

**TOWNSHIP OF GALLOWAY
REGULAR MEETING OF THE TOWNSHIP COUNCIL AND UTILITIES DIVISION
MINUTES OF NOVEMBER 22, 2011**

Having been properly advertised and posted in accordance with the Open Public Meetings Act, this meeting was called to order by Mayor Don Purdy at approximately 6:30 PM. A moment of silence was observed in honor of the men and women, past and present, serving in the Armed Forces.

The pledge of allegiance was observed and as special tribute, Mr. Jim Craine was asked by Mayor Purdy to sing the National Anthem.

ROLL CALL Present: Bassford, Coppola, Gorman, Kleiner, Tyrrell, Ullman and Purdy
Absent: NONE

Solicitor Blee was in attendance. CFO Marilyn Dolcy was present on behalf of the Township Manager and Mr. Cormack Morrissey was present for the Township Engineer's office.

APPROVAL OF MINUTES

On motions properly made and seconded, the regular meeting minutes of November 9, 2011 were unanimously approved by a roll call vote with all in favor.

On motions properly made and seconded, the closed session minutes of November 9, 2011 were unanimously approved by a roll call vote with all in favor.

MAYOR'S AWARD

Mayor Purdy presented a plaque to Mr. Ike Rucker in honor of his many years of service to our Country, both as a civilian and a member of the Armed Forces. The Mayor read aloud a tribute about Mr. Rucker's lifetime achievements and the contributions he has made to the Galloway community and to the United States of America. Mr. Rucker received a standing ovation from Council and the public alike. He said a few words of thanks and then Mr. Craine sang a song authored by Mr. Rucker entitled "In All of My Colorful Majesty".

COMMITTEE REPORTS -- None given

RESOLUTIONS

- 302-2011** Refund Inspection Escrow Acct #E21-428/Charlton
Motions: Bassford / Ullman
Roll Call: Bassford- Y, Coppola - Y, Gorman - Y, Kleiner - Y, Tyrrell - Y, Ullman - Y,
Purdy - Y
- 303-2011** Refund Taxes due to Overpayments
Motions: Bassford / Kleiner
Roll Call: Bassford- Y, Coppola - Y, Gorman - Y, Kleiner - Y, Tyrrell - Y, Ullman - Y,
Purdy - Y
- 304-2011** Execute MOU w/Atlantic Co Improvement Authority for CDBG FY 2011 Program
Motions: Kleiner / Bassford

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- Roll Call: Bassford- Y, Coppola – Y, Gorman – Y, Kleiner – Y, Tyrrell – Y, Ullman – Y, Purdy – Y
- 305-2011** Apply for Community Planning Assistance from NJAPA
 Motions: Bassford / Coppola
 Roll Call: Bassford- Y, Coppola – Y, Gorman – Y, Kleiner – Y, Tyrrell – Y, Ullman – Y, Purdy – Y
- 306-2011** Award Bid for PD Electronic Hardware & Software to WPCS Intl Inc
 Motions: Gorman / Bassford
 Roll Call: Bassford- Y, Coppola – Y, Gorman – Y, Kleiner – Y, Tyrrell – Y, Ullman – Y, Purdy – Y
- 307-2011** Cancel Taxes under Disabled Veteran Act
 Motions: Coppola / Bassford
 Roll Call: Bassford- Y, Coppola – Y, Gorman – Y, Kleiner – Y, Tyrrell – Y, Ullman – Y, Purdy – Y
- 308-2011** Authorize Payment of Outside Lien
 Motions: Coppola / Bassford
 Discussion: The Township Planner, Tiffany CuvIELLO, briefly explained that the Township holds an interest in this property under COAH; the lien needs to be in order to avoid foreclosure by an outside lien holder. The lien will be paid from the Township's COAH fund.
 Roll Call: Bassford- Y, Coppola – Y, Gorman – Y, Kleiner – Y, Tyrrell – Y, Ullman – Y, Purdy – Y
- 309-2011** Authorize Release Maintenance Guarantee for the Courtyards at Smithville
 Motions: Bassford / Coppola
 Roll Call: Bassford- Y, Coppola – Y, Gorman – Y, Kleiner – Y, Tyrrell – Y, Ullman – Y, Purdy – Y
- 310-2011** Authorize Release Maintenance Guarantee for Lennard Hammerschlag
 Motions: Kleiner / Bassford
 Roll Call: Bassford- Y, Coppola – Y, Gorman – Y, Kleiner – Y, Tyrrell – Y, Ullman – Y, Purdy – Y
- 311-2011** Award Bid for FD Pagers to Tactical Public Safety
 Motions: Kleiner / Ullman
 Roll Call: Bassford- Y, Coppola – Y, Gorman – Y, Kleiner – Y, Tyrrell – Y, Ullman – Y, Purdy – Y

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MINUTES OF NOVEMBER 22, 2011

- 312-2011** Budget Appropriation Transfers
 Motions: Kleiner / Coppola
 Roll Call: Bassford- Y, Coppola - Y, Gorman - Y, Kleiner - Y, Tyrrell - Y, Ullman - Y,
 Purdy - Y

Solicitor Blee explained to the public that resolution 11 L. and 11 M. as listed on the agenda would not be acted upon until after Council deliberates the matter in executive session.

- 313-2011** Chapter 159/Safe & Secure Grant
 Motions: Kleiner / Coppola
 Roll Call: Bassford- Y, Coppola - Y, Gorman - Y, Kleiner - Y, Tyrrell - Y, Ullman - Y,
 Purdy - Y

- 314-2011** Auth Contract to Charles S. Winner Inc for 2 Police Vehicles
 Motions: Bassford / Coppola
 Roll Call: Bassford- Y, Coppola - Y, Gorman - Y, Kleiner - Y, Tyrrell - Y, Ullman - Y,
 Purdy - Y

PAYMENT OF BILLS / RESOLUTION 319-2011

No one from the public commented. On a motion of Gorman, second of Kleiner, the payment of bills was approved by a roll call vote with all in favor.

CLOSED SESSION / RESOLUTION 320-2011

Solicitor Blee announced there would be three topics discussed in executive session. The first topic falls under the contract negotiations exception of the OPMA - specifically for insurance services. Council will examine their options for contracting a Broker of Record, Health Care Provider and other insurance services. It is anticipated that action will be taken on these issues following executive session. The minutes could be disseminated upon the time the Township enters into agreements or final resolutions have been passed.

Under the anticipated litigation exception, Council will be discussing Scheeler v. Galloway Township. Those minutes could be disseminated at the time in which the litigation is concluded, an amicable resolution is reached or all appeals are exhausted.

Under the conditions of employment, specifically the CFO - those minutes could be released if in fact the Township enters into a contractual relationship with the employee. If a contract is not executed, the minutes could perhaps be released only upon the termination of the employment relationship.

There is no anticipated action to be taken on the latter two issues this evening.

MANAGER'S REPORT: None given

COUNCIL'S REPORT: Began at approximately 7:11 PM

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Mayor Purdy announced the formation of two new committees. He asked Deputy Mayor Coppola to chair the new Commercial Ratable Committee, along with Gorman and Tyrrell as members. He also asked Mr. Jim Cox to be a citizen member and the Township Planner to serve as liaison.

The new Grants Committee will be chaired by Tyrrell with Gorman and Ullman as members along with Township employee, Linda Mc Devitt.

PUBLIC PARTICIPATION: Began at approximately 7:26 PM

Mr. Harry Scheeler, publisher of GallowayTwpNews.com and a resident of Woodbine, NJ, said he was here tonight as a Patriot and that he believes in his right to bring grievance to his government. He commented on his dissatisfaction with the Township's response to his recent OPRA requests. He commented on bills he has obtained through OPRA regarding the Township Manager's cell phone. Scheeler also stated that Township employees have been visiting his website while at work – which he believes to be a theft of time.

Councilman Coppola asked Mr. Scheeler to clarify what he was looking for because his OPRA requests seem to be very broad; he asked him to please narrow his searches so that we can help him. Solicitor Blee interrupted Mr. Scheeler on occasion to clarify potential misrepresentations of the facts. Mayor Purdy addressed the matter of the Manager's phone bill stating that he personally reviewed over a year's worth of phone bills earlier that day.

Mrs. Jezycki, residing at Gail Lane, addressed Mr. Scheeler's accusations of wasteful spending and said that he was part of the problem. She commented on his OPRA requests and the amount of time it takes the Clerk to keep up with them. She also commented on the Manager's personal use of his Township cell phone – saying that at one time or another everyone uses their work phone for a personal call.

Ms. Lisa Tilton (address withheld) commented on Mr. Scheeler's website. She also commented on a written complaint she had submitted to the Township before her departure. Solicitor Blee responded. Tilton also addressed the matter of a \$250.00 stipend involving her previous employment with the Township.

Mr. Jim Delcane, resident of Galloway Township, commented on frivolous OPRA requests and asked if the Township could recoup the costs. Solicitor Blee responded and further explained fee-shifting laws. Mr. Delcane also commented that he had no problem with the Township Manager using the cell phone for personal calls.

Councilman Tyrrell asked the Mayor for a few moments to address the OPRA issues. While he understands the public's right to OPRA – as with all rights, he believes it comes with responsibility. In the case of OPRA, it is the requester's responsibility to request records in a judicious manner that doesn't end up costing the taxpayer's money. Dialogue ensued with Mr. Scheeler, whereby he stated that the Clerk could take until the end of December to fill the remainder of his incomplete requests.

Seeing no one else from the public wishing to speak, motions were made to go into executive session at approximately 7:59 PM to discuss contract negotiations with regards to insurance services. It was announced to the public that formal action would likely be taken following the closed session.

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At approximately 9:04 PM, Council resumed the public meeting. Solicitor Blee advised Council on minor changes to draft resolutions prior to their introduction.

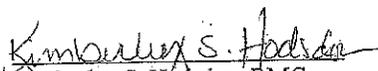
RESOLUTIONS CONCERNING INSURANCE SERVICES

- 315-2011** Terminating the relationship with Buckingham Insurance Services as the licensed producer of insurance services through Amerihealth Administrators
 Motions: Kleiner / Bassford
 Roll Call: Bassford- Y, Coppola - Y, Gorman - Y, Kleiner - Y, Tyrrell - Y, Ullman - Y, Purdy - Y
- 316-2011** Renewal of contract with Amerihealth Administrators for the performance of Administrative and network services related to the Township's established employee health plan
 Motions: Kleiner / Gorman
 Roll Call: Bassford- Y, Coppola - Y, Gorman - Y, Kleiner - Y, Tyrrell - Y, Ullman - Y, Purdy - Y
- 317-2011** Selecting the Marsh and McLennan agency as the Broker of Record of Insurance Services
 Motions: Kleiner / Tyrrell
 Roll Call: Bassford- Y, Coppola - Y, Gorman - Y, Kleiner - Y, Tyrrell - Y, Ullman - Y, Purdy - Y
- 318-2011** Selecting HM Life Insurance Company as the stop-loss insurance provider for the Township
 Motions: Kleiner / Bassford
 Roll Call: Bassford- Y, Coppola - Y, Gorman - Y, Kleiner - Y, Tyrrell - Y, Ullman - Y, Purdy - Y

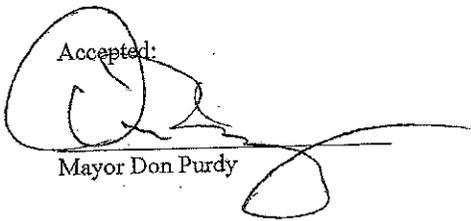
Council went back into executive session at approximately 9:14 PM to discuss matters of potential litigation and terms/conditions of employment as previously described by the Solicitor.

Council entered back into open session at approximately 9:55 PM and with no further business to discuss, this meeting was adjourned.

Respectfully submitted,


 Kimberley S. Hodson, RMC
 Township Clerk

Accepted:


 Mayor Don Purdy