY APPROPRIATION IN 2011 BUDGET

On motion of Purdy, seconded by Ullman and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 73— PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE

On motion of Purdy, seconded by Gorman and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Abstain; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 74— REIMBURSE EXCESS TAX BILLING

On motion of Purdy, seconded by Ullman and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 75— PERFORMANCE GUARANTEE REDUCTION / DINO'S GAS & GO

On motion of Purdy, seconded by Gorman and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 76— EXTEND 2010 CONTRACT FOR CONFLICT LABOR COUNSEL / GILMORE & MONAHAN

On motion of Purdy, seconded by Ullman and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 77— AWARD BID FOR ALOE ST. FORCE MAIN PHASE 2 TO SHORE CONNECTION INC.

On motion of Purdy, seconded by Kleiner and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 78— EXECUTE 2011 MUN AERIAL MOSQUITO CONTROL AGREEMENT WITH ATL CO

On motion of Purdy, seconded by Gorman and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 79- AUTH INTERLOCAL AGREEMENT WITH CITY OF ABSECON FOR IT SERVICES

On motion of Purdy, seconded by Ullman and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 80- AUTHORIZE PLACING LIEN AGAINST B. 892 L. 7 FOR 231 E. WHITE HORSE PIKE

On motion of Purdy, seconded by Gorman and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION #81- AUTHORIZE NON-UNION SUPERVISOR CONCESSIONS

On motion of Purdy, seconded by Ullman and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 82- APPROVE BUCKINGHAM INS SERVICES THRU AMERIHEALTH ADMINISTRATORS

On motion of Purdy, seconded by Coppola and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 83- ACCEPT CASH PAYMENT FROM FOXMOOR FOR AFFORDABLE HSG OBLIGATION

On motion of Purdy, seconded by Ullman and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 84- APPOINT ALTERNATE CONFLICT LABOR COUNSEL / D. WILLIAM SUBIN LLC

On motion of Purdy, seconded by Gorman and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

CONSENT AGENDA - MOTION - NJ STATE FIREMEN'S MEMBERSHIP APPS/KRUGER, STEWART AND MILLAR

CONSENT AGENDA - MOTION - TAX COLLECTORS ANNUAL REPORT

On motion of Purdy, seconded by Gorman and carried the above Consent Agenda was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 85- PAYMENT OF BILLS

On motion of Purdy seconded by Ullman and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

RESOLUTION # 86- CLOSED SESSION

Items for Discussion:

- 1) Exception # 5 Matters Pertaining to Potential Sale of Public Property Located on Block 941 Lot 6 - Minutes can be disseminated after all closing documents are executed and the transfer of property is duly recorded with the County.
- 2) Exception #8 Matters Pertaining to the Terms and Conditions of Employment involving the Acting Township manager/Director of Public Works and the position of Deputy Director of Public Works - Minutes can be disseminated once formal action is taken by the Governing Body or by Court Order due to the ongoing relationship with the employees

On motion of Purdy, seconded by Ullman and carried the above Resolution was adopted: (Roll Call Vote: Coppola, Aye; Gorman, Aye; Hartman, Aye; Purdy, Aye; Ullman, Aye)

Manager's Report began at 8:11pm

Council's Reports began at 8:12pm

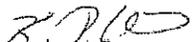
Public Participation - No Comment from Residents

There being no further business on motion of Purdy seconded by Gorman and carried the meeting was adjourned into Executive Session.

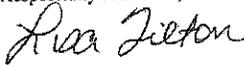
Council returned to Open Session with no further action

There being no further business on motion of Purdy seconded by Gorman and carried the meeting was adjourned.

APPROVED:


Mayor Keith P. Hartman

Respectfully submitted,


Lisa A. Tilton, Township Clerk