

February 15, 2024
121 Evergreen Rd
New Egypt, NJ 08533

The Plumsted Township Committee Special Meeting of February 15, 2024 was called to order by Mayor Cuzzo at 4 pm.

STATEMENT: "This meeting is being held in compliance with the Open Public Meetings Act." It was presented for publication to the Asbury Park Press and the Trenton Times and posted on the Bulletin Board.

THOSE OFFICIALS PRESENT:

COMMITTEEMAN BOWEN COMMITTEEMAN GRILLETTO COMMITTEEMAN HAMMERSTONE
DEPUTY MAYOR MARINARI MAYOR CUOZZO ATTORNEY FALK ADMINISTRATOR MYHRE
CLERK WITHAM

Everyone stood for the flag salute then Reverend Gutacker provided the invocation.

The mayor asked counsel to read the committee into executive. Roll call vote to be taken. Bowen asked why the executive session was being moved up from the end of the agenda. Cuzzo said it was necessary to discuss personnel and resolutions regarding personnel before the committee votes. Bowen asked when it is anticipated to return to the public session since the public arrived at 4 pm for the regular session; Cuzzo anticipated a half hour.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN GRILLETTO, RESOLUTION NO. 2024-145 AUTHORIZING THE CONVENING OF AN EXECUTIVE SESSION IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT WAS ADOPTED. ROLL CALL VOTE: ALL AYES WITH COMMITTEEMAN BOWEN VOTING NO.

The committee returned from Executive Session at 5:10. Counsel asked for a motion to return to regular session; roll call vote: all ayes. Marinari wanted to make a comment about some things on Facebook and why we met today at 4 pm. He said that the reason is that it is his anniversary and he wanted to take his wife out. Committeeman Hammerstone left the meeting due to illness. Cuzzo reviewed the agenda.

ORDINANCES – INTRODUCTION

Mayor Cuzzo introduced the first ordinance by title. This came out of the joint meeting of the LUB and committee and was presented by the LUB. Grilletto had some issues with the ordinance, specifically the definition of a warehouse. Marinari said that he appreciates his comment but there typically is no discussion on first reading.

Falk began reading the ordinance in its entirety. Once he arrived at the table in the ordinance, Witham advised that the ordinance may be introduced by title only. Witham will provide the ordinance to anyone that requests it once it's introduced. It will also be put on the website.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN BOWEN, ORDINANCE NO. 2024-01 - AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 15 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED "ZONING", ARTICLE 4, ENTITLED "ZONES" and ARTICLE 5 ENTITLED "GENERAL REGULATIONS" WAS INTRODUCED. ROLL CALL VOTE: ALL AYES.

The second reading and public hearing will be on March 7, 2024.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN BOWEN, ORDINANCE NO. 2024-02 - AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 47 "POLICE DEPARTMENT" TO CREATE A POSITION FOR POLICE CHAPLAIN WAS INTRODUCED. ROLL CALL VOTE: ALL AYES.

The second reading and public hearing will be on March 7, 2024.

RESOLUTIONS

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY MAYOR CUOZZO, RESOLUTION NO. 2024-146 - AWARDING A PROFESSIONAL SERVICES CONTRACT TO THE FIRM OF CME ASSOCIATES AS TOWNSHIP PLANNER WAS MADE TO DISCUSS THE RESOLUTION. ROLL CALL VOTE: ALL AYES.

Grilletto had an issue with the \$17,500 amount in the resolution; Witham said that is typical language of these appointing resolutions. Myhre said that this is to really have a professional on hand to do the work. Sometimes you might go years without using one at all. There is a need for planner this year and there will be an actual amount in the budget. Grilletto has an issue because there is not an amount budgeted for this yet. Bowen advised the last two years we have not appointed a planner and instead we have done a per-project appointment and that has worked out well. For instance, if there was some work on the redevelopment plan, it would be more cost-effective to use the planner that was involved originally so you don't have to pay a new planner to get up to speed. Cuozzo said there is a lot of work to do on the Master Plan. Grilletto asked to get more information on cost.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN BOWEN, RESOLUTION NO. 2024-146 - AWARDING A PROFESSIONAL SERVICES CONTRACT TO THE FIRM OF CME ASSOCIATES AS TOWNSHIP PLANNER WAS TABLED. ROLL CALL VOTE: ALL AYES.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN BOWEN, RESOLUTION NO. 2024-147 - APPOINTING KARA VRABEL AS THE PART-TIME ASSISTANT TREASURER WAS APPROVED. ROLL CALL VOTE: ALL AYES.

Grilletto wanted discussion on the next resolution. There were three proposals. They were priced differently so the amounts weren't the same. Bowen said that Premier was priced one way and then Manchester and Freehold were similar. Bowen liked Freehold. Brach had recommended them as well. Cuozzo explained the need for IT services since we pay a la carte and it has been six figures. Bowen stated it was five figures. Cuozzo said that the CFO told him six. A shared services agreement will be more cost effective. The IT subcommittee voted, while it was not unanimous, Manchester was their recommendation.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY MAYOR CUOZZO, RESOLUTION NO. 2024-148 - AUTHORIZING AND APPROVING A SHARED SERVICES AGREEMENT BETWEEN PLUMSTED TOWNSHIP AND MANCHESTER TOWNSHIP FOR INFORMATION TECHNOLOGY SERVICES WAS APPROVED. ROLL CALL VOTE: ALL AYES WITH COMMITTEEMAN BOWEN VOTING NO.

Mayor Cuozzo opened public comment.

James Hagelstein, 12 Ivins Drive, said that the table in the ordinance needs to be updated and he would caution any definition of warehouse now. When the LUB subcommittee reviewed that, they decided they wanted to further define a warehouse. There are several types of warehouses. They fully intend to define that with the help of a planner and also looking at the zoning.

As far as resolution 24-146, the amount of money that has to go into a planner moving forward between now and 2026 is going to be a drastic number. There hasn't been a full redo of the master plan for a long time. He has been pushing for it. There are so many revisions to it and things that contradict that they see at every LUB meeting. It needs to be corrected. The only way to do that is start over. We have had multiple revisions, 2016 was the last one where we did a prior review of the master plan and provided guidance. Things still haven't been done. This will be time invested by volunteers of this town, zoning, LUB and MUA with a planner. There has been discussion about how much will be allocated to it. It will be a substantial dollar amount.

John Neyenhouse, Lakeview Drive, he wanted to mirror what James said about warehouses. He wanted to alleviate Grilletto's concerns. The removal from warehouses at this time is a recommendation from the state. It doesn't stop us from building warehouses where they make sense but it removes the ability for a developer to come in and force us to put a warehouse in because our ordinance states warehouses are allowed. The LUB can still issue a variance for the ability for people to build warehouses where it makes sense. The problem with warehouses as was just mentioned is that there are many different kinds of warehouses which require different types of infrastructure and support for that. The last warehouse that came to apply in the C-5 zone, the current zoning allows as long as it's a

five acre minimum. It allows for warehouses to be built in that C-5 zone but it doesn't define what kind of warehouse. And when they tried to ask the applicant what they were going to use the warehouse for, they didn't know yet but they wanted to build a warehouse. They are trying to stop that from happening going forward because there's a big difference between what a warehouse with 8 tractor trailers coming in a day or something like a last mile warehouse for a major online shopping company that's going to have 5000 vans moving in and out every day. So they just want to make sure, at least for now, that they are removing that loophole until they can better define what kind of warehouses we feel are appropriate. We are not saying they can't build a pole barn or some sort of storage structure. They are not limiting their residents from doing what makes sense for them to build to support them. They just want to have a say in whether or not it makes sense for the town, not just let a developer come in and do what they want because the ordinance is vague.

Susan Potter, Sanders Lane, asked if the committee has made any effort to pay the \$120,000 that is owed to the school district for courtesy busing. Has that been paid? It has been in arrears for at least a good couple of years. The school could use that money. Bowen said that last year, they offered to pay back about half of it. It was contingent on permission to connect our sewer to the school sewer line and we never got permission to do that so we had to make other arrangements. It was our effort to pay half of it back. Potter said that we are still in arrears. Will there be any effort to pay the school? Cuzzo clarified the agreement for the paying back of that debt that was made years ago.

Potter said that there seems to be a disagreement between five figures or six figures for IT. An extra zero is never good for anybody, it would be good for the public to know. Cuzzo said that it was be an extra zero in terms of savings. It will be a savings either way. The good news is that it's a savings. Potter said it would be nice to know what that savings is. Cuzzo said that he asked Gower what the amount we paid for IT was each year. Cuzzo said it was very frequently in the six figures over the course of the year. Cuzzo said that he didn't see the numbers but that is what she said. It could be an 80k reduction.

Michael Silvestro, 1032 Myrtle Ave, Monroe Township. He wanted to point out that we said it could be a savings of five or six figures. 80k and 60k are both five figures. He wanted to clarify that. This meeting was opened with an invocation from a minister that was not on the chaplain list. This whole meeting, resolutions and ordinances are done, but why? They are not followed and it makes no sense at all. He quoted the resolution, if one or more religious leaders from an established religious congregation from the Township of Plumsted indicates in writing to the Township Clerk no later than December 15 of the year proceeding the reorg meeting, the desire to serve as chaplain, the committee. Leaders shall be placed on a rotating list alphabetically. If the chaplain is to be absent from a meeting, the chaplain shall so advise the town clerk who will contact the religious leaders on the rotating list in alphabetical order to deliver the invocation in the chaplain's absence. Alphabetical order by last name. Silvestro said there was no email sent out.

Cuzzo is having trouble following him because Chaplain Gutacker was appointed at our last meeting. Silvestro said that they were not on the list for eligible people who applied for chaplain. Cuzzo said Chaplain Gutacker was nominated by Committeeman Bowen. He asked Bowen to comment but Silvestro wanted to finish his public comment. Last meeting, it is on record thankfully to some wonderful individual who records everything, Mayor Bowen said that they didn't even get the chance to vote on the nomination; that was his exact words. So now you are saying that Bowen did that, now he is confused. Cuzzo said it was in executive session. Cuzzo explained. The public vote was when the resolution was voted upon. He can assure him that counsel Cipriani was involved every step of the way and we are not trying to not follow the ordinance but he may be mistaken on this. Silvestro said that on the last meeting agenda, the name was in the resolution that was passed. Silvestro said on the record, if he goes to the Facebook page and pulls up the video, Committeeman Bowen is not saying that he didn't have a chance. Cuzzo is saying two things. One that Clerk Witham can speak to who is on the resolution, she's the one who wrote it and he was not speaking to how the nominations were made, he was just saying that when they were in executive session, it was Committeeman Bowen's idea, everyone was there when he said it, that Jim Gutacker would be the one. There was a lot of discussion about it. That's how we got to that conclusion. But Clerk Witham would you speak to the resolution. Witham clarified that she was on medical leave and did not write the resolution but she did see it after the fact that Reverend Gutacker was appointed.

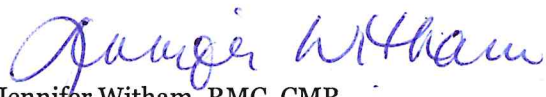
Cuozzo appreciates Silvestro's accountability. They want to abide by the ordinances. Silvestro said that the list he had, he put an OPRA in for those that submitted their applications and there were three individuals that made that year deadline by December 15th. And there were only three people and none of those three people were nominated or voted on so it's really confusing. If you are going outside the list of people who applied per the resolution, people follow the resolution, and then you go around to pick other people. Cuozzo assured him no one went around the resolution and we followed counsel. We followed our ordinances. Falk said that the resolution was voted on and approved so he was permitted to proceed.

John Belasco, 167 Horshire, said that if you put a date or a time to get applications in, he understands that if they are lucky and you miss the registration, the cop may give you a pass and say do it online, I won't give you a ticket. A lot of the times that is not the case because dates are final. If you have a due date on an assignment and you are a day late with your professor, you can get a complete zero for it. Chaplain Jim didn't give an application. Cuozzo said he did. Belasco asked why it wasn't in any....Belasco then asked when he submitted, three years ago? Was it an updated application that the committee had to change? Cuozzo consulted counsel on the list of who was eligible and we followed counsel. Belasco asked if they had an application. Cuozzo said no one was eligible without an application. Belasco asked when the application was put in. Cuozzo said in time for counselor to tell us. Belasco said that there already were three to choose from. Cuozzo said that he doesn't know the answer to that. He knows that we asked for a list from our counsel of who was eligible and Chaplain Gutacker was on the list. Belasco also remembered a couple of years ago someone on Facebook helped me understand it and everything. He was worried about the committee's ability to not have contradictions of interests. There was an alcohol license in town that everyone voted on and Cuozzo did not because it was a conflict of interest. He is just interested in hearing what kept Potens and him off of the list and why the mayor was able to vote on it when former Mayor Bowen didn't even know that the vote even took place. Cuozzo said it wasn't true. Belasco said he found out tonight the vote had taken place, that's on the (profanity) record. He was asked to refrain from profanity. Cuozzo asked Bowen to clarify his comments but he is not required to. Bowen did not want to comment.

Hagelstein returned for comment. The point of clarification for the attorney is about executive session. That is for speaking about very specific things, correct? Matters of personnel, matters of certain things. Falk said litigation or other confidential items for the time being. Would creating a nomination and deciding who would be the chaplain in executive session something that should be happening or is it something else? Cuozzo said it is personnel. Hagelstein said they are not paid. Cuozzo said it is still personnel. Falk said that he wasn't at the last meeting but certainly it could fall within that scope. Cuozzo said it was also litigation. Hagelstein is not trying to argue in any way, just clarifying the executive session. They just went through it at the LUB so he wanted clarification.

ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY COMMITTEEMAN BOWEN, THE FEBRUARY 15, 2024 MEETING WAS ADJOURNED. ROLL CALL VOTE: ALL AYES.

Respectfully Submitted,


Jennifer Witham, RMC, CMR
Municipal Clerk

*Any invocation that may be offered before the official start of the Committee meeting is offered by a Chaplain who is expressing private thoughts as governed by his or her own conscience, to and for the benefit of the Township Committee. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Township Committee and do not necessarily represent the religious beliefs or views of the Township Committee in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to participate actively in the business of the Township Committee.

**Please be advised that these minutes are adopted pursuant to the Open Public Meetings Act N.J.S.A. 10:4-14. They are not intended to be a verbatim record of the meeting. There is a verbatim recording of the meeting a copy of which may be requested through the Plumsted Township Clerk's Office.*