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May 11, 2010 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  
KLEINER

COPPOLA  
PURDY

GORMAN  
ULLMAN

Also present were: Administrator Jill Gougher, Engineer Kevin Dixon and Solicitor Michael Blee.

Township Clerk, Lisa A. Tilton read the following announcement: On January 6, 2010 notice of the meeting was mailed to The Mainland Journal, The Press, The Current, and duly posted in Council Chambers.

Mayor Keith Hartman requested a Moment of Silence.

Councilman Kleiner led the flag salute.

On motion of Bassford, seconded by Kleiner and carried the Regular Meeting Minutes of April 27, 2010 was approved as received: (Roll Call Vote: Bassford, Aye; Coppola, Aye; Gorman, Aye; Hartman, Aye; Kleiner, Aye; Purdy, Aye; Ullman, Aye)

On motion of Kleiner, seconded by Purdy and carried the Special Council Meeting Minutes of April 26, 2010 was approved as received: (Roll Call Vote: Bassford, Aye; Coppola, Aye; Gorman, Aye; Hartman, Aye; Kleiner, Aye; Purdy, Aye; Ullman, Aye)

On motion of Bassford, seconded by Purdy and carried the Special Closed Session Meeting Minutes of April 26, 2010 was approved as to content only: (Roll Call Vote: Bassford, Aye; Coppola, Aye; Gorman, Aye; Hartman, Aye; Kleiner, Aye; Purdy, Aye; Ullman, Aye)

On motion of Kleiner, seconded by Bassford and carried the Closed Session Meeting Minutes of April 27, 2010 was approved as to content only: (Roll Call Vote: Bassford, Aye; Coppola, Aye; Gorman, Aye; Hartman, Aye; Kleiner, Aye; Purdy, Aye; Ullman, Aye)

#### PRESENTATION – RE-ACCREDITATION AWARD TO POLICE DEPARTMENT FROM THE NJ ASSOCIATION CHIEFS OF POLICE

Mitchell C. Sklar, Esq., Executive Director NJ State Association Chief of Police presented Mayor Keith Hartman and Chief of Police Pat Moran with the Re-Accreditation Award for the Galloway Township Police Department.

#### PROCLAMATION – FLORENCE NIGHTINGALE

Mayor Keith Hartman presented Nurses from the Atlanticare Regional Medical Center – Mainland Division with a proclamation, proclaiming May 12, 2010 as Florence Nightingale Day.

#### PROCLAMATION – NATIONAL LAW ENFORCEMENT APPRECIATION WEEK

Mayor Keith Hartman presented Chief of Police Pat Moran with a proclamation, proclaiming May 9<sup>th</sup> thru May 15<sup>th</sup> as National Law Enforcement Appreciation Week.

#### PROCLAMATION – NATIONAL PUBLIC WORKS WEEK

Mayor Keith Hartman presented Director of Public Works Stephen Bonanni with a proclamation proclaiming May 16<sup>th</sup> thru May 22<sup>nd</sup> as National Public Works Week.

#### DISCUSSION – INVOCATION

Solicitor Blee discussed the background of invocation at the Council Meetings. I did a little research and revisit the law. The issue came back from a United States Supreme Court decision of Marsh vs. Chambers. US Supreme Court held that a non-sectarian prayer offered before a State Legislative Body, in that case was Nebraska, and does not violate the establishment clause. In 2008 there was a Fourth Circuit Court of Appeals Decision that dealt with many of the questions raised by the Governing Body. There is the potential litigation for anything. I believe clearly this decision would be of value if this issue came up. The Fourth Circuit said it does not violate the establishment clause. The content of the prayer is not of a concern to Judges where there is no indication that the prayer opportunity has been exploited to proselytize or advance anyone others faith or belief. The court should not step into the role of ecclesiastical arbiter. We have tried to include as many faiths as possible, we have tried to open to as many faiths as possible and the practice will continue. The administrative staff would continue to invite and thank speakers for coming. They will compile the list, we will try our best we can to keep speakers from the same religious groups at consecutive meetings. If a particular faith is unable to make it on a particular meeting, we will then have a moment of silence to create a balance.

Recommendation is to draft a policy that the Governing Body will review and make sure it complies with the law. The invocation will be started again with a more formalized policy to respect all faiths and religions and try to adhere to the Supreme Court Decisions.

Mayor Hartman stated no members of the Council were opposing legislative prayer. It was more of a discussion to ensure that we are not offending anyone and opening the Township up to any litigation. Thanked Solicitor Blee for his research and helping Council work through the issue as its important to all of us that we continue this process and do it in a manner that protects the Township as best we can.

Councilman Bassford was glad to see it continue and open it up to different leaders of the community of different churches of all faiths in the Township to lead us in their prayer. It sets the right tone for a meeting. They are a big part of Galloway Township.

Councilman Kleiner stated a lot of time was spent in closed session and happy to see the resolve. I appreciate any faith that comes to pray to their glad on my behalf and whether it's the God I pray to or not its still meant with the best intentions.

Councilman Gorman agreed with Council. It's a good way to find out what's going on in other religions and what's going on in the town.

Mayor Hartman stated the Invocation will continue with the new policy.

#### DISCUSSION – PERSONNEL MATTERS

*Councilman Kleiner stepped down due to a conflict with the IBEW Bargaining Unit.*

Solicitor Blee indicated the issue dealt with Personnel Matters, In advance of this meeting the following positions received Rice Notices: Two employees in the Human Resource Department, One employee in Purchasing, Four employees in Accounting, Three employees in Tax Collection, One Employee in MIS Technician, One Employee in Economic Development and Two Employee in the Post Office.

Solicitor Blee explained the Rice Notice. All employees requested the discussion to be in Open Session.

Mayor Hartman – With the event occurring of the possible appointment of a new Township Manager, Council has decided to discuss the possibility of further consolidation within these departments considering the CFO will be back in that office fulltime. One of the initial conversations we had was the purchasing department, we have decided it's not a direction we want to go, and we felt maybe the department is under utilized. One of the areas we think need to be reviewed for outsourcing is under the MIS area.

Councilman Bassford – I am not ready to make that decision tonight. I would like to know what that person does on a daily basis and how it affects the Township.

Mayor Hartman – The reason we had to notice so many people was so we could openly discuss some consolidation options that we might have. If everyone is ok, we can at least begin that process.

Councilman Gorman - I would like to see what it would cost per event and how many times we would have to call someone or could be a combined service. See what the cost would be even with shared services as it would be to a 40 hour week.

Deputy Mayor Purdy – We not saying we going to actually do this, but next year is going to much tougher and its not something we can say is good or bad until we see the options in front of us. We might look at it and say we are in a better spot now than to outsource it.

Council agreed.

Mayor Hartman – Another area of concern is the Post Office as to whether the Post Office was continuing to be drain as a revenue producer.

Manager Gougher – As of today it is still breaking even. We need to monitor that every month. Hours have been reduced.

Mayor Hartman – It's a important service we provide to the residents, I would hate to see it go away if its breaking even. I would be inclined to stay the course of that as long as it's not draining the Township.

Council Agreed.

Mayor Hartman – Human Resources area, I think with the addition of a new Township Manager and Jill going back to CFO, I think the new Manager should be able to Human Resources function at this point. This is probably something we should consider as to whether or not we want to eliminate that position.

Councilman Gorman – I personally do not think it should have been created in the first place.

Deputy Mayor Purdy – I think it's good. I wasn't around back when it was created. I think with the Township Manager doing CFO position that there's limited time schedule that you probably needed another body in there at that time and the Township Manager couldn't handle it. I definitely think it something we can take direction on.

Manager Gougher – I just want to make sure Council understands that under the Human Resources that there are functions that the Township Manager would not normally do, those things would have to fall into the Finance Office, dealing with the Payroll, Family Leave Act and Medical Claims. The HR guy assumed those rolls.

Deputy Mayor Purdy – We have two under Human Resources, correct?

Manager Gougher – Payroll Coordinator that strictly process the payroll and other function that I was referring to were being done several different people. Those functions will be reallocated

Councilman Bassford – As everyone knows, I am not in favor of the direction we are going as far as replacing the Manager. As far as the Human Resource position is being talked about being eliminated to make up for that savings because hiring a new manager will cost the Township about \$80,000, that's why we need to find that savings somewhere else. I am not in favor of replacing our Township Manager or how much expertise our new Township Manager will have Human Resource area. You can get yourself in a lot of trouble if someone is not on top of the new laws coming down. Whether it needs to be full time positions or not that was debatable when we went in that direction.

Councilman Coppola – It's pretty obvious to me when your looking at these three positions, CFO, Township Manager and Human Resource we have two positions right now two positions in one. The two most important positions are CFO and Township Manager. Most responsibilities we have them on one package and then we have this HR person hanging out here. It just makes sense to me to separate those two and divide the responsibilities of the HR person and break that out to those departments. In evaluating the job responsibilities and duties, I think its going to be a lot more efficient form of government this way. I think this is a good plan to divide those responsibilities in a responsible way.

Mayor Hartman – In order to proceed with that do we need an amendment to the ordinance?

Solicitor Blee - That position was created by ordinance several years ago. The appropriate way would be to introduce an amendment to the ordinance to actually eliminate that position from your personnel code. If there is a consensus then you would want it on the next meeting.

*Councilman Kleiner returned to vote on the motion since this is a non-union position and no conflict exists with this position.*

On motion of Purdy, seconded by Coppola and carried the motion to proceed with an Ordinance Introduction at the next meeting for elimination of Human Resource position: (Roll Call Vote: Bassford, Nay; Coppola, Aye; Gorman; Aye; Hartman, Aye; Kleiner, Aye; Purdy, Aye; Ullman, Aye)

No other items on personnel matters – discussion was closed.

Mayor Hartman requested a five minute recess.

#### PUBLIC HEARING – 2010 MUNICIPAL BUDGET

*Also present: Leon Costello - Auditor*

Manager Gougher – Explained the 2010 budget as presented to Council. 2010 budget calls for a 2 ½ cent tax increase. That equates to a new rate of 40.9 cents. A home that is assessed at \$200,000 would see an increase of \$50.00 for the year. The overall spending is down by \$1.3 million, compared to 2009. We reduced our spending over the last two years by 5.78 percent. That is in direct relation of loss in revenues and tax levy cap. We received a reduction in state aid of \$803,000 for 2010. We are using \$1.2 million in deferred school taxes to help offset the decrease in State Aid. We need to rethink how we operate municipal government. We have to decide what services we have to give and the services the residents really need. We have limited resources.

Leon Costello – Explained the school deferred school tax. You had no choice to use the school deferred. If the 2 ½ percent caps are on for referendum, it will pass.

Mayor Hartman – We are going to start the 2011 budget year 3 million dollars in the hole. That's 15% of budget. We need that much money in reduction in our expenses unless we have revenue. That means services are going to get cut. You will not see government function in three years the way you saw it function three years ago. It can not sustain that level of service without taxing people. As long as we are here, we do not want to tax people into oblivion. The 2 ½ percent cap is going to be extremely difficult for this municipality. However, we have to; we can't keep coming back to public and ask them for more money unless we take it to a referendum. Two-thirds of the Townships budget is payroll. We may have to continue to reduce services, but we will do everything we can in our power to handle the revenue side.

Council agreed.

Public Comment: Anna Jeczycki, James Delcane and Bill Trask Sr.  
Public Portion was closed

Manager Gougher - We will have an amendment at the next Council Meeting and having a hearing on the Amendment only, and if ready then adopt the budget.

Council closed the Public Hearing for the 2010 Budget

Township Planner Tiffany CuvIELLO presented the Redevelopment Plan to Mayor and Council and the members of the Public.

#### ORDINANCE # 1810– APPROVE REDEVELOPMENT PLAN FOR WHP CORRIDOR PHASE I

Mayor Keith Hartman asked if there was any public comment on the above Ordinance?

Public Comment: Richard Price stated the Township needs more rooftops. Bill Trask Sr. stated safety of the Public is important.

On motion of Purdy, seconded by Gorman and carried the above Ordinance passed final reading after public hearing on same: (Roll Call Vote: Bassford, Aye; Coppola, Aye; Gorman; Aye; Hartman, Aye; Kleiner, Aye; Purdy, Aye; Ullman, Aye)

**2010 Municipal Budget  
of the Township of Galloway  
County of Atlantic  
for the fiscal year 2010**

**Revenue and Appropriation Summaries**

Summary of Revenues	Anticipated	
	2010	2009
1. Surplus	2,500,000.00	2,565,628.33
2. Total Miscellaneous Revenues	5,217,577.75	7,454,174.02
3. Receipts from Delinquent Taxes	7,776.91	10,000.00
4. a) Local Tax for Municipal Purposes	15,081,766.00	14,119,999.00
b) Addition to Local District School Tax		
<b>Tot Amt to be Raised by Taxes for Sup of Muni Bud</b>	<b>15,081,766.00</b>	<b>14,119,999.00</b>
<b>Total General Revenues</b>	<b>22,807,120.66</b>	<b>24,149,801.35</b>

Summary of Appropriations	2010 Budget	Final 2009 Budget
1. Operating Expenses: Salaries & Wages	9,199,813.35	10,190,737.37
Other Expenses	9,630,114.30	9,958,121.72
2. Deferred Charges & Other Appropriations	240,000.00	240,000.00
3. Capital Improvements	.00	.00
4. Debt Service (Include for School Purposes)	3,069,092.01	3,140,942.26
5. Reserve for Uncollected Taxes	668,101.00	620,000.00
<b>Total General Appropriations</b>	<b>22,807,120.66</b>	<b>24,149,801.35</b>
<b>Total Number of Employees</b>	<b>178</b>	<b>189</b>

Summary of Revenues	Anticipated	
	2010	2009
1. Surplus	717,377.87	1,312,616.32
2. Miscellaneous Revenues	5,135,000.00	4,798,000.00
3. Deficit (General Budget)		
<b>Total Revenues</b>	<b>5,852,377.87</b>	<b>6,110,616.32</b>

Summary of Appropriations	2010 Budget	Final 2009 Budget
1. Operating Expenses: Salaries & Wages	1,127,159.00	1,147,630.00
Other Expenses	3,170,196.00	3,045,208.00
2. Capital Improvements	70,000.00	.00
3. Debt Service	1,332,583.87	1,373,000.00
4. Deferred Charges & Other Appropriations	152,439.00	544,778.32
5. Surplus (General Budget)		
<b>Total Appropriations</b>	<b>5,852,377.87</b>	<b>6,110,616.32</b>
<b>Total Number of Employees</b>	<b>10</b>	<b>10</b>

Balance of Outstanding Debt				
	General	Water Utility	Sewer Utility	Utility - Other
Interest	706,318.75		377,583.87	
Principal	2,350,000.00		955,000.00	
<b>Outstanding Balance</b>	<b>15,235,000.00</b>		<b>9,270,000.00</b>	

Notice is hereby given that the budget and tax resolution was approved by the Township Council of the Township of Galloway, County of Atlantic, on April 13<sup>th</sup>, 2010.

A hearing on the budget and tax resolution will be held at the Municipal Complex on May 11<sup>th</sup>, 2010 at 6:30 o'clock p.m. at which time and place objections to the Budget and Tax Resolution for the year 2010 may be presented by taxpayers or other interested persons.

Copies of the budget are available in the office of the Municipal Clerk, Lisa Tilton, at the Municipal Building, 300 East Jimmie Leeds Road, Galloway, New Jersey, (609) 652-3700, Tuesday through Friday during the hours of 8:30 a.m. to 4:30 p.m.

**DO NOT PRINT THE FOLLOWING**

*Note to Printer:*

*N.J.S.A. 40A:4-6 requires this advertisement to be printed exactly as shown. The name of the municipality or county and the budget title shall be printed in bold 16 point typeface and the remainder of the summary shall be printed in bold 8 point typeface.*

ORDINANCE # 1811- PURCHASE PACEL OFF OF NEW LEAF COURT FOR EASEMENT

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

ORDINANCE # 1812- ADOPT RESPONSIBLE CONTRACTOR POLICY & ADD SECTION TO ADMIN CODE

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

RESOLUTION # 114 - SUPPORT ROAD CLOSURE / 4<sup>TH</sup> OF JULY PARADE

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

RESOLUTION # 115 - CHANGE ORDER #4 INCREASE CONTRACT FOR 08 ROAD OVERLAY

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

RESOLUTION # 116 - SHARED SERVICES AGREEMENT W/ACUA FOR CONSULTING SERVICES

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

RESOLUTION # 117 - AMEND RESOL #67-10 FOR POMONA FIRE CO CHANGE DATE OF COIN DROP

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

*Councilman Coppola stepped down due to a conflict on Resolution #118*

RESOLUTION # 118 - RENEWING CONFLICT LICENSE FOR PLENARY RETAIL CONSUMPTION

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

*Councilman Coppola returned to Council*

RESOLUTION # 119 - REFUNDING A LAND SALE DEPOSIT TO UMA PATEL

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

RESOLUTION # 120 - AUTHORIZING COMPENSATION FOR THE TOWNSHIP MANAGER

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

RESOLUTION # 121 - APPOINTING & ESTABLISHING SALARY & BENEFITS FOR THE TOWNSHIP MANAGER

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

*Councilman Gorman stepped down due to a conflict on Resolutions #122 and #123*

RESOLUTION # 122 - RECOMMENDING A REDUCTION IN 2010 - 2011 GEHR'S SCHOOL DISTRICT BUDGET

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

RESOLUTION # 123 - RECOMMENDING A REDUCTION IN 2010-2011 GALLOWAY TWP. SCHOOL BUDGET

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

CONSENT AGENDA - MOTION - NJ STATE FIREMEN'S MEMBERSHIP APPS/ENDICOTT

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

RESOLUTION # 124- PAYMENT OF BILLS

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

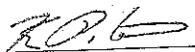
Manager's Report begins on Tape #1 at #3259.

Council's Reports begins on Tape #1 at #3261.

Public Participation begins on Tape #1 at #3517

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

APPROVED:

  
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Mayor Keith P. Hartman

Respectfully submitted,

  
Lisa A. Tilton, Township Clerk