

October 2, 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  | COMMITTEEMAN MARINARI | MAYOR LEUTWYLER |
| DEPUTY MAYOR SORCHIK | COMMITTEEMAN WYSONG   | ATTORNEY FORAN  |
| ADMINISTRATOR DANCER | CLERK HENDRICKSON     |                 |

Mayor Leutwyler introduced Peter Ylvisaker, Executive Director of the Plumsted Municipal Utilities Authority with respect to the Energy Aggregation Bid, which took place earlier in the day. He introduced Bob Chilton of Gabel Associates who gave the Committee an overview of bids that were received. This was a request for proposals process to go out to bid for a new contract. The current contract with Con Edison Solutions for the Government Energy Aggregation Program expires in January 2014. The bid specifications asked for three potential terms, 12, 16 and 22 months. They had an initial stage one process accepting qualification documents from prospective bidders and of the eight that were received, two were ineligible. Six bids were received today for the three potential terms.

The residential bid group, which encompasses about 1,700 residents who are currently under the Con Ed Solutions contract as well as roughly another 1,000 customers that are currently on JCP&L's tariff supply. Those two groups combined represent the eligible pool of customers. Also, regarding the businesses in town that decided to opt into the program, they received six bids, which was the same as last year. In general, the prices for the 16-month terms were lower than the twelve-month and the prices for 22-month contracts from most of the suppliers were very close to the 16-month, with the exception of Verde Energy who offered a 3% lower price for the 22-month contract. Verde Energy also had the lowest bid price for all three-contract terms for both residents and businesses and when they went through the evaluation process, Verde was rated the highest qualification ranking. They have not done any GEA in New Jersey but have done a number of programs in other states. They also serve about 60,000 residential customers in New Jersey so they have a lot of experience in serving residential market here.

In checking their references, municipalities in other states gave them high marks. Mr. Chilton said Gabel Associates was recommending an award for a contract to Verde Energy for a 22-month term because it gave the best price. The price for the 22-month contract was about 1/10 of a percent lower than the current contract price with Con Edison Solutions. The savings for the residential group of .086 cents is about 17% off the current residential tariff rate because the term spans over the one-year term when the JCP&L tariff rates are set as they did a projection of their rates and are projecting about 5% drop in their tariff rates next June. He said it would average about \$12 a month or \$150 a year for a typical residential customer in Plumsted Township and on a town-wide basis about \$400,000 annually, which translates into about \$700,000 over the 22-month contract. The savings for the businesses are very similar.

Collectively the savings would be about \$3,200 for the six participating businesses over the 22-month period. Verde will also provide budget billing. Gabel Associates recommended the 22-month contract with Verde for both residential and business bid group. Mr. Chilton explained the next steps in the process. The Committee had a few questions regarding the new businesses who may want to opt in and also the different terms in the contract, which Mr. Chilton explained.

Business Administrator Dancer as Assemblyman asked Mr. Chilton to inform the Committee regarding legislation he and Mr. Chilton have worked on which may lessen the confusion for some of the residents under that new law. Mr. Chilton said under all the current rules, there is a requirement that the utility generate a generic letter that goes out to the customer. It basically says that the supplier has asked to switch your account; is this what you want. With the GEA rules, specific to GEA, require that in a 3-week time period the supplier send out an opt-out notification letter, which is extremely informative. The experience for Plumsted opting out was about 5%. Then about a month later the supplier takes the list and sends it to JCP&L. JCP&L then sends a second very generic short letter to all the residents who enrolled asked if they wanted to be switched, which led to a lot of confusion. He received a lot of calls asking for this to be rescinded, and based on follow-up discussions, those who called were confused and did not

connect the second letter with the first letter and thought it was some other deal. Assemblyman Dancer had introduced legislation that would basically state in a GEA program, the utilities not send the second letter. This would be a big help in fixing that problem.

Regarding the other issue on consolidated billing, the rules last year were if a customer was more than 60 days in arrears on their bill, the utility would not accept them for consolidated billing. The BPU has changed that rule to 120 days, which will help in reducing those who would not qualify. There is also legislation for GEA to eliminate that completely.

Business Administrator Dancer said in order for any municipality in the State of New Jersey to receive 100% of State Aid that the CFO of that municipality has to submit a Best Practices Worksheet. One of the 50 questions in order to get enough points to get 100% of Aid is did your municipality strive to achieve saving their residents through the energy aggregation program. Those municipalities who have not yet gone through the process would not get any points for the 100% State Aid.

Peter Ylvisaker, Executive Director of the Municipal Utilities Authority, said the MUA agrees with Gable Associates to recommend to the Township Committee the 22-month contract with Verde Energy. The Township Committee was in agreement with the recommendation to award Verde Energy with the 22-month contract.

Committeeman Trotta said that regarding Resolution No. 2013-279, awarding a contract for the installation of playground equipment, there is a change in the amount. The amount should be \$30,840.00 and that amount is available and will be certified so we can move ahead with this as planned.

Committeeman Wysong briefed the Committee on Resolution No. 2013-276, accepting the bid of Vernon E. Dancer Farms to provide 2013-2014 for snowplowing/salting services for the Township. He noted there was only one bid submitted and went over the changes from last year to this year. Mr. Dancer noted that his prices are well below what the County pays their contractors for the same service.

Attorney Foran read Resolution No. 2013-256.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN TROTTA, RESOLUTION NO. 2013-256, 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 AS AMENDED. ROLL CALL VOTE: ALL AYES. Collective Bargaining Agreement under the new CAP was added.

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 DEPUTY MAYOR SORCHIK, THE MINUTES OF THE WORKSHOP/REGULAR/EXECUTIVE SESSION MEETING OF SEPTEMBER 4, 2013 WERE APPROVED AS SUBMITTED. ROLL CALL VOTE: ALL AYES WITH COMMITTEEMAN WYSONG ABSTAINING

**PRESENTATIONS:**

Mayor Leutwyler asked Librarian Rachael Lavole-Dohn to come forward to accept the proclamation on "National Friends of Libraries Week" for the week of October 20-26, 2013. Committeeman Marinari read the proclamation and presented it to Rachael.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN TROTTA, PROCLAIMING THE WEEK OF OCTOBER 20-26, 2013 AS "NATIONAL FRIENDS OF LIBRARIES WEEK". ROLL CALL VOTE: ALL AYES

The Committee thanked her and everyone at the library. He also wanted to personally thank her on Meet the Mayor nights. Rachael wanted to say they have a dedicated and wonderful group of friends who are supportive and give them funding for their programs. They have their annual book sale Saturday, October 5<sup>th</sup> from 9AM to 1PM for anyone who would like to donate. She said she was accepting this proclamation for the "Friends of the Library."

Mayor Leutwyler asked Linda Linda Leutwyler, Chairman of the Municipal Alliance, to come forward to accept the Red Ribbon Week Proclamation for the week of October 23-31, 2013. Deputy Mayor Sorchik read the proclamation and presented it to Linda.

ON MOTION OF COMMITTEEMAN WYSONG, SECONDED BY COMMITTEEMAN TROTTA, PROCLAIMING THE WEEK OF OCTOBER 23-31, 2013 AS RED RIBBON WEEK. ROLL CALL VOTE: ALL AYES

Deputy Mayor Sorchik said Linda was the Chairperson of the Municipal Alliance and their meetings were on the first Monday of each month and the public is invited. He said there were a lot of public outreach programs they do which are sponsored and tailor made to our community based on difference surveys. He said it is an excellent program and serves the community very well. She explained that during Red Ribbon Week each school has a program set aside for each day of the week, something to encourage good decisions. Linda thanked the Committee for all their support.

Mayor Leutwyler mentioned that October was Breast Cancer Awareness Month.

**It was noted that the Police Recognition by Chief Petrecca was cancelled due to illness.**

### **ORDINANCES: Second Reading and Public Hearing**

Mayor Leutwyler opened the public hearing on Ordinance No. 2013-11 that amends and supplements Chapter 58, Section 4C entitled "Towing and Storage Regulations. The purpose of this ordinance is to set rates and charges for the municipal police law enforcement impoundment storage area. He asked for any public comments, there were none.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, THE PUBLIC HEARING ON 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 CLOSED. ROLL CALL VOTE: ALL AYES

ON MOTION OF COMMITTEEMAN TROTTA, SECONDED BY DEPUTY MAYOR SORCHIK, ORDINANCE NO. 2013-11 WAS ADOPTED ON SECOND AND FINAL READING. ROLL CALL VOTE: ALL AYES.

Mayor Leutwyler opened the public hearing on Ordinance No. 2013-12 that provides funding for various improvements for the Township of Plumsted and appropriates \$68,938.27 from the Capital Cash Reserve Accounts for such purposes. He asked for any public comments. Mr. Russo, Sr. asked that under Capital Improvements, was there certain areas that that money could be use for? Mayor Leutwyler gave Mr. Russo the accounts and their amounts. There was no further public comment.

ON MOTION OF COMMITTEEMAN WYSONG, SECONDED BY DEPUTY MAYOR SORCHIK, THE PUBLIC HEARING ON 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 CLOSED. ROLL CALL VOTE: ALL AYES

ON MOTION OF COMMITTEEMAN WYSONG, SECONDED BY COMMITTEEMAN TROTTA, ORDINANCE NO. 2013-12 WAS ADOPTED ON SECOND AND FINAL READING. ROLL CALL VOTE: ALL AYES

### **ORDINANCES: Introduction**

Mayor Leutwyler said Ordinance No. 2013-13 is being introduced to create and establish Chapter 1A of the General Ordinances of the Township of Plumsted to provide for the property maintenance of abandoned and mortgaged foreclosed properties. He said that it was hoped that this ordinance will help the Township in taking care of those abandoned and foreclosed properties.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN WYSONG, ORDINANCE NO. 2013-13 - AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, CREATING AND ESTABLISHING CHAPTER 1A OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF

PLUMSTED ENTITLED "ABANDONED PROPERTIES AND MORTGAGED FORECLOSED PROPERTIES" WAS INTRODUCED AND PASSED ON FIRST READING. ROLL CALL VOTE: ALL AYES

Mayor Leutwyler said Ordinance No. 2013-14 is being introduced to amend the ordinance to establish salaries for various officials of the Township of Plumsted regulating the manner of payment of same. This is to clarify payment for the Plumsted Township Police Officers for the Ocean County DWI Grant Reimbursement Program and the FAST Program.

ON MOTION OF COMMITTEEMAN TROTTA, SECONDED BY DEPUTY MAYOR SORCHIK, ORDINANCE NO. 2013-14 – AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE TO ESTABLISH SALARIES FOR VARIOUS OFFICIALS OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, NEW JERSEY REGULATING THE MANNER OF PAYMENT OF SAME" WAS INTRODUCED AND PASSED ON FIRST READING. ROLL CALL VOTE: ALL AYES

The two aforementioned ordinances will have a second reading and public hearing on November 6, 2013, which is the next regularly scheduled Township Committee Meeting.

**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. 2013-257 – AUTHORIZING THE REFUND OF A ZONING APPLICATION FEE FOR BLOCK 55.06, LOT 2 (141 BOBBI'S TERRACE)

RESOLUTION NO. 2013-258 – AUTHORIZING AN INTERLOCAL SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF PLUMSTED AND THE COUNTY OF OCEAN FOR THE FY2014 THE DRIVING WHILE INTOXICATED CHECKPOINTS "D.W.I.C."

RESOLUTION NO. 2013-259 – AUTHORIZING AN INTERLOCAL SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF PLUMSTED AND THE COUNTY OF OCEAN FOR THE PROSECUTORS PROGRAM FY2014

RESOLUTION NO. 2013-260 – AUTHORIZING THE TOWNSHIP CLERK TO ADVERTISE FOR THE RECEIPT OF PROPOSALS FOR PROFESSIONAL SERVICES FOR 2014

RESOLUTION NO. 2013-261 – INVESTORS BANK CERTIFIED COPY OF CORPORATE RESOLUTION FOR PROFIT/NON-PROFIT/RELIGIOUS CORPORATIONS

RESOLUTION NO. 2013-262 – APPROVING AN AGREEMENT WITH JCP&L FOR THE USE OF UTILITY POLES WITHIN THE TOWNSHIP OF PLUMSTED FOR THE PURPOSE OF DISPLAYING HOLIDAY DECORATIONS

RESOLUTION NO. 2013-263 - APPOINTING TODD WINOUSKI AS PART-TIME GENERAL MAINTENANCE LABORER

RESOLUTION NO. 2013-264 – AUTHORIZING THE PLUMSTED TOWNSHIP COMMITTEE TO WAIVE THE PLUMSTED TOWNSHIP NOISE ORDINANCE FOR THE OCEAN COUNTY ENGINEERING PAVING PROJECT (ROUTE 537 BETWEEN EVERGREEN ROAD AND ROUTE 539)

RESOLUTION NO. 2013-265 – REQUESTING APPROVAL FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A.40A:4-87 (OCEAN COUNTY RECYCLING REVENUE SHARING PROGRAM GRANT IN THE AMOUNT OF \$1,610.64)

RESOLUTION NO. 2013-266 – SUPPORTING OCEAN COUNTY'S FARMLAND PRESERVATION PROGRAM TARGETED ACQUISITION AREAS

RESOLUTION NO. 2013-267 – AUTHORIZING THE PLUMSTED TOWNSHIP CONSTRUCTION OFFICIAL TO WAIVE THE COLLECTION OF FEES ON TAX EXEMPT PROPERTY LOCATED ON BLOCK 75, LOT 10 (97 LAKEWOOD ROAD KNOWN AS CHURCH OF CHRIST)

RESOLUTION NO. 2013-268 – AUTHORIZING THE ISSUANCE OF CHECKS FOR THE REDEMPTION OF TAX SALE CERTIFICATES

RESOLUTION NO. 2013-269 – AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING (MOU) FOR THE NEW JERSEY OFFICE OF EMERGENCY MANAGEMENT (NJOEM) AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

RESOLUTION NO. 2013-270 - AUTHORIZING THE MAYOR TO EXECUTE THE COMMUNITY SERVICE WORK SITE AGREEMENT

RESOLUTION NO. 2013-271 – EXTENDING THE SHARED SERVICES AGREEMENT WITH THE BOROUGH OF LAKEHURST TO DECEMBER 31, 2013 TO PROVIDE MUNICIPAL COURT SERVICES

RESOLUTION NO. 2013-272 –AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN PLUMSTED TOWNSHIP AND THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

RESOLUTION NO. 2013-273 – AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE TOWNSHIP OF PLUMSTED AND EASTERN ARMORED CAR SERVICE

RESOLUTION NO. 2013-274 – AUTHORIZING THE EXECUTION OF AN INTERIM SHARED SERVICES AGREEMENT WITH THE PLUMSTED MUNICIPAL UTILITIES AUTHORITY

RESOLUTION NO. 2013-275 – AUTHORIZING CANCELLATION OF BLANKET PURCHASE ORDER, AS RECOMMENDED BY THE CHIEF FINANCIAL OFFICER

RESOLUTION NO. 2013-276 – ACCEPTING THE BID OF VERNON E. DANCER FARMS TO PROVIDE 2013/2014 SNOWPLOWING/SALTING SERVICES FOR THE TOWNSHIP OF PLUMSTED

RESOLUTION NO. 2013-278 – AWARDING THE PURCHASE OF PLAYGROUND EQUIPMENT THROUGH STATE CONTRACT #A81424

RESOLUTION NO. 2013-279 – AWARDING A CONTRACT FOR THE INSTALLATION OF PLAYGROUND EQUIPMENT. The amount in this resolution was amended to \$30,840.00

THE FOLLOWING RESOLUTION WAS ADDED TO THE AGENDA:

RESOLUTION NO. 2013-280 – AUTHORIZING THE AWARD OF A CONTRACT TO A THIRD PARTY POWER SUPPLIER TO PROVIDE ELECTRIC GENERATION SERVICE TO PLUMSTED COMMUNITY ENERGY AGGREGATION (PCEA) PROGRAM PARTICIPANTS AND TO PROVIDE GOVERNMENT ENERGY AGGREGATION SERVICES IN CONNECTION WITH THE PCEA PROGRAM PURSUANT TO N.J.A.C. 14:44-6. It was noted that this was for a term of 22 months.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN TROTTA, THE AFOREMENTIONED RESOLUTIONS READ BY TITLE ON THE CONSENT AGENDA WERE ADOPTED. ROLL CALL VOTE: ALL AYES WITH MAYOR LEUTWYLER ABSTAINING ON RESOLUTION NO. 280

**MOTION TO CONSIDER:**

ON MOTION OF COMMITTEEMAN TROTTA, SECONDED BY DEPUTY MAYOR SORCHIK, THE FOLLOWING BINGO AND RAFFLES LICENSES WERE APPROVED: BINGO LICENSE NO. 2013-34 – THE GIVE BACK FOUNDATION, INC. FOR A BAG BINGO; RAFFLES LICENSE NO. 2013-35 – THE GIVE BACK FOUNDATION, INC. FOR AN ON PREMISE 50/50; RAFFLE LICENSE NO. 2013-36 – REINDANCER THERAPEUTIC RIDING CENTER FOR AN OFF PREMISE 50/50; RAFFLE LICENSE NO. 2013-37 – NEPS/WES PTO FOR AN OFF PREMISE BASKET; RAFFLE LICENSE NO. 2013-38 – NEPS/WES PTO FOR AN OFF PREMISE 50/50; RAFFLE LICENSE NO. 2013-39 – MC KAIG-TEST-MULLEN AMERICAN LEGION POST #455 FOR AN OFF PREMISE 50/50; RAFFLE LICENSE NO. 2013-40 – MC KAIG-TEST-MULLEN AMERICAN LEGION POST #455 FOR AN OFF PREMISE MERCHANDISE. ROLL CALL VOTE: ALL AYES

## **REPORTS OF DEPARTMENTS AND PROFESSIONALS:**

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, THE OCTOBER 2, 2013 BILL LIST WAS APPROVED AS AMENDED. ROLL CALL VOTE: ALL AYES. This was to pay the Municipal Court in the amount of \$3,200.00.

## **REPORTS SUBMITTED FOR COMMITTEE REVIEW:**

JUNE d. MADDEN, CFO – BOND ANTICIPATION NOTES MEMO OF SEPTEMBER 26, 2013  
CONSTRUCTION REPORT – SEPTEMBER, 2013  
TAX COLLECTOR'S REPORTS – AUGUST, 2013  
FINANCE REPORTS – Revenue Summary by Month – August 2013; Summary Budget Account Status – August 2013; August 2013 - Budget Analysis

## **OTHER BUSINESS:**

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

Deputy Mayor Sorchik wanted to bring the Committee up-to-date on the Cell Phone Tower. He said the advertisement and bids were available to be picked up as of September 26<sup>th</sup> and the receipt of bids are November 13, 2013 at 4PM. The Chief Financial Officer and Township Attorney will then review the bids. The recommendation will be made to the Township Committee by November 26<sup>th</sup> for the Committee to review and possibly award a contract at the December 4<sup>th</sup> Township Committee Meeting.

Committeeman Marinari said a 50/50 has been approved through Reindancer. Reindancer is working with the Plumsted Business and Merchants Association for expenses for the electricity, which will be used to light the snowflakes for the Holiday Season as well as towards any other events. He also said with the approval of the new Township Playground, that he wanted personally to thank Committeeman Trotta who did a great job in bringing this from schematics to reality.

Mayor Leutwyler said a couple of weeks ago, he, Assemblyman/Business Administrator/MUA Member Dancer, MUA Executive Director Peter Ylvisaker, and MUA Chairman Walter Bronson met with Congressman Chris Smith, Assistant Secretary of the Air Force Ferguson, Colonel Hodges, Commander of the Joint Base, Representatives from Senator Chiesa's office and Ocean County Director of Planning Dave McKeon in Washington, DC. This meeting was to discuss the possibility of joining them and hooking into the sewers at the Joint Base. He said it was a very positive meeting and Assistant Secretary Ferguson plans on a meeting here in Plumsted with the Committee. She understood that after this meeting there is an immediate need here in Plumsted Township for sewers. Mayor Leutwyler noted that he was very optimistic but the MUA is still pursuing both options, the sewer treatment plant and the Joint Base.

Mayor Leutwyler said regarding the Redevelopment, there was another positive meeting with Lennar and they were anxious in getting started with the PRRC (Planned Residential Retirement Community).

Committeeman Trotta said under old business regarding the paving of Holly Hill and the status of millings for Sam LeNoble for baseball and softball. Business Administrator said Township Engineer Jack Mallon indicated that he hoped to have Holly Hill finished by the time the plants closed around Thanksgiving (weather permitting).

## **NEW BUSINESS:**

Committeeman Trotta noted the Best Practices worksheets for CY2013/SFY2014. There were about 50 questions the CFO answered and the Township has a score of 90%, which means the Township receives the full State Aid. The 10% the Township was unable to get, he hoped it would be a little better next year percentage wise. The Committee thanked CFO Madden for all her work on the Best Practices worksheets.

Committeeman Marinari said he would like to invite everyone on October 10<sup>th</sup> at 7PM for a Special Meeting sponsored by the Plumsted Business and Merchants Association regarding a Property Tax Rewards Program. The meeting is open to all local business owners as well as the general public. He explained the process of this program with participating businesses and that a certain percentage of whatever the resident spends over a year would go directly to their

property taxes. With property tax relief a major topic in our state, this new program may be of importance to all homeowners. It can also be a major asset to our business community. He also wanted to thank Assemblyman Dancer who has been working at the State level that will help this program.

Committeeman Marinari also noted that there was a new newspaper, the Millstone Times, which will be delivered directly to the residents. He has been in contact with the editor who was very interested in Plumsted Township as a whole with the businesses, schools, government, etc. He said the Township was also very lucky to have the Newsletter from Marty of Bomar Printing. He said being a former Board Member and President, the more information the public can get, the better for that public. They can make decisions knowing what is going on in the community.

There was no further business from the Township Committee.

Mayor Leutwyler asked for public comments.

Sam Russo, Sr. said this was a very informative meeting and wanted to question the following resolutions: Resolution No. 2013-264, waiving the noise ordinance, which Mayor Leutwyler explained was due to night paving Route 537 during off peak hours. Resolution No. 2013-266 supporting the Farmland Preservation Program Targeted Acquisition Areas, which the Committee said the list came from the County. Mr. Russo wondered why Susie Q Farm was listed and the Township says they are not a farm. Resolution No. 2013-273, authorizing an agreement with Eastern Armored Car Service, which Mayor Leutwyler explained that the Township has changed banks and this was a service provided by the bank at no cost to the Township. His last question was regarding the Police Recognitions being canceled due to illness, which Mayor Leutwyler explained Chief Petrecca was out sick. The Chief asked this recognition be postponed until a later date.

Mr. Russo, Sr. had another issue that happened a while back regarding the noise ordinance complaint at Suzie Q Property, which was approaching \$300,000 in taxpayers' money between Township, County and the State. He said it is now exceeding \$500,000.00 because it is now a Federal case. He felt it was shameful because we are supposed to have government for the people, by the people and the Committee is the people representing us. He said why is there an issue going on this long and no one from the Committee has been out there first hand to see what the situation. Also, why aren't they either supportive of the problem or against the problem and come to some kind of decision of what exists there. He felt the Committee should revisit it and see what is out there. He said the harassment has ceased a lot. He felt that now the higher ups in the DEP have been out to see what is there and what exists. They cannot understand how anybody can say that that property is not a farm. Committeeman Wysong said with respect to the preserved farm resolution, he read a requirement from the Ocean County Agriculture Development Board stating that one of the requirements of the preserved process in the Statute requires that the County notify the Townships in which project areas are being considered and where farms are being examined as possible targets for acquisition.

Mr. Russo, Jr. questioned if pad fee payments like Jensen's Deep mobile home park go directly to the Township. Business Administrator Dancer said in every mobile home park, which there are five in the Township, the land is assessed by the Assessor and the property owner of that park pays full property taxes on the land. There are no improvements per se as defined in the law because they are considered mobile homes, not a stationary modular home with a foundation. The mobile home is owned by the resident of the mobile home park and pays rent and part of that rent includes a calculation of the property taxes, overhead of maintaining the park and also includes a calculation for, which is set by ordinance, for a municipal pad fee. Depending on the size of the unit, it is about \$30 to \$40 per month, per unit. This money goes to the Township and the anticipated revenue from the pad fees is about \$60,000.00 a year. In Jensen's alone there are about 243 and including the other parks it totals about 350 mobile homes and these fees is used to offset the cost of providing any municipal services such as the Police Department, EMS and Fire Services. In putting this in perspective, the average home in Plumsted Township is paying approximately \$6,000.00 in property taxes. Business Administrator Dancer wanted to clarify for the record that the total anticipated revenues from total fees and permits is \$84,000.00 which includes the fees from the mobile homes as well as some permit fees.

Sam LeNoble of Alton Street questioned Resolution Nos. 2013-278 and 279 regarding the purchase and installation of the Playground. He questioned the amounts, which Committeeman Trotta explained the cost of the playground equipment was \$65,803.00 per State Contract and \$30,840.00 was for all the work that has to be done in preparing the site and installing the equipment. He had a prepared statement for the Committee, which he read. He said with the results of the 2011 election, he decided to continue working for the betterment of Plumsted. He approached certain members of the Committee about the desire he had to work with the

playground project. Those members responded with the institution of an ad hoc committee via a resolution in 2012. Before the first formal meeting, he spent hours contacting many vendors and visiting playground sites both new and old to learn about what each manufacturer could offer. He brought all of the information back to the ad hoc committee for discussion and review. Then they invited certain vendors to present their product to the committee.

From the presentations and quotes supplied, they narrowed down their search to two vendors. As instructed and agreed, they were to identify the manufacturer to get the most for our money. Through the discussions with each manufacturer, they always expressed that value and it would be a critical part of their decision. Each representative described how their product would be the best product for our money. They provided them with examples of how to save money using different parts and performing construction under community build scenario. One company provided them with information about a nonprofit called Kaboom who works with playground committees in different towns in fundraising and advertising and construction of playground projects.

Recently on August 16<sup>th</sup>, they held a public brainstorming session for a new playground to be built in Seaside Heights. That playground will be the 2,000<sup>th</sup> playground built by Kaboom, Dr. Pepper and Snapple, through their Let's Play Initiative, have donated the funds to put that playground together. \$15 million was what their total initiative was but he was not sure how much money actually went to them for that playground. But the playground was basically free to the Township. He said reading further in the article to their credits, Seaside Heights was also severely impacted by Hurricane Sandy, it was very difficult for a small town like us to compete. He said getting grant money for a playground would have probably been tough; however, the fact that the nonprofit organization Kaboom does exist, it was never investigated is their fault. Their playground committee was told many times over that all manufacturers of a community built project is just as safe as a contractor built playground. The reason for this is that the manufacturer has to inspect the playground during and after construction and the manufacturer provides a certificate of occupancy, so to speak, to prove that the playground was built correctly to code. It is not up to the contractor because it is not the contractor's name on the equipment.

When the discussion of doing Plumsted's as a community build was broached, it was immediately shut down with the statement that the Committee has determined that they do not want to do that and our insurance carrier requires a licensed and insured contractor to build any public structure. He said it was his experience in the baseball program, what recently happened with the bleachers, we have a new insurance carrier or a new insurance representative. This is the same insurance carrier and representative who told the Recreation Committee that the bleachers at the field were not in conformance. However, every surrounding town and every town that he visited for games had the exact same bleachers in the exact same position doing the same exact job and have never been told that they were not in conformance and never been instructed to remove them. Being they were instructed to remove them because they were not in conformance with the insurance carrier, he did the right thing, followed direction and removed the nonconforming bleachers.

To this day they are still waiting for replacements. They have been trying to locate replacements and funds, etc. The bottom line is that by the Committee hiring contractor, you are excluding all of the blue collar workers, the engineers, community volunteers and parents from taking part in construction of a new playground for our town. He said they are taking away the opportunity for these people to have a sense of ownership towards a new playground. It does not take a rocket scientist to figure out if the kids of today don't feel as though they have a piece in something, they will find a way to destroy it. A perfect example is what happened to the old playground, we know what happened there and what the response was for that. In addition, by hiring a contractor, you are going in your own direction for this project as identifying the value for the options of this project. Is it valuable to spend \$1,000.00 over material cost to simply put together a predesigned modular structure? Is it valuable to spend tax dollars on a licensed insured contractor to come in and put together the product that nearly three-quarters of the occupants of this town have already put together in their own backyards? Is it valuable to spend money on an out-of-town contractor to come into our town over top of the many other contractors who live here and put together a playground and leave? If he had his own business here, he would feel like somebody kicking sand in his face.

He stands here before the Committee voicing his happiness and discusses that decisions were made outside of the forum that was agreed upon put together back in 2012. He also stands before the Committee voicing his opposition authorizing a contractor to build a playground that clearly many in this town can do at no cost to the Township. Listening to the other stuff going on in town now, again sighting the value for the product as he was instructed to do a year and a half ago, a contract in the amount of \$30,000.00 could go to one of the other issues that are outstanding now.

Mayor Leutwyler said his understanding was that the insurance carrier did ask for a certified contractor. Committeeman Trotta said they suggested that we use a certified contractor and that was discussed at the budget meeting earlier this year. He said as far as the bleachers, he could not control what people are told in other towns, he said we were told we had a issue and not told they had to be removed, we had to rectify the it. We asked if there was some way to enclose the top with fencing so it would be compliant. He was told nothing was found for that.

Mr. LeNoble said the existing bleachers cited as nonconforming were built with angle iron. The ones that are conforming are the tubular aluminum ones. Anything that they would have put together would have had to be re-engineered and accepted by the Township and the insurance carrier. The only other option at that point was to take them out of service anything above 32 inches. Committeeman Trotta said they received quotes from the Recreation Committee at the end of August for bleachers. We can't spend money on something that we could not have appropriated earlier in the year so we have to look at that for next year at this point. That issue started in August of 2012 and they did not receive quotes August of 2013. Committeeman Trotta said he has the papers and will make sure they are a priority for the Recreation Department. Mr. LeNoble was told that budget workshops will be coming up which will be advertised and anyone who is interested is welcome to attend.

Mr. LeNoble questioned Ordinance No. 2013-12 and the \$20,000.00 for Recreation Facilities. Committeeman Trotta explained that the monies from the playground did not come from just that, there is Capital money, which was the bulk of it. The State requires using the Capital money so that money was used to fund the playground. It was specifically for playground. There is \$20,000.00 allocated for Playground and Recreation and this is being planned for next year so that we can use some for other things that need to be done. Mr. LeNoble asked if there was any way the bleachers could be done this year. Committeeman Trotta said they just received the quote and did not see how it was possible this year.

Business Administrator Dancer wanted to clarify some information that was given to Mr. Russo earlier. He went to the Mobile Home Ordinance and he was incorrect. He said there was a scale depending on the size of mobile homes. The ones in Jensen's are double-wide which are larger in size and the maximum received from a pad fee is \$20.00. Other mobile homes that are approximately singlewide (12' by 60') are \$15.00 and there are others that are smaller which are \$10.00. Looking at pad fees, if you take the total approximate of total 350 trailers by \$15.00, which is \$5,250.00, and multiply that by 12 months, it is an approximate total of \$63,000.00. In the budget, there is \$84,000 but that category includes all fees and permits.

Business Administrator Dancer want to clarify for the record with respect to the resolution and as Committeeman Wysong pointed out that when Ocean County Agricultural Development Board comes up with a targeted project area, these are farms that are not yet in the preservation program. These are farms with acreage with anywhere from six acres and up. They look for land that is not yet in preservation that lot size of at least six acres or more. It may or may not be qualified for farmland assessment but this is called a project area. A project area means that they identify in a very large scale and these are the farms that could potentially be considered if the farm owner has an interest in the preservation program. The reason they ask the municipality to give their endorsements is so that the County, who administers the program, will qualify in cost sharing with State Agriculture Development Committee. He wanted the record to be clear with respect to the municipal endorsement and did not want to mislead anyone thinking that because their property may be listed there that it may or may not be farmland assessed. It is property that is at least six acres or more without certain improvements on it to make it eligible for the consideration of preservation of the property.

Regarding Mr. Dancer's comments, Mr. Russo, Sr. said his son's farm, Suzie Q Farm was a 197 acre farm and through the years and through a whole bunch of political interference, it went from 100 acres to 10 acres. Then it went from 10 acres to zero acres. Recently he received notice that of the 90 acres that are there, we now have five acres. He said he knew first hand there is political interference. If the shoe fits here, wear it, but he was not going to point out any names. It is horrible and stinks and he said he has documentation and proof of what happened and it will come out.

Mr. LeNoble said with the stuff that happened with the budget approval this year in late July, and if the bleachers were going to be put into next year's budget, would they be ready for opening day. Committeeman Trotta said there is a Temporary Budget in January and when the Budget is adopted usually sometime in July, he thought some of the money may be able to be spent before that. Mr. LeNoble noted that April 5<sup>th</sup> was opening day, which the Committee understood and said they would do what they could. He asked if Baseball put the money forward could they be reimbursed. The Committee said they would have to check into that and let him know.

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

Respectfully submitted,

Dorothy J. Hendrickson, RMC  
Municipal Clerk