

**CITY OF PORT REPUBLIC**  
**6:30 P.M. NOVEMBER 15, 2022**  
**REGULAR CITY COUNCIL MEETING**

Adequate notice of this meeting was given as required by the Open Public Meetings Act. On the motion of Council President Kozlowski, seconded by Councilmember Bugdon and carried to close the workshop portion of the meeting.

**COUNCILMEMBERS PRESENT:** Steven Allgeyer, Doris Bugdon, Roger Giberson, Stanley Kozlowski, Jacob Nass, Donna Riegel

**COUNCILMEMBERS ABSENT:**

**MAYOR:** Monica Giberson

**DEPUTY CITY CLERK:** Brandy M. Blevin, RMC

**ATTORNEY:** William Kaufmann, Esq.

Council President Kozlowski called the meeting to order and lead the flag salute. This is to advise the general public and to instruct that it be recorded in the minutes, in compliance with Chapter 231 of the Public Laws of 1975, entitled the "Open Public Meetings Act". The Municipal Clerk of the City of Port Republic posted at City Hall, 143 Main Street, Port Republic and mailed and/or faxed to the Atlantic City Press and the Current Newspaper, a meeting notice setting for the time, date and location of this meeting.

**MOTION TO APPROVE OCTOBER 11, 2022, CITY COUNCIL MEETING MINUTES:**

On the motion of Councilmember Giberson, seconded of Councilmember Allgeyer and carried.

**YES:** Allgeyer, Bugdon, Giberson, Kozlowski, Nass, Riegel

**NO:**

**ABSENT:**

**ABSTAIN:**

**MOTION TO APPROVE NOVEMBER 2022 BILL LIST**

On the motion of Councilmember Bugdon, seconded of Councilmember Allgeyer and carried.

**YES:** Allgeyer, Bugdon, Giberson, Kozlowski, Nass, Riegel

**NO:**

**ABSENT:**

**ABSTAIN:**

**MOTION TO PAY ALL SIGNED BILLS**

On the motion of Councilmember Bugdon, seconded of Councilmember Allgeyer and carried.

**YES:** Allgeyer, Bugdon, Giberson, Kozlowski, Nass, Riegel

**NO:**

**ABSENT:**

**ABSTAIN:**

**SOLAR STONE PRESENTATION**

Mitch Heisler of Solar Stone made a presentation to the Mayor and Council regarding a community solar project.

- Solar Stone is proposing a 5MW facility at the location of 400 English Creek Avenue (Block 24, Lot 34).
- They are offering \$50,000.00 per MW awarded, with a 2% per annum escalator during the operating period year.
- During the lease option period they are proposing \$2,000 for year 1, \$5,000 for year 2, \$7,000 for year 3, \$10,000 for year 4 and an optional \$15,000 for a 12-month extension.

- The lease option period allows them to put together an application and to apply until the project is awarded by the BPU.
- They are proposing a 35-year lease.
- Councilmember Giberson asked how similar the laws in New Jersey are to those they have dealt with in the Midwest. Mr. Heisler responded that they have some similarities. There is some overlap with quite a few differences. Councilmember Giberson questioned if the low to moderate income requirement was specific to the project location or the people being served. Mr. Heisler explained that the low to moderate income is a requirement of the people being served. He added that the senior population could also be helped by this with savings on their electric bills.
- Mr. Heisler explained that 5MW is the cap for the program and they are confident the site can support a 5MW project.
- Councilmember Giberson questioned how the projects are awarded by the BPU. Mr. Heisler explained that it is essentially projects competing against each other.
- Councilmember Nass asked if their engineers were able to ascertain that 5MW was the maximum amount. Mr. Heisler responded that 5MW is the cap for any one system. We could collocate systems, but he feels we would need almost double the acres that the property has.
- Mayor Giberson asked if the State would allow for a 35-year lease. Mr. Heisler responded that the State would not weigh in on that decision.

The Mayor and Council thanked Mr. Heisler for attending and presenting.

### **COMMITTEE REPORTS**

#### **Police/Emergency Management:**

Scott Winneberger reported:

- During the remnants of Hurricane Ian we experienced significant flooding at the base of the bridge (Pitney Road & Riverside Drive). He contacted the County and they refused to come out at the time. He has since spoken with Vince Jones from the County, and he agrees it should be shut down when it floods. The issue is that we would need to contact the County when it is flooded, and the response time could be up to an hour. They agreed that they would provide us with 12 barrels and 3 sets of "road closed" signs. Scott, someone from Emergency Management or Public Works will set those up when flooding occurs.
- The State audited the City for our compliance for Emergency Management and we were found to be compliant.
- He has been working for the City to be able to apply for grant opportunities.
- He has been working with the school on improving emergency planning.

Councilmember Bugdon will work with Scott Winneberger to compile a list of residents 65 and older and those with health issues to have in emergency situations. They will also make this list available to dispatch, the fire department and State Police.

#### **Administrative/Personnel:**

Tax Collector submitted a report for October 2022, showing a total received amount of \$185,309.76.

City Clerk's Office submitted a report for October 2022, showing a total amount received of \$13,249.92.

Chief Financial Officer submitted a report for September 2022, showing an ending balance of \$1,347,890.15.

The Public Works Laborer has returned, and the department is currently looking to hire a new convenience center attendant.

**Public Works:**

No report

**Recreation:**

Councilmember Bugdon reported:

- The Tree Lighting will be on Thursday, December 1<sup>st</sup> at 6:30 pm.

**Fire and Ambulance:**

Chief Yochim reported:

- The Fire Department applied for the Forest Fire Grant, and they will be awarded money. This will be used to buy more firefighter equipment.
- They have responded to two calls.

**Board of School Estimates:**

Mayor Giberson reported:

- There will be a special election held within 120 days of January 1, 2023, for the School Board. This is still being figured out.
- She thanked Scott Winneberger for the work he has done with the school.

**Planning Board:**

No report

**Code Enforcement/Construction:**

No report

**Senior Services / Clean Communities:**

Councilmember Bugdon reported:

- New items have been donated, including an electric wheelchair.

**Marijuana Legalization & Licensing:**

No report

**Heritage Society:**

Councilmember Riegel reported:

- The Heritage Society meets on the 4<sup>th</sup> Wednesday of each month at 6 pm.
- Their current balance of funds is \$3,003.28.
- They have been advertising to sell the ornaments.
- They are working on getting the old firehouse added to the historic register.
- They are working on getting a bank account established.
- Sarah Snow from Galloway Township Historic Society has been very helpful and provided them with forms to use and a software program that will help them log their different artifacts and documents.
- Jim Schroeder has been attending meetings and he always has great stories to share.
- For fundraising they have discussed having a historic home tour for Christmas 2023.

**Construction:**

No report

**Liquor Licensing:**

Council President Kozlowski explained that after extensive research done by the City's attorney, it would not be in the best interest of the City to proceed with changing the liquor license ordinance. If this is to be changed, it will be done by way of a petition by a resident.

**OPEN TO PUBLIC PORTION**

On the motion of Councilmember Allgeyer, seconded by Councilmember Giberson and carried to open public portion.

Michael Trupkiewicz, 58 Pomona Avenue, shared with the Mayor and Council some of the concerns that were shared with him from residents while he went door to door campaigning for the recent election. Council thanked him for sharing.

Violet Myer, 751 Old New York Road, questioned if there would be an adequate number of signatures on the petition to go on the referendum for 2023. Councilmember Giberson responded that someone would need to submit the petition. It was explained to Ms. Myer that any registered voter within Port Republic would be entitled to submit a petition which would have to have at least 170 signatures. Councilmember Nass added that after the new year and once new members are on Council, they would be able to move forward without a referendum. He would like to discuss this again in January. Mayor Giberson explained that the problem is that if Council would decide that someone could get a liquor license and then someone does file a petition and it is voted down at the election, the person holding the license would have to forfeit it and the City would have to return any monies.

Kevin Wessler, 601 Chestnut Neck Road, discussed the speeding issue in town. He questioned if the solar speed signs currently placed around town have the capability to track data that could be turned over to the State Police. A lengthy discussion ensued regarding the speeding issue within the City and ideas on how to help improve the issue. This is a concern the Mayor and Council share and they are working to keep making progress.

Craig Sabeth, 473 Chestnut Neck Road, asked if there is anything that the residents of Chestnut Neck Road could do regarding the speeding issue. He asked if the County could be contacted since it is a county road. Council agreed that the residents could contact the County to voice their concerns. Councilmember Kozlowski added that if there is an incident with a specific person and they can obtain a license plate or some kind of identifier, they can make a citizen's complaint at the Central Municipal Court of Atlantic County. With Scott Winneberger on board, we are hoping to keep moving forward and tackle this speeding issue professionally.

**CLOSED TO THE FLOOR FOR TOPICS FOR PUBLIC PORTION:**

Hearing nothing more from the public, Councilmember Giberson moved, seconded of Councilmember Allgeyer and carried to close the public portion.

**CORRESPONDENCE:**

None

**RESOLUTIONS:**

81-2022            Transfer Resolution 2022

On the motion of Councilmember Allgeyer, seconded of Councilmember Bugdon and carried.

**YES:** Allgeyer, Bugdon, Giberson, Kozlowski, Nass, Riegel

**NO:**

**ABSENT:**

**ABSTAIN:**

82-2022 Directing the Planning Board to Undertake a Preliminary Investigation of Certain City-Owned Property to Determine Whether Such Property Satisfies the Criteria as an "AREA IN NEED OF REDEVELOPMENT" Under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq.

On the motion of Councilmember Giberson, seconded of Councilmember Bugdon and carried.

**YES:** Allgeyer, Bugdon, Giberson, Kozlowski, Nass, Riegel

**NO:**

**ABSENT:**

**ABSTAIN:**

83-2022 Authorizing a Professional Services Agreement with James M. Rutala Associates, LLC

On the motion of Councilmember Bugdon, seconded of Councilmember Giberson and carried.

**YES:** Allgeyer, Bugdon, Giberson, Kozlowski, Nass, Riegel

**NO:**

**ABSENT:**

**ABSTAIN:**

84-2022 Resolution Supporting the Exploration of Feasibility for a Shared Municipal Court

On the motion of Councilmember Bugdon, seconded of Councilmember Allgeyer and carried.

**YES:** Allgeyer, Bugdon, Giberson, Kozlowski, Nass

**NO:** Riegel

**ABSENT:**

**ABSTAIN:**

85-2022 Resolution Appointing a Public Safety Director (*Scott Winneberger*)

On the motion of Councilmember Bugdon, seconded of Councilmember Allgeyer and carried.

**YES:** Allgeyer, Bugdon, Giberson, Kozlowski, Nass, Riegel

**NO:**

**ABSENT:**

**ABSTAIN:**

**ORDINANCE - INTRODUCTION:**

05-2022 An Ordinance Amending and Supplementing Ordinances and Parts of Ordinances that are Codified in Chapter 160, Land Use, in the Code of the City of Port Republic (*Livestock Ordinance*)

On the motion of Councilmember Giberson, seconded of Councilmember Allgeyer to table Ordinance 05-2022.

**YES:** Allgeyer, Bugdon, Giberson, Kozlowski, Nass, Riegel

**NO:**

**ABSENT:**

**ABSTAIN:**

**UNFINISHED BUSINESS:**

- Dam – Council President Kozlowski explained that this project is in que behind the Lake Lenape Dam in Hamilton Township. This will take some time.
- Storm Drain –We are still waiting on permits from the NJDEP.
- Gravel Mine – We are continuing to research for the possibility of a community solar project.
- Wilson Avenue – Paving has begun.

- Route 610 Bridge – Scheduled to be opened May of 2023. Mayor Giberson told Council that the County has discussed what will be happening to the piece of land before the bridge, to the left, at the intersection of Pitney Road & Riverside Drive. On this side of the bridge, there will be a walkway. The County was planning on digging up this area and planting grass to make it a park area. Mayor Giberson suggested that this area could be left as is and made into a parking area. Council President Kozlowski suggested that at the beginning of 2023, the County be asked to come for a Special Meeting to present their final design to the Mayor, Council and the public. The Mayor and Council agreed. The Construction Committee will meet and thereafter contact the County to schedule a meeting for the beginning of 2023.

#### **NEW BUSINESS:**

- Trespassing at City-Owned Property – 360 Cologne Port Road / Block 15, Lot 10 (*old landfill*)
  - No trespassing signs have been placed at the property which now allow the City to better handle anyone who is caught trespassing.
- Best Practice Discussion 2022
  - Deputy City Clerk Blevin explained that the Best Practice is an annual inventory of questions that Clerk Campellone and CFO Kelly worked on answering together. This year we scored very well and should be eligible to receive State funding.

#### **MAYOR'S REPORT / PROCLAMATIONS:**

Mayor Giberson reported:

- Paving of Chestnut Neck Road/Route 167 will be starting on November 21<sup>st</sup>.
- The Central Municipal Court of Atlantic County held a meeting in which they discussed the budget for 2023. The budget for next year will be increasing by 28%. However, after discussions they have agreed to keep the budget for Port Republic the same.
- The Event Committee will be planning a new event to celebrate Earth Day and it will be on Saturday, April 22, 2023. If anyone would like to help plan this event, they should contact Mayor Giberson.

#### **OPEN TO PUBLIC PORTION**

On the motion of Councilmember Bugdon seconded by Councilmember Allgeyer and carried.

Councilmember Allgeyer mentioned that the gas company has been giving out information in his area of town. Councilmember Giberson explained that the City does not have a franchise agreement with the gas company so they cannot come into town. Councilmember Bugdon stated that years ago the City did a survey with the gas company and because they were only willing to do parts of town and not the entire town, we told them no. Councilmember Nass asked if anyone on Council would have an issue if a resident tied into gas service if it happened to be in front of their house. Councilmember Bugdon responded that if they cannot do the whole town then they should not come into town at all. Council President Kozlowski stated that if anyone is interested in having service with the gas company, they should contact the Mayor's Office.

Chief John Yochim shared that the Whispering Woods and Holly Creek Developments do have gas service.

#### **CLOSED TO THE FLOOR FOR TOPICS FOR PUBLIC PORTION:**

Hearing nothing more from the public, Councilmember Allgeyer moved, seconded of Councilmember Bugdon and carried to close the public portion.

**EXECUTIVE SESSION**

ES 11-2022 Authorization to Enter into Executive Session Regarding:

1. N/A

**ADJOURNMENT**

On the motion of Councilmember Giberson, seconded of Councilmember Bugdon and carried to adjourn at 7:43 p.m.

Respectfully submitted,

Brandy M. Blevin, RMC  
Deputy City Clerk