

September 4, 2013
Municipal Building
121 Evergreen Road
New Egypt, NJ 08533

The Workshop Session of the meeting of the Plumsted Township Committee was called to order by Mayor Leutwyler.

STATEMENT: "This meeting is being held in compliance with the Open Public Meetings Act. It was published in the Tri-Town News and posted on the bulletin board."

THOSE OFFICIALS PRESENT WERE:

COMMITTEEMAN TROTTA	DEPUTY MAYOR SORCHIK	MAYOR LEUTWYLER
COMMITTEEMAN MARINARI	ADMINISTRATOR DANCER	ATTORNEY FORAN
CLERK HENDRICKSON		

Mayor Leutwyler said Committeeman Wysong was out of town on vacation.

Deputy Mayor Sorchik introduced Tod Bentenhausen of Eagle River Consulting, Inc. Verizon has again initiated locating a cell tower in Plumsted Township to help fill some of the voids in the downtown area. The proposed site, which was initially on the Green Acres (ROSI) Recreation and Open Space Inventory, has been removed. The location is on Brynmore Road in the vicinity of the First Aid Building. He said if the Township is interested, the process would be to put out a bid and once a bid was accepted, the applicant would have to go before the Land Use Board for a variance approval. There would be a lease agreement with the Township.

Mr. Bentenhausen stated he had a 22-year history with Plumsted Township. He spent his early career in 1991 and 1992, on one of the first cell towers in this area, which is located across from the New Egypt Speedway. In 2007 /2008, Verizon Wireless was interested in putting up two facilities in the Plumsted Township Area. At that time, he worked with Mayor Dancer and Jack Mallon to locate the facilities. Unfortunately, one was Green Acres, which was the First Aid property and the other was the Township's closed landfill. The bid was awarded, but it took too long and Verizon put the project on hold. Verizon has now reactivated the project and he is back before Plumsted Township to erect a cell tower at the First Aid Squad property since it has been removed from Green Acres. They have reengaged the Committee with a proposal letter. They understand that they have to go out to bid and win the bid to go forward. The only thing he wanted to add, which he forgot in that proposal, was they offered the Township 35% revenue share. This means that if there were other carriers who came after they constructed it, they would lease it and take care of it but then 35% of whatever the revenue would come back to the Township and the other 65% would go to them for capital improvements.

Deputy Mayor Sorchik had a couple of questions. He said in the request for proposals he wanted to include a deconstruction bond, which Mr. Bentenhausen said was not an issue. The other question regarding additional vendors, which he stated before, they would still have to receive permission from the Township. He noted that they work with the Township to decide what the potential would be and how it would be built. He noted that Jack Mallon suggested if we get that far and go to zoning for approval that they include multiple carriers as a proposed future carrier so all of the zoning is done for a multi-carrier facility. He said they would over build, over design, and over engineer the facility to hold the additional carriers. He explained the use of emergency services, which would be free of charge as long as it is structurally able and doesn't cause interference.

Committeeman Marinari said that Township is hopefully having a new playground in the vicinity of that site and questioned if there were any effects of microwaves. Mr. Bentenhausen said no, the electromagnetic fields that are created from these facilities are much less now than from the lights. He said New Jersey has a statute now and as long as they meet the guidelines, which they are thousands and hundreds of times below, is not an issue and has removed that from Land Use cases. Committeeman Marinari said he knew the answer but wanted to ask because he knew the question would come up.

Mr. Bentenhausen said there were two things he wanted to put on the record. One, since Verizon is a large company, he would need 45 days to get all of his signatures for the bid; and two, he asked that when the bid is put out, that the bidders need to be an FCC License carrier. He said the reason being is there were a lot of little tower companies that sprouted up over the past 15 years, one of which he was a former executive but returned to Verizon. The little tower companies will come in and over bid \$1.00 and take the rights away from the carriers who provide the service. The rent Verizon receives is nominal. He said he did not fault the tower companies for making money; but what happens is that they will win the bid but won't build the

structure. They don't have a carrier and the carriers will not pay their exorbitant rates which are not fair market values in Verizon's opinion because they think they can gouge them because they have the only spot in town. There was one in Jackson Township, which he was involved with for seven years and Verizon walked away. Attorney Foran said there was some question about whether or not it is legally permissible to have that kind of a bid. Mr. Bentenhausen thought there could be some kind of caveats in the bid for certain time periods. He felt it should be a two-step process, a reasonable time frame for zoning approval and reasonable time frame for construction. There was discussion regarding the bid and time frames from start to finish.

Mr. Russo, Sr. questioned a tower on Route 537 in the vicinity of C & H Tire, which he was told it was not Verizon's. The only one Verizon has is on Route 539 across from the racetrack. The only other one is Ocean County's and they have a no carrier policy. Mr. Russo questioned the selection of the First Aid site, which Mr. Bentenhausen explained.

Mayor Leutwyler asked the Committee for any questions on the agenda. Committeeman Trotta questioned the draft resolution for Banking Services. He said he wanted to bring up something that was discussed at a previous meeting. He said next year there was an extra pay period and it was brought to the Committee's attention that instead of being paid every other week to twice a month. Mayor Leutwyler, Deputy Mayor Sorchik and Committeeman Trotta felt it should stay the same and not change.

Mayor Leutwyler noted that progress was made on the Police Rules and Regulations with respect to the Accreditation so the Committee can move forward at the next meeting. He just received notification and will forward copies to the Committee.

Business Administrator Dancer said there was discussion at the workshop meeting regarding cash capital reserves and the State is requesting the Township do a Capital Ordinance once a year to include all of the cash funded balances of the various capital reserves. It was not on the prepared agenda because Tina Zapicchi, Bureau Chief of the Division of Local Government Services just brought to the Committee's attention today a model ordinance. He suggested that the Committee introduce an ordinance by title, because it was getting close to the end of the year that certain projects could use the expenditures from these capital reserves. He said if the Committee desired, the ordinance by title would read an ordinance providing funding for various improvements for the Township of Plumsted appropriating \$68,938.27 from a Capital Cash Reserve Account. The schedule the CFO prepared would be as the Schedule A for the ordinance. If this ordinance was introduced by title at this meeting, the second reading and public hearing would be at the next meeting.

Mayor Leutwyler noted there was a draft correspondence with respect to recycling the dump truck. The Committee felt further discussion was needed before a final decision is made.

Business Administrator Dancer noted that New Jersey is #2 in the Nation for foreclosures. Because of these foreclosures, some of these properties become abandoned and vacant. There is a mortgagee (creditor) holding these properties. The property is not kept up and left with weeds, grass and neighbors are complaining. So a number of municipalities across the State have been adopting ordinances modeled after the 2009 Fair Foreclosure Act. He had a copy of the Howell ordinance, which modeled the Act, and noted what would happen, there is no registration until there is a notice of foreclosure and then there would be a fee for registration from the mortgagee (creditor). Once this ordinance is in place, the State Law is there to help the municipality. The municipality would contact the mortgagee to maintain the property and if they fail to do so, a lien goes against them and not the owner who may have come across hard times and left the property. He wanted to bring this to the Committee's attention for possible adoption of such an ordinance here in Plumsted Township.

Attorney Foran read Resolution No. 2013-237.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, RESOLUTION NO. 2013-237, A RESOLUTION OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CONVENING OF AN EXECUTIVE SESSION IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT WAS ADOPTED. ROLL CALL VOTE: ALL AYES

The Regular Session of the meeting was called to order by Mayor Leutwyler and opened with the Flag Salute. Mayor Leutwyler introduced the professionals at the dais.

MINUTES CONSIDERED FOR APPROVAL:

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN TROTTA, THE MINUTES OF THE SPECIAL MEETING AND EXECUTIVE SESSION OF JULY 5, 2013 WERE APPROVED AS SUBMITTED. ROLL CALL VOTE: ALL AYES WITH COMMITTEEMAN TROTTA AND DEPUTY MAYOR SORCHIK ABSTAINING

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, THE MINUTES OF THE WORKSHOP/REGULAR/EXECUTIVE SESSION MEETING OF AUGUST 7, 2013 WERE APPROVED AS SUBMITTED. ROLL CALL VOTE: ALL AYES

PRESENTATIONS:

Mayor Leutwyler asked Rachael Lavole-Dohn, Librarian of the Plumsted Branch of the Ocean County Library to accept the proclamation regarding "Library Card Signup Month for September 2013." Rachael said all of the branches are having a little raffle so if you don't have a library card and come in and sign up, you can put your name in a raffle to win some great library stuff and if you have your card and bring someone who does not have a card, they also receive a raffle ticket. She advised every one of the programs which were coming up at the Library. The Committee thanked her for coming.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN TROTTA, PROCLAIMING SEPTEMBER 2013 AS LIBRARY CARD SIGNUP MONTH FOR SEPTEMBER 2013 PROCLAMATION WAS ADOPTED.

Mayor Leutwyler said it was important to recognize Hunger Action Month, which is in September. Committeeman Trotta noted that the proclamation specifically mentioned Monmouth/Ocean Food Bank. He noted there were several food banks in Plumsted Township some of which work with them, and their website has information of things that could be done every day for the month of September to help the hungry. Deputy Mayor Sorchik read the proclamation.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN TROTTA, PROCLAIMING SEPTEMBER 2013 AS HUNGER ACTION MONTH WAS ADOPTED.

Mayor Leutwyler said September was National Childhood Cancer Awareness Month. Committeeman Trotta requested a proclamation and Jackson Township Mayor also forwarded an email as he has a grandchild with cancer and requested a proclamation. Committeeman Trotta read the proclamation.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN TROTTA, PROCLAIMING SEPTEMBER AS NATIONAL CHILDHOOD CANCER AWARENESS MONTH WAS ADOPTED.

Mayor Leutwyler asked members of the New Egypt Elks to come forward to accept the proclamation proclaiming September 9-15, 2013 as Patriotism Week. Mayor Leutwyler read the proclamation.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN TROTTA, PROCLAIMING SEPTEMBER 9-15, 2013 AS NATIONAL PATRIOTISM WEEK WAS ADOPTED.

Keith Buckalew, Exalted Ruler of the New Egypt Elks said the Elks promotes Americanism in the district and in the schools. They also have scholarships and they do a lot for veterans throughout the district. This proclamation helps put the word out in support of what the Elks does. They have had a lot of activities with the Joint Base and had a picnic for them with over 300 people. Mr. Buckalew thanked the Committee for the proclamation. The Committee thanked the Elks for all they do.

Mayor Leutwyler had a piece of steel from the Twin Towers, which Assemblyman Dancer donated to Plumsted Township in Recognition of 9/11/2001. He read a letter from the Port Authority of New Jersey to Assemblyman Dancer donating this piece of steel in remembrance of those who were lost on 9/11 and also to reflect on the resilience shown in the face of such a tragedy. Mayor Leutwyler said the Township would find a suitable location to display this piece of steel in remembrance of 9/11. The Committee thanked Assemblyman Dancer for this contribution.

ORDINANCES: Second Reading and Public Hearing

Mayor Leutwyler said Ordinance No. 2013-10 amends and supplements Chapter 6, entitled Building and Housing, Section 6-4 F (3). The purpose of this ordinance is to increase the fee for

resale inspections. Leutwyler opened the public hearing on Ordinance No. 2013-10 and asked for any public comments, there were none.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN MARINARI, THE PUBLIC HEARING ON ORDINANCE NO. 2013-10 – AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 6, OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “BUILDING AND HOUSING” SECTION 6-4 F (3) (The purpose to increase the fee for resale inspections) WAS CLOSED. ROLL CALL VOTE: ALL AYES

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN TROTTA, ORDINANCE NO. 2013-10 WAS ADOPTED ON SECOND AND FINAL READING. ROLL CALL VOTE: ALL AYES

ORDINANCES: Introduction

Mayor Leutwyler said Ordinance No. 2013-11 amends and supplements Chapter 58, entitled “Towing and Storage Regulations” Section 4 C, (The purpose of the ordinance is to set rates and charges for the municipal police law enforcement impoundment storage area).

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, ORDINANCE NO. 2013-11 - AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 58, SECTION 4 C OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “TOWING AND STORAGE REGULATIONS” WAS INTRODUCED AND PASSED ON FIRST READING. ROLL CALL VOTE: ALL AYES

Mayor Leutwyler said Ordinance No. 2013-12 which was discussed in workshop would be done by title to provide funding for various improvements for the Township of Plumsted and appropriating \$68,938.27 from the Capital Cash Reserve Accounts for such purposes. CFO Madden will provide the Committee with details before the seconding reading and public hearing.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN TROTTA, ORDINANCE NO. 2013-12 – AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FUNDING FOR VARIOUS IMPROVEMENTS FOR THE TOWNSHIP OF PLUMSTED AND APPROPRIATING \$68,938.27 FROM THE CAPITAL CASH RESERVE ACCOUNTS FOR SUCH PURPOSES WAS INTRODUCED AND PASSED ON FIRST READING. ROLL CALL VOTE: ALL AYES

RESOLUTIONS:

THE FOLLOWING RESOLUTIONS ON A CONSENT AGENDA ARE CONSIDERED ROUTINE AND SHALL BE ENACTED BY ONE MOTION. SHOULD ANY MEMBER OF THE TOWNSHIP COMMITTEE SEEK SEPARATE DISCUSSION OF ANY ITEM, THAT ITEM SHALL BE REMOVED AND DISCUSSED SEPARATELY. THE FOLLOWING RESOLUTIONS WILL BE VOTED ON IN ONE VOTE:

RESOLUTION NO. 2013-238 – AUTHORIZING PLUMSTED TOWNSHIP TO PARTICIPATE IN A SHARED SERVICE AGREEMENT FOR THE SHARING OF SALT SPREADING AND SALT SPREADING EQUIPMENT WITH AND BETWEEN THE TOWNSHIP OF PLUMSTED AND THE PLUMSTED TOWNSHIP SCHOOL DISTRICT FOR THE YEAR 2013-2014

RESOLUTION NO. 2013-239 - AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE THE RENEWAL OF MEMBERSHIP IN THE OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND

RESOLUTION NO. 2013-240 – AUTHORIZING THE TOWNSHIP CLERK TO ADVERTISE FOR RECEIPT OF BIDS FOR SNOW PLOWING AND SALTING SERVICES WITHIN THE TOWNSHIP OF PLUMSTED

RESOLUTION NO. 2013-241 – AUTHORIZING THE ADVERTISEMENT AND RECEIPT OF BIDS FOR THE LEASE OF CERTAIN PORTIONS OF PUBLIC PROPERTY PURSUANT TO N.J.S.A.40A:12-14

RESOLUTION NO. 2013-242 – ACKNOWLEDGING THE RECEIPT OF THE 2012 AUDIT

RESOLUTION NO. 2013-243 – MEMORIALIZING THE ADOPTION AND IMPLEMENTATION OF THE RECOMMENDATIONS STATED IN THE 2012 TOWNSHIP AUDIT

RESOLUTION NO. 2013-244 – AUTHORIZING CANCELLATION OF THE BLANKET PURCHASE ORDER AS RECOMMENDED BY THE CHIEF FINANCIAL OFFICER

RESOLUTION NO. 2013-245 – AUTHORIZING JOHN J. MALLON, P.E. TOWNSHIP ENGINEER OF ERNST, ERNST AND LISSENDEN AS PROJECT ENGINEER FOR THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TRUST FUND GRANT FY2013 MUNICIPAL AID PROGRAM FOR IMPROVEMENTS TO HOLLY HILL DRIVE

RESOLUTION NO. 2013-246 – AUTHORIZING PAYMENT FOR THE INSURANCE OPT-OUT PROGRAM FOR 2013

RESOLUTION NO. 2013-247 – AUTHORIZING THE ISSUANCE OF CHECKS FOR THE REDEMPTION OF TAX SALE CERTIFICATES

RESOLUTION NO. 2013-248 – AUTHORIZING THE REFUND OF NJ HOMESTEAD REBATES

RESOLUTION NO. 2013-249 – AUTHORIZING THE REFUND OF OVER BILLED TAXES (BLOCK 55, LOT 124)

RESOLUTION NO. 2013-250 – AUTHORIZING THE REFUND OF 2013 3RD QUARTER DUPLICATE PAYMENT OF TAXES

RESOLUTION NO. 2013-251 – CANCELLING 2013 TAXES DUE TO TOTALLY DISABLED VETERAN STATUS EFFECTIVE 6/20/13 FOR KAREN BAUMGARTNER (BLOCK 43, LOT 96.09)

RESOLUTION NO. 2013-252 – EXTENDING THE SHARED SERVICES AGREEMENT WITH THE BOROUGH OF LAKEHURST FOR THIRTY (30) DAYS TO PROVIDE MUNICIPAL COURT SERVICES

RESOLUTION NO. 2013-253 – AUTHORIZING AN AMENDMENT TO THE 2013 BUDGET TO ALLOW FOR THE CHANGE IN TEXT OR TITLE PURSUANT TO N.J.S.A.40A:4-85 (CONSTRUCTION)

RESOLUTION NO. 2013-254 – TO EXTEND A LEAVE OF ABSENCE WITHOUT PAY FOR CYNTHIA MAC REYNOLDS

THE FOLLOWING RESOLUTION WAS ADDED TO THE CONSENT AGENDA:

RESOLUTION NO. 2013-255 – AWARDING A CONTRACT FOR BANKING SERVICES TO INVESTORS BANK

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN MARINARI, THE AFOREMENTIONED RESOLUTIONS READ BY TITLE ON THE CONSENT AGENDA WERE ADOPTED. ROLL CALL VOTE: ALL AYES

REPORTS OF DEPARTMENTS AND PROFESSIONALS:

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, THE SEPTEMBER 4, 2013 BILL LIST WAS APPROVED AS SUBMITTED. ROLL CALL VOTE: ALL AYES AS AMENDED

REPORTS SUBMITTED FOR COMMITTEE REVIEW:

TAX COLLECTOR'S REPORTS – May, 2013; June, 2013 and July, 2013
FINANCE REPORTS – Revenue Summary by Month – July 2013; Budget Account Status – July, 2013; 2013-2014 Budget Analysis

OTHER BUSINESS:

Mayor Leutwyler asked for any old or new business from the Committee.

Committeeman Marinari said starting October 1, 2013, the Sustainable New Jersey Meetings have been changed to the first Tuesdays of each month at 6:30 PM. It was also mentioned that that Fall Festival scheduled for September 28th has been canceled.

Committeeman Marinari said last year's Farm Fest allowed the PBMA to add decorations for the holidays. He said there are plans to continue this but not sure to what extent; but they are also looking to hold a 50/50 raffle through Reindancer for October and November, which would generate some funds for the holidays.

Committeeman Marinari also noted that the land has started to be cleared for the new playground. A lot of work has been done in two days time.

There was no further business from the Township Committee.

Mayor Leutwyler asked for public comments. There was none.

ON MOTION OF COMMITTEEMAN TROTTA, SECONDED BY DEPUTY MAYOR SORCHIK, THE MEETING WAS ADJOURNED. ROLL CALL VOTE: ALL AYES.

Respectfully submitted,

Dorothy J. Hendrickson, RMC
Municipal Clerk