

November 6, 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 asked the Committee for any comments or questions on the agenda. Committeeman Wysong had a question on Resolution No. 2013-286 regarding Grounds Maintenance. If it was under the bid threshold and had to be done, it was explained it gives the Township flexibility. The Municipal Clerk explained that Resolution No. 2013-299, which would authorize a 90-day appointment for a part-time subcode official and plumbing inspector was not being done at this time because the individual did not have his sub license and cannot sign off and issue permits. Resolution No. 2013-299 was being reissued to establish Rules and Regulations for the Plumsted Police Department.

Attorney Foran read Resolution No. 2013-284.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN TROTTA, RESOLUTION NO. 2013-284, 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 WYSONG, SECONDED BY DEPUTY MAYOR SORCHIK, THE MINUTES OF THE WORKSHOP/REGULAR/EXECUTIVE SESSION MEETING OF OCTOBER 2, 2013 WERE APPROVED AS SUBMITTED. ROLL CALL VOTE: ALL AYES

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, THE SPECIAL MEETING MINUTES OF OCTOBER 11, 2013 WAS APPROVED AS SUBMITTED. ROLL CAL VOTE: ALL AYES WITH COMMITTEEMAN TROTTA ABSTAINING

**PRESENTATIONS:**

Mayor Leutwyler turned the meeting over to Committeeman Wysong who asked Nino DePasquale, President of the Armed Forces Heritage House Museum, to accept a proclamation for the Armed Forces Heritage House Museum. Committeeman Wysong, who serves on the Board of Directors of that project, said it was a pleasure for him as Nino was a combat Vietnam Veteran. Committeeman Wysong read the proclamation and presented it to Mr. DePasquale.

ON MOTION OF COMMITTEEMAN WYSONG, SECONDED BY DEPUTY MAYOR SORCHIK, THE PROCLAMATION FOR THE ARMED FORCES HERITAGE HOUSE MUSEUM WAS ADOPTED: ROLL CALL VOTE: ALL AYES

Mr. DePasquale accepted the proclamation with gratitude and said Plumsted Township is the first Township, thanks to Committeeman Wysong, and the rest of the Township Committee for acknowledging the Armed Forces Heritage House Museum. He stated they are dedicated to the enduring responsibility of honoring service men and women that pass through the Joint Base and they are going to do everything in their power through knowledge and education to make sure that those courageous men and women are honored; it will be the centerpiece of the museum. He thanked the Committee for the proclamation and the Committee thanked him for this important endeavor. Since Monday, November 11<sup>th</sup> is Veterans Day, Mayor Leutwyler also wanted to take the opportunity to thank all veterans who serve or have served in the Armed Service.

## **ORDINANCES: Final Adoption**

Mayor Leutwyler opened the public hearing on Ordinance No. 2013-02 which rescinds Chapter 47A that amends and supplements "Professional Service Entity" and establishes a new Chapter 47A. This ordinance is to adopt an ordinance that a business entity, which makes political contributions to municipal candidates and municipal and county political parties in excess of certain threshold, shall be limited in its ability to receive public contracts from the Township of Plumsted in the County of Ocean (Contractor Pay-to-Play Reform Ordinance). It was noted that this ordinance was introduced at the February 6, 2013 Township Committee Meeting, the second reading was held and public hearing closed at the March 6, 2013 Township Committee.

ON MOTION OF COMMITTEEMAN TROTTA, SECONDED BY COMMITTEEMAN WYSONG, THE PUBLIC HEARING ON ORDINANCE NO. 2013-02 - AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, RESCINDING CHAPTER 47A OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED ENTITLED "PROFESSIONAL SERVICE ENTITY WHICH MAKES POLITICAL CONTRIBUTIONS TO MUNICIPAL CANDIDATES AND MUNICIPAL AND COUNTY POLITICAL PARTIES IN EXCESS OF CERTAIN THRESHOLDS SHALL BE LIMITED IN ITS ABILITY TO RECEIVE PUBLIC CONTRACTS FROM THE TOWNSHIP OF PLUMSTED IN THE COUNTY OF OCEAN (CONTRACTOR PAY-TO-PLAY REFORM ORDINANCES)" WAS ADOPTED. ROLL CALL VOTE: ALL AYES

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

Mayor Leutwyler opened the public hearing on Ordinance No. 2013-13 that creates and establishes Chapter 1A of the General Ordinances. The purpose of this ordinance is 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. Before he opened the public hearing, he asked former Business Administrator Helene Schlegel of Howell Township who worked for the Township when this ordinance was adopted. She said with the down turn in the nation's economy, especially in New Jersey in Monmouth and Ocean Counties, they started to see a large number of abandoned and foreclosed properties.

They received many calls from residents in the neighborhood where the properties were not being maintained and were run down and not being rehabilitated. They tried reaching out to the property owner, which was generally a bank or mortgage company and were not able to make contact; it was a very difficult process. They decided to adopt the Abandon Property Rehabilitation Act, N.J.S.A. 55:19-78, which requires a registration. The property owner must register with the Township and must give a responsible contact. She noted that property ownership changes often and is very difficult to top and get the work done. Additionally, in order to service the residents, the Township was sending out employees to cut grass. You could put a lien but are not getting that money back for maybe years. This is not what they wanted to do but they had about 700 foreclosed properties and the taxpayer could not afford it.

Therefore, in passing this ordinance, it allows the Township to get a responsible person contact number and the banks and mortgage companies are on notice once it is advertised in the newspaper. She said once this ordinance was done, there was a large improvement in the maintenance of these properties. It also cuts down on the response time to the resident where it would take months and months to get the properties taken care of. She asked if the ordinance had a registration fee and explained that they had an escalating registration fee. The first year has an initial registration fee of \$250.00 for the bank or mortgage company. Then if they have that property in the next year, it is \$500.00. If they still have that abandoned and foreclosed property the third year, the registration fee is increased to \$750.00. This gives the banks and mortgage companies incentive to sell those properties.

Municipal Clerk Hendrickson asked what Department takes care of this. Ms. Schlegel explained once a spreadsheet is created; it is not difficult to keep the registrations. The Business Administrator explained that in Plumsted Township Ordinances, there is a separate chapter for fees and the Committee could consider looking at the Howell registration fee schedule and determine how it could be applied in Plumsted and add it to our fee schedule. Mayor Leutwyler asked for any public comment.

Mr. Russo said he thought it was a good idea but he had a dear friend high up in the bank and he asked why the banks sit on all of these houses and it was explained that once they receive a clear title that gets it off the books as soon as possible. The problem is that they are not able to clear a title due to loop holes. He wanted to bring this to the Committee's attention.

There was no further comment.

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

ON MOTION OF COMMITTEEMAN TROTTA, SECONDED BY DEPUTY MAYOR SORCHIK, ORDINANCE NO. 2013-13 WAS ADOPTED ON SECOND AND FINAL READING. ROLL CALL VOTE: ALL AYES

Mayor Leutwyler opened the public hearing on Ordinance No. 2013-14. This ordinance amends an ordinance, which establishes salaries for various officials of the Township and regulates the manner of payment. The purpose of this ordinance is to clarify payment for the Plumsted Township Police Officers for the Ocean County DWI Grant Reimbursement Program and the FAST Program. He asked for any public comment.

Deputy Mayor Sorchik questioned Attorney Foran regarding the minimum salary, which was changed per legislation. It was explained this would be done January 1<sup>st</sup>. There was no further comment.

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

ON MOTION OF COMMITTEEMAN TROTTA, SECONDED BY DEPUTY MAYOR SORCHIK, ORDINANCE NO. 2013-14 WAS ADOPTED ON SECOND AND FINAL READING. ROLL CALL VOTE: ALL AYES

**ORDINANCES: Introduction**

Mayor Leutwyler said Ordinance No. 2013-15 is being introduced to amend Chapter 15, Chapter 5 of the General Ordinances of the Township of Plumsted entitled “General Regulation”. The purpose of this ordinance is to amend principal structure roof areas and heights for ground-mounted solar energy systems.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN MARINARI, ORDINANCE NO. 2013-15 – AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 15, SECTION 5 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED ENTITLED “GENERAL REGULATIONS” WAS INTRODUCED AND PASSED ON FIRST READING. ROLL CALL VOTE: ALL AYES

The aforementioned ordinance will have a second reading and public hearing on December 4, 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. 2013-277 – AUTHORIZING PAYMENT FOR THE INSURANCE OPT-OUT PROGRAM FOR 2013

RESOLUTION NO. 2013-285 – AUTHORIZING A TRANSFER OF APPROPRIATIONS IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A.40A:4-58

RESOLUTION NO. 2013-286 – AUTHORIZING THE TOWNSHIP CLERK TO ADVERTISE FOR RECEIPT OF BIDS FOR A PRIVATE GROUNDS MAINTENANCE COMPANY TO PROVIDE GROUNDS MAINTENANCE SERVICES TO PUBLIC LANDS WITHIN THE TOWNSHIP OF PLUMSTED

RESOLUTION NO. 2013-287 – AUTHORIZING THE ISSUANCE OF DUPLICATE TAX SALE CERTIFICATES PURSUANT TO CHAPTER 99 OF THE PUBLIC LAWS OF 1997

RESOLUTION NO. 2013-288 – CANCELLING 2013 3<sup>RD</sup> AND 4<sup>TH</sup> QUARTER TAXES ON TOTALLY DISABLED VETERAN STATUS EFFECTIVE 8/30/13 FOR CHARLES HORNER, JR. (BLOCK 82, LOT 5)

RESOLUTION NO. 2013-289 – DESIGNATING EMPLOYEE SALARIES FOR VARIOUS POSITIONS IN ACCORDANCE WITH THE SALARY ORDINANCE FOR THE YEAR 2013

RESOLUTION NO. 2013-290 – AUTHORIZING THE RENEWAL OF A CERTAIN PLENARY RETAIL CONSUMPTION LICENSE WITHIN THE TOWNSHIP OF PLUMSTED (DOWNTOWN NE, INC. LICENSE NO. 1523-33-001-006)

RESOLUTION NO. 2013-291 – EXTENDING THE NEGOTIATION PERIOD WITH LENNAR FOR THE REDEVELOPMENT AGREEMENT

RESOLUTION NO. 2013-292 – AUTHORIZING MUNICIPAL ENDORSEMENT FOR THE OCEAN COUNTY NATURAL LANDS TRUST FUND PROGRAM

RESOLUTION NO. 2013-293 – REQUESTING APPROVAL FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A.40A:4-87 (STATE OF NEW JERSEY – FY11 RECYCLING TONNAGE GRANT IN THE AMOUNT OF \$17,510.94)

RESOLUTION NO. 2013-294 - REQUESTING APPROVAL FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A.40A:4-87(U.S. DEPT. OF JUSTICE GY-13 BULLETPROOF VEST PARTNERSHIP GRANT IN THE AMOUNT OF \$1,157.64)

RESOLUTION NO. 2013-295 – AUTHORIZING THE AWARD OF A CONTRACT TO A THIRD PARTY POWER SUPPLIER TO PROVIDE ELECTRIC GENERATION SERVICE TO MUNICIPAL FACILITIES

RESOLUTION NO. 2013-296 – AMENDING RESOLUTION NO. 2013-201 AUTHORIZING THE SUBMISSION OF THE 2013 MUNICIPAL ALLIANCE COMMITTEE AGAINST ALCOHOLISM AND DRUG ABUSE GRANT

RESOLUTION NO. 2013-297 - REQUESTING APPROVAL FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A.40A:4-87 (MUNICIPAL ALLIANCE ON ALCOHOL AND DRUG ABUSE (\$7,870.00)

RESOLUTION NO. 2013-298 – AUTHORIZING THE ISSUANCE OF CHECKS FOR THE REDEMPTION OF TAX SALE CERTIFICATES

RESOLUTION NO. 2013-299 – ESTABLISHING THE RULES AND REGULATIONS OF THE PLUMSTED TOWNSHIP POLICE DEPARTMENT

RESOLUTION NO. 2013-300 – AUTHORIZING PLUMSTED TOWNSHIP TO RENEW THE SHARED SERVICE AGREEMENT WITH UPPER FREEHOLD TOWNSHIP FOR THE SHARING OF SALT

RESOLUTION NO. 2013-301 – AUTHORIZING THE REFUND OF OFF-DUTY POLICE ESCROWS TO NEW EGYPT MARKETPLACE

It was noted that Resolution No. 2013-299 was originally for a 90-day appointment of Joseph LaRocca as a part-time Plumbing Subcode Official and Plumbing Inspector but was tabled.

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

**MOTION TO CONSIDER:**

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, THE FOLLOWING BINGO AND RAFFLES LICENSES WERE APPROVED: BINGO LICENSE NO. 2013-41 – McKAIG-TEST-MULLEN AMERICAN LEGION AUXILIARY UNIT 455 FOR A BASKET BINGO; RAFFLES LICENSE NO. 2013-42 – McKAIG-TEST-MULLEN AMERICAN LEGION AUXILIARY UNIT 455 FOR AN ON PREMISE MERCHANDISE; RAFFLE LICENSE

NO. 2013-43 – McKAIG-TEST-MULLEN AMERICAN LEGION AUXILIARY UNIT 455 FOR AN ON PREMISE 50/50. ROLL CALL VOTE: ALL AYES

**REPORTS OF DEPARTMENTS AND PROFESSIONALS:**

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN WYSONG, THE NOVEMBER 6, 2013 BILL LIST WAS APPROVED. ROLL CALL VOTE: ALL AYES.

**REPORTS SUBMITTED FOR COMMITTEE REVIEW:**

CONSTRUCTION REPORT – SEPTEMBER 2013 and OCTOBER 2013  
FINANCE REPORTS – Revenue Summary by Month – September 2013; Summary Budget Account Status Current Fund – September 2013; Grant Summary Budget Account Status – September 2013; Trust Summary Budget Account Status – September 2013 and Capital Summary Budget Account Status – September 2013; 2013-2014 Budget Analysis

**OTHER BUSINESS:**

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

Committeeman Wysong wanted to comment on a Construction Department Report that the Committee should be pleased with the revenue that is being generated which is \$15,000.00 more than last year.

Deputy Mayor Sorchik wanted to remind everyone that the Bid Opening for Holly Hill is November 8<sup>th</sup> at 9:30AM and the Cell Tower is scheduled for November 13<sup>th</sup> at 4PM. Committeeman Wysong noted that the bids for Energy Aggregation for Residential Accounts were November 5<sup>th</sup> and for Municipal Accounts is scheduled for November 7<sup>th</sup>.

**NEW BUSINESS:**

Committeeman Trotta said that Resolution No. 2013-286, which authorizes the Township Clerk to advertise for receipt of bids for a private grounds maintenance company, that the Township did not have to go out to bid as long as it is under the bid threshold. He suggested the Building and Grounds Liaisons sit down with the current landscaper and see if an agreement could be reached for next year. It was noted two quotes were needed and if the quotes were over the bid threshold, the Clerk would be ready to advertise.

Committeeman Marinari wanted to say he was honored and wanted to thank the community who voted for him. He said he was not a cookie cutter and truly believes in researching and to try to find the right answers and that is what he has tried to do in his temporary interim position in filling an unexpired term. He thanked everyone that felt he deserved the vote and for those who did not would understand his reasoning and that he was trying to do the best for the community. He said he is very pleased in working with the individuals who sit with him on the dais as well as with Assemblyman Dancer. He said he had a death in the family but needed to be at this meeting. Mayor Leutwyler said he also appreciated the support that was shown to him in the election results.

Mayor Leutwyler opened the meeting for public comment.

Jack Wig of 124 Bobbi's Terrace was in attendance regarding the solar ordinance that was introduced. He said he been in the electrical profession for over twenty-five years and been a solar contractor for over ten years. There was discussion regarding the size and height of the solar panels. Business Administrator Dancer said that when the ordinance was originally adopted, the height was six feet. Now the practicality of applying it and consulting with some of the professionals in the field, Ordinance No. 2013-15 was being introduced to amend the existing ordinance, which will take the height to ten feet. Mr. Dancer asked Mr. Wig, in his professional opinion, if this amendment would accommodate the solar ordinance. Mr. Dancer asked Mr. Wig if he would be willing to attend the Land Use Board and give his professional expertise, which he agreed.

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

Respectfully submitted,

Dorothy J. Hendrickson, RMC  
Municipal Clerk