

**RESOLUTION NO. 2023-192**

**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**

**WHEREAS**, Section Two of the Open Public Meetings Act, c.231, P.L. of 1975, permits the exclusion of the public under certain circumstances; and

**WHEREAS**, the governing body is of the opinion that circumstances presently exist to permit the exclusion of the public from certain discussions of the governing body.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

1. That the public shall be excluded from discussion of the following matters:

**PERSONNEL:** Personnel

**CONTRACTUAL:** Block 40, Lots 1, 10 & 18

**ATTORNEY CLIENT PRIVILEGE**

2. It is anticipated at this time that the above-stated matters will not be made public in any foreseeable time in the future and not until final conclusion of the matter.
3. This resolution shall become effective immediately.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the 1<sup>st</sup> day of **JUNE, 2023**.

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**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

**RESOLUTION NO. 2023-193**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING THE READING OF THE  
2023 BUDGET BY TITLE ONLY**

**WHEREAS**, N.J.S.A. 40A:4-8 provides that the budget may be read by title only at the time of the public hearing, providing that at least one week prior to the date of the hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building, with copies available to any persons requesting same; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, that the 2023 Municipal Budget be read by title only.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1<sup>st</sup>** day of **JUNE, 2023**.

\_\_\_\_\_  
**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**



**RESOLUTION # 2023 - 213**

**TOWNSHIP OF PLUMSTED**

**RESOLUTION TO AMEND 2023 BUDGET**

WHEREAS, the local municipal budget for 2023 was approved on the 4th day of May, 2023, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Plumsted, County of Ocean, that the following amendments to the approved budget of 2023 be made:

RECORDED VOTE	(	(
(INSERT LAST NAMES)	(	(
	(	(
	(	(
	(	(
	(	(

**CURRENT FUND BUDGET**

**GENERAL REVENUES:**

	FROM	TO
3. Miscellaneous Revenues - Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations (N.J.S.A. 40A:4-36 and N.J.A.C. 5:23-4.17)		
Uniform Construction Code Fees:		
Rental/Smoke Detection Inspection	14,600.00	25,820.00
Special Item of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services:		
Additional Dedicated Uniform Construction Code Fees Offset with Appropriations (N.J.S.A. 40A:4-45.3h and N.J.A.C. 5:23-4.17)		
Uniform Construction Code Fees	400,000.00	388,780.00
Total Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations	414,600.00	414,600.00
7. Total General Revenues	6,392,419.00	6,392,419.00

**GENERAL APPROPRIATIONS:**

**8 General Appropriations**

**(A) Operations - within "CAPS"**

Rental Inspection Salaries and Wages	0.00	11,220.00
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**(H-1) Total General Appropriations for Municipal Purposes within "CAPS"**

3,595,109.00	3,606,329.00
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**(A) Operations - Excluded from "CAPS"**

Uniform Construction Code  
Appropriations Offset by Increased Fee  
Revenues (N.J.A.C. 5:23-4.17)  
Salaries and Wages

187,433.00	176,213.00
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**(O) Total General Appropriations - Excluded from "CAPS"**

2,738,078.18	2,726,858.18
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**(L) Subtotal General Appropriations (Items (H-1) and (O))**

6,333,187.18	6,333,187.18
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**9. Total General Appropriations**

6,392,419.00	6,392,419.00
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BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the local municipal budget so amended.

PASSED ON: JUNE 1, 2023

**CERTIFICATION**

I, JENNIFER WITHAM, Municipal Clerk for the Township of Plumsted do hereby certify that the foregoing Resolution, 2023-\_\_\_\_ was duly adopted by the Township Committee at their regular meeting held on Thursday, June 1, 2023.

Jennifer Witham, RMC  
Municipal Clerk

## **RESOLUTION NO. 2023-194**

### **TOWNSHIP OF PLUMSTED SELF-EXAMINATION OF BUDGET RESOLUTION**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Plumsted has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2023 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Plumsted that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated.
  - b. Items of appropriation are properly set forth.
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1<sup>st</sup>** day of **JUNE, 2023**.

\_\_\_\_\_  
**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

PLUMSTED TOWNSHIP  
OCEAN COUNTY, NEW JERSEY

**CERTIFICATION OF APPROVED BUDGET**

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Chief Financial Officer

This certification form and resolution of the governing body executing such certification should be annexed to the adopted budget (N.J.A.C. 5:30-7.6(e))

**RESOLUTION NO. 2023-196**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE  
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S  
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in  
Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

**NOW, THEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Plumsted, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the 1<sup>st</sup> day of **JUNE, 2023**.

\_\_\_\_\_  
**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**



**GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF  
COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION'S  
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in  
Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

**GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES  
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY  
COUNTY OF OCEAN

We, members of the governing body of the Township of Plumsted being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Township Committee of the Township of Plumsted in the County of Ocean;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_  
Notary Public of New Jersey

\_\_\_\_\_  
JENNIFER WITHAM, RMC, CMR  
Municipal Clerk

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The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.



**RESOLUTION NO. 2023-190**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
CENSURING COMMITTEE MEMBER  
DOMINICK CUOZZO**

**WHEREAS**, the Township Committee believes it is imperative that each member of the Governing Body conducts his or herself to the highest standards of honesty, integrity, and ethical conduct; and

**WHEREAS**, an allegation was made that on or about April 23, 2023, Committee Member Dominick Cuozzo (hereinafter "Committee Member Cuozzo") made inappropriate remarks towards Plumsted Township Police Officers with the intent to intimidate the Officers from issuing a citation; and

**WHEREAS**, the Committee *received video and audio recordings of the aforementioned interaction, as well as the police report*, and determined Committee Member Cuozzo made inappropriate remarks to the Officers, including but not limited to the following interaction:

Cuozzo: You are not going to cite us. You are not going to do that. Alright? You guys are going to exit and continue to let us do our ...

Officer: You are not our boss.

Cuozzo: Actually, I am your boss.

**WHEREAS**, a Committee Member attempting to utilize his or her elected position in an attempt to secure unwarranted privileges for himself and/or others reflects poorly on the Township and Committee as a whole; and

**WHEREAS**, the Committee finds Committee Member Cuozzo engaged in conduct unbecoming to his office; and

**WHEREAS**, the Committee believes a censure is best suited to correct Committee Member Cuozzo's errant behavior.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Township of Plumsted, County of Ocean, State of New Jersey as follows:

1. The Governing Body finds that Committee Member Cuozzo's conduct and behavior is condemned in the strongest terms.
2. The Governing Body finds that a censure of Committee Member Cuozzo is warranted.
3. Committee Member Cuozzo must hereby refrain from any further misconduct or inappropriate behavior.
4. This Resolution shall serve as the Committee's Censure of Committee Member Cuozzo, and shall be published in full in the Committee's Minutes.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1<sup>st</sup>** day of **JUNE, 2023**.

\_\_\_\_\_  
**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

**ORDINANCE NO. 2023-05**

**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," ARTICLE I, ENTITLED "UNIFORM  
CONSTRUCTION CODE, SECTION 6-4, ENTITLED "BASIS OF FEES"**

**BE IT ORDAINED**, by the Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey that Chapter 6 of the General Ordinances of the Township of Plumsted entitled "Building and Housing," Article I, entitled "Uniform Construction Code, Section 6-4, entitled "Basis of Fees" is hereby amended and supplemented as follows:

**SECTION 1.** Section K, entitled "Enforcing agency fees," subsection (2) is hereby amended so as to read as follows:

- (2) The minimum fee for a basic construction permit, covering any, or all building, plumbing, mechanical, electrical or fire protection work is one-hundred dollars (\$100) for residential property and one hundred forty dollars (\$140) for commercial property.

**SECTION 2.** Section K, entitled "Enforcing agency fees," subsection (4), entitled "Renovations, alterations, repair and minor work fees," is hereby amended and supplemented so as to create a new subsection (d), entitled "Other building fee," which shall read as follows:

(d) Other building fees.

- [1] Radon remediation: \$100
- [2] Permit Reinstatement: \$50 each discipline (anything over 1 year old with no inspection on open permits)
- [3] Roof Mount Solar minimum fee: \$100
- [4] Ground Mount Solar minimum fee: \$100

**SECTION 3.** Section K, entitled "Enforcing agency fees," subsection (5), entitled "Plumbing fees," subsections (c), (d), (e), (f), (k) and (l) are hereby amended as follows:

- (c) Cross connections and backflow preventers that are subject to testing, requiring inspection annually: \$90.
- (d) The minimum fee for an inspection is \$100 for residential property and \$140 for commercial property.
- (e) Lawn sprinkler flat fee: \$90. (Residential non-testable backflows and appurtenances).
- (f) The fee shall be \$90 for single boiler hydronic piping for a single-family residence. For all other structures, the fee shall be \$35 per floor of each structure.

- (k) The fee shall be \$85 for each sewer/septic and water utility connection.
- (l) Mechanical fees shall be as follows: The fee shall be \$90 for each fuel oil, steam boiler, hot water boiler, and hot air furnace. The fee shall be \$45 for each gas piping.

**SECTION 4.** Section K, entitled "Enforcing agency fees," subsection (5), entitled "Plumbing fees," subsection (l), entitled "Mechanical fees." is hereby amended and supplemented so as to create new subsections [1] through [10], which shall read as follows:

[1]	Oil Tank:	\$125
[2]	LPG Tank:	\$125
[3]	Fireplace:	\$90
[4]	Generator:	\$90
[5]	Chimney Liner/Gas:	\$90
[6]	Air Conditioning Unit:	\$90
[7]	Air Conditioning Coil	\$20
[8]	Backflow preventer (any hot water boiler):	\$90
[9]	Duct work:	\$90
[10]	B Vent Chimney	\$90

**SECTION 5.** Section K, entitled "Enforcing agency fees," subsection (5), entitled "Plumbing fees," is hereby amended and supplemented so as to create new subsections (m) and (n), which shall read as follows:

(m) Other plumbing fees.

[1]	Air conditioning unit:	\$90
[2]	Air conditioning coil:	\$20
[3]	Furnace	\$90

(n) Annual backflow test (commercial): \$70

**SECTION 6.** Section K, entitled "Enforcing agency fees," subsection (6), entitled "Electrical fees," subsection (d), entitled "Pools," is hereby amended to read as follows:

(d) Pools.

- [1] Residential permanently installed pools, in-ground or above ground, including hot tubs/spa, fountains (each): \$150

**SECTION 7.** Section K, entitled "Enforcing agency fees," subsection (6), entitled "Electrical fees," is hereby amended and supplemented so as to create a new subsection (h), which shall read as follows:

(h) [1] Roof Mount Solar: \$195

[2]	Automatic Transfer Switch:	\$130
[3]	Ground Mount Solar:	\$195

**SECTION 8.** Section K, entitled “Enforcing agency fees,” subsection (6), entitled “Electrical fees,” subsection (g), is hereby amended to read as follows:

- (g) The minimum fee for an inspection is \$100 for residential property and \$140 for commercial property.

**SECTION 9.** Section K, entitled “Enforcing agency fees,” subsection (7), entitled “Fire protection fees,” subsection (j) is hereby amended to read as follows:

- (j) Installation of above or underground fuel tank for R-5 use only: \$85.

**SECTION 10.** Section K, entitled “Enforcing agency fees,” subsection (7), entitled “Fire protection fees,” is hereby amended and supplemented so as to create a new subsection (k) entitled “Other fees,” which shall read as follows:

- (k) Other fees.

- [1] Storage tank.

500 gallons or less	\$100 each
501-1000 gallons:	\$175 each
1001-2500 gallons:	\$275 each
2501 gallons and over:	\$525 each

- [2] Removal of UST or AST.

[a] Residential:	\$125
[b] Commercial:	\$150

- [3] Fireplace: \$90

- [4] Chimney liner/solid fuel: \$90

- [5] Residential sprinkler system: \$250

- [6] Fire suppression water tank installation or removal.

500 gallons or less:	\$125
501-1000 gallons:	\$175
1001-2500 gallons:	\$275
2501 gallons and over:	\$525

- [7] Roof Mount Solar minimum fee: \$100

- [8] Ground Mount Solar minimum fee: \$100

[9] Commercial minimum fee: \$140

[10] Permit reinstatement fee. Anything over 1 year old with no inspections on open permit.

[a]	Residential:	\$50
[b]	Commercial:	\$150

**SECTION 11.** Section K, entitled "Enforcing agency fees," subsection (9), entitled "Certificates and other permits," subsection (s) is hereby amended to read as follows:

(s) The fee to inspect a fireplace and chimney is ninety dollars (\$90).

**SECTION 12.** Section K, entitled "Enforcing agency fees," subsection (10), entitled "Periodic inspections," subsection (c) is hereby amended to read as follows:

(c) For cross connections and back-flow preventers that are subject to testing, requiring re-inspection every twelve (12) months, the fee shall be seventy dollars (\$70) for each device when they are tested.

**SECTION 13.** Section 6-4, entitled "Basis of Fees" is hereby amended so as to create a new subsection L, entitled "State of New Jersey training fee," which shall read in its entirety as follows:

L. State of New Jersey training fee. The State of New Jersey training fee shall be calculated in accordance with N.J.A.C. 5:23-4.19, as amended and supplemented from time to time.

**SECTION 14.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 15.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 16.** Since this ordinance is legislative in nature, there shall be the codification of same in the General Ordinance Book of the Township of Plumsted.

**SECTION 17.** This ordinance shall take effect after second reading and publication as required by law.



NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

### NOTICE

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Plumsted held on the **4th** day of **May, 2023** and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the **1st** day of **June, 2023** at 7:00 PM, at the Municipal Building, 121 Evergreen Road, New Egypt, NJ 08533, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.

Pursuant to N.J.S.A. 40:49-2, as amended, further notice is hereby given that the purpose of the forgoing ordinance is to increase Uniform Construction Code Building and Housing fees.

Members of the general public may obtain a copy of the ordinance without cost during normal business hours from the Municipal Clerk's Office, 121 Evergreen Road, New Egypt, New Jersey.

  
**JENNIFER WITHAM, RMC, CMR**  
**MUNICIPAL CLERK**

**ORDINANCE NO. 2023-07**

**AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED,  
COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING  
AND SUPPLEMENTING CHAPTER 12 OF THE GENERAL  
ORDINANCES OF THE TOWNSHIP OF PLUMSTED,  
ENTITLED "CLAIMS, PAYMENT OF"**

**BE IT ORDAINED**, by the Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey as follows:

**SECTION 1.** Chapter 12 of the General Ordinances of the Township of Plumsted entitled "Claims, Payment Of," is hereby amended and supplemented which shall read as follows:

**§12-11 c. Worthless Checks**

- C. Pursuant to NJSA 40:5-18(c) if any payment is made or presented to the Township and such payment is returned for ***any reason, including insufficient funds***, then such payment shall be subject to an additional twenty dollar (\$20) service charge ***to be paid for with cash***.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 4.** Since this ordinance is legislative in nature, there shall be the codification of same in the General Ordinance Book of the Township of Plumsted.

**SECTION 5.** This ordinance shall take effect after second reading and publication as required by law.

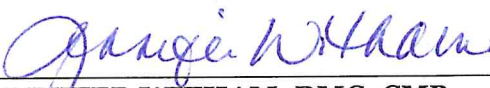
NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

### **NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Plumsted held on the 4<sup>th</sup> day of **MAY, 2023** and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 1<sup>st</sup> day of **JUNE, 2023** at 7:00 PM, at the Municipal Building, 121 Evergreen Road, New Egypt, NJ 08533, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.

Pursuant to N.J.S.A. 40:49-2, as amended, further notice is hereby given that the purpose of the forgoing ordinance is to amend the terms for worthless checks.

Members of the general public may obtain a copy of the ordinance without cost during normal business hours from the Municipal Clerk's Office, 121 Evergreen Road, New Egypt, New Jersey.

  
\_\_\_\_\_  
**JENNIFER WITHAM, RMC, CMR**  
**MUNICIPAL CLERK**

## **ORDINANCE NO. 2023-06**

### **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" SO AS TO CREATE A NEW SECTION 15- 16, ENTITLED "BUILDING STANDARDS, COMMERCIAL"**

**BE IT ORDAINED**, by the Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey as follows:

**SECTION 1.** Chapter 15, entitled "Zoning" of the General Ordinances of the Township of Plumsted is hereby amended and supplemented so as to create a new § 15-16, entitled "Building Standards, Commercial," which shall read in its entirety as follows:

#### **§ 15-16. Building Standards, Commercial**

##### **A. Purpose.**

The provisions of this chapter shall constitute the standards to guide the Building Inspector or his agents in determining the fitness of a building or occupancy and if the building or occupancy has lawfully existed.

##### **B. Title.**

The said code established and adopted by this chapter is described and commonly known as the "Commercial Building Standards of New Jersey."

##### **C. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

#### **ADMINISTRATIVE AUTHORITY**

The department, branch or agency of this municipality which is authorized by the adopting ordinance to administer the provisions of this code.

#### **BUILDING**

A structure enclosed with exterior walls or fire walls, built, erected and framed of component structural parts, designed for the housing shelter, enclosure and support of individual, animals or property of any kind. When used herein, "building" and "structure" shall be interchangeable except where the context clearly indicates otherwise.

#### **CERTIFICATE OF CONTINUED OCCUPANCY**

Indicating that as a result of a general inspection of the visible parts of the building, no violations have been determined to have occurred and no unsafe conditions have been found, and that the existing use of the building has heretofore lawfully existed.

#### **CHANGE OF USE**

A change from one use to another use in a building or tenancy or portion thereof.

#### **COMMERCIAL**

Of or connected with commerce, made or done for sale or profit.

**EQUIPMENT**

Plumbing, heating, electrical, ventilating, air conditioning, refrigerating and fire prevention/suppression equipment, and elevators, dumbwaiters, escalators, boilers, pressure vessels and other mechanical facilities or installations which are related to building services.

**GARBAGE**

The animal and vegetable and other organic waste resulting from the handling, preparation, cooking and consumption of food.

**INFESTATIONS**

The presence, within or around a building, of any insects, rodents or other pests.

**INSPECTION**

To look at carefully; to examine or review officially.

**INSPECTOR**

One who inspects; official examiner.

**MAINTENANCE**

The replacement or mending of existing work with equivalent materials for the purpose of safety, healthfulness and upkeep of the structure and the adherence to such other standards of upkeep as are required in the interest of public safety, health and welfare.

**OCCUPANT**

Any person or persons in actual possession of and occupying a building, including the owner.

**OWNER**

Any person properly authorized to exercise powers of or for an owner of property for purposes of its purchase, sale, use, occupancy or maintenance.

**PRIOR APPROVALS**

The necessary certifications or approvals issued, which are conditions precedent to the issuance of a continuous certificate of occupancy, as the case may be. Prior approvals shall include, but not be limited to, the following:

- (1) Letter from the property owner approving an occupancy.
- (2) Zoning.
- (3) Water certification.
- (4) Sewer certification.
- (5) Ocean County Health (retail activities).
- (6) State Health (wholesale activities).

**RUBBISH**

Includes all combustible and noncombustible waste material, except garbage.

**STRUCTURE**

A combination of materials to form a construction for occupancy, use or ornamentation, whether installed on, above, or below the surface of a parcel of land.

**USE GROUP**



The classification of an occupancy.

#### **UTILITIES**

Includes electric, gas, heating, water and sewerage services and equipment therefor.

#### **VACATE**

To make vacant.

#### **D. Water supply.**

Every commercial structure shall be provided with a safe supply of potable water meeting the standards as set forth in Potable Water Standards as published by the New Jersey State Department of Health. The source of such water supply shall be approved by the New Jersey Department of Health and/or the Ocean County Health Department and pursuant to the adopted National Standard Plumbing Code as referenced in Section 7.21.5, entitled "Substitution and Omission of Fixtures." The minimum rate of flow of hot or cold water issuing from a faucet or fixture shall be in compliance of the adopted code enforced by the Building Department.

#### **E. Facilities.**

Every commercial building or occupancy shall provide the following facilities:

- (1) Every water closet and lavatory for each structure or occupancy shall be accessible from within the building without passing through any other structure or occupancy.
- (2) Every plumbing fixture shall be connected to water and sewer systems approved by the Ocean County Board of Health or the Plumsted Township Municipal Utilities Authority and shall be maintained in good working condition.
- (3) Every commercial structure or occupancy shall have water-heating facilities which are installed and maintained in good and safe working condition, connected with the hot- water lines required and capable of delivering water at a minimum temperature that is in compliance with the adopted code enforced by the Building Department.

#### **F. Waste materials.**

Garbage or other organic waste shall be stored in watertight receptacles of metal or other approved material. Such receptacles shall be provided with tight-fitting covers.

#### **G. Lighting.**

Every commercial building or occupancy shall have and shall have maintained the approved lighting approved at the time the certificate of occupancy was issued.

#### **H. Ventilation.**

Every commercial building or occupancy shall have maintained the approved ventilation approved at the time the certificate of occupancy was issued.

#### **I. Heating equipment.**

Every commercial building or occupancy shall have and shall have maintained the approved heating equipment approved at the time the certificate of occupancy was issued. Every heating appliance, except for electrical, shall be properly vented to a chimney or flue leading to the outdoors.

#### **J. Egress.**

Every commercial building or occupancy shall have and shall have maintained a safe and unobstructed means of egress. Such means of egress shall lead to a safe and open space at ground level accessible to a street or approved area.



K. Elevators.

Every commercial building or occupancy having an elevator, dumbwaiter, etc., shall have an annual certification performed by the authorized authority. Said certification shall be posted and a copy shall be made available at the time of the inspection.

L. Fire-protection equipment.

- (1) Every commercial building or occupancy having fire-protection equipment shall have an annual certification performed on its fire alarm, fire extinguishers and sprinkler system by a licensed agency. Said certification shall be posted, and a copy shall be provided at the time of the inspection.
- (2) Every commercial building or occupancy having a kitchen suppression system shall have a six-month certification performed by a licensed agency. Said certification shall be posted, and a copy shall be provided at the time of the inspection.

M. Maintenance standards.

Every commercial building or occupancy shall comply with the following maintenance standards, as appropriate:

- (1) Every foundation, floor, wall, ceiling, door, window, roof or other part of a building or occupancy shall be kept in good repair and capable of the use intended by its design, and any exterior part or parts thereof subject to corrosion or deterioration shall be kept well maintained.
- (2) Every inside and outside stairway and appurtenance thereto shall be maintained in a sound condition and in good repair for its intended use and capable of supporting the load that normal use may cause to be placed thereto. Every stairway having three or more steps shall be properly bannistered and safely balustraded as approved when issued a certificate of occupancy.
- (3) Every roof, wall, window, exterior door and hatchway shall be free from holes or leaks that would permit the entrance of water within a dwelling or be a cause of dampness.
- (4) Every foundation, floor and wall of a dwelling shall be free from chronic dampness.
- (5) Every commercial building or occupancy shall be free from rodents, vermin and insects. The Ocean County Board of Health may require rodent or vermin extermination and rodent-proofing and vermin-proofing.
- (6) All exterior wiring and lighting shall be in good and operating condition.
- (7) All egress and ingress walkways shall be in a safe condition.
- (8) All associated outbuildings shall be in a safe condition.
- (9) All common areas shall be inspected for safe and operable condition (which shall include but not be limited to, boiler rooms, furnace rooms, storage areas and laundry rooms).

N. Certificate of occupancy.

- (1) Each commercial building or occupancy shall have been approved and issued a certificate of occupancy by the Building Department prior to application for a continuous certificate of occupancy.
- (2) All terms of the original certificate of occupancy must be met, which includes the use group, occupant load and live load. If an application proposes any deviations from the original floor plan that impact the means of egress, occupant load, live load or dead load, the submission of a certification prepared by a licensed architect verifying the occupancy is required.
- (3) All prior approvals must be submitted with the application for a continuous certificate of occupancy

O. The owners and occupants of commercial structures shall have the following responsibilities and duties:

- (1) No owner or occupant shall cause any services, facilities, equipment or utilities which are required under this code to be removed from, shut off or disconnected in any occupied commercial structure, except for such temporary interruption as may be necessary while actual repairs or alterations are in the process or during temporary emergencies when discontinuance of service is authorized by the Construction Official and/or the Fire Official of the appropriate fire district.
- (2) The owner of a commercial structure located in an area found by the Inspector(s) to be infested by rats, insects or other vermin shall carry out such rat stoppage, vermin proofing or other means of preventing infestations of said structure as may be required by the Ocean County Board of Health.
- (3) No owner shall occupy or lease to an occupant any vacant structure or part thereof unless it is clean and sanitary.
- (4) Every owner of a commercial structure shall be responsible for maintaining in a clean and sanitary condition the common areas of the structure or premises thereof.
- (5) It shall be the responsibility of the owner, unless otherwise provided for under lease agreement, to provide for the orderly maintenance of the premises. The storage of objects or materials not covered in Subsections 7 and 8 of this section or not otherwise prohibited by municipal ordinance shall be done in an orderly manner so as to not constitute a health, safety or fire hazard.
- (6) Every occupant of a commercial structure shall keep in a clean and sanitary condition that part of the structure which he occupies and controls.
- (7) Every occupant of a commercial structure shall dispose of all his/her garbage and any other organic waste which might provide food for rodents by placing it in the garbage disposal facilities or garbage storage receptacles required by Section F. of this chapter.
- (8) Every occupant of a commercial structure shall dispose of his/her rubbish in a clean, sanitary manner by placing it in the rubbish containers required by Section F. of this chapter.
- (9) Every occupant of a commercial structure shall be responsible, unless provided for otherwise under a lease agreement, for the periodic removal of all garbage and rubbish from the premises each week in accordance with such regulations of this municipality for the collection of garbage and rubbish.
- (10) Every occupant of a commercial structure shall keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.
- (11) In the absence of a contract or agreement to the contrary, the owner shall be obliged to provide heat wherever heating facilities are under the control of the owner or whenever two or more occupancies are heated by a common facility.
- (12) The owner shall be responsible for compliance with provisions of this chapter not specified as the responsibility of the occupants.
- (13) The owner or occupant shall verify that the proposed occupancy is not a change of use prior to taking occupancy. Verification shall be made either through consultation with a licensed architect or verification by the Construction Code Official or his designee.

P. Powers and duties of Building Inspector.

The Building Inspector is hereby authorized and empowered to exercise all powers as may be necessary to carry out and effectuate the purpose and provisions of this chapter, including the following, in addition to other powers herein granted:

- (1) To inspect commercial structures and/or occupancies of the Township to determine if a continuous certificate of occupancy should be issued.
- (2) To administer oaths, affirmations, examine witnesses and receive evidence.

- (3) To enter upon premises for the purpose of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession.
- (4) If a notice of violation and orders to terminate have not been complied with, the Building Inspector, in addition to any other available remedies likely to bring about compliance, may request the legal counsel of the municipality, or of the joint enforcement agency, to institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation or to require the removal or termination of the unlawful use of the building or structure in violation of the provisions of this chapter or of the order or direction made pursuant thereto.
- (5) To appoint and fix the duties of such officers, agents and employees as he deems necessary to carry out the purpose of this chapter.

**Q. Search warrants.**

The Building Inspector or his agents, upon affidavit, shall apply to the Judge of the Municipal Court of the Township for a search warrant setting forth factually the actual conditions and circumstances that provide a reasonable basis for believing that a nuisance or violation of this chapter exists on the premises, and if the Municipal Judge is satisfied as to the matter set forth in the affidavit, he/she may authorize the issuance of a search warrant permitting access to and inspection of that part of the premises on which the nuisance or violation may exist. A search warrant may also be issued for the routine, periodic inspection of all commercial structures in a given area based upon possible cause, such as passage of time since the last inspection, the nature of the buildings and structures involved, observation of deterioration of the general area and the like.

**R. Continuous certificate of occupancy.**

- (1) No person shall occupy as owner or occupant or rent to another for occupancy any commercial structure or unit, for the purposes of conducting business therein, which does not conform to the provisions of this chapter as the standard to be used in determining whether a commercial structure or occupancy is in compliance with its use group, safe, sanitary and fit for occupancy.

**S. Service of notice.**

Service of notice may be made by personal delivery or by leaving a copy at the structure or occupancy with a competent member of employment or at the usual place of abode of such person or by regular and certified mail.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 4.** Since this ordinance is legislative in nature, there shall be the codification of same in the General Ordinance Book of the Township of Plumsted.

**SECTION 5.** This ordinance shall take effect after second reading and publication as required by law.

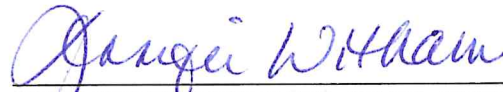
NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

### NOTICE

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Plumsted held on the 4<sup>TH</sup> day of **MAY, 2023** and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 1<sup>ST</sup> day of **JUNE, 2023** at 7:00 PM, at the Municipal Building, 121 Evergreen Road, New Egypt, NJ 08533, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.

Pursuant to N.J.S.A. 40:49-2, as amended, further notice is hereby given that the purpose of the forgoing ordinance is to provide regulations for commercial building standards within the Township of Plumsted.

Members of the general public may obtain a copy of the ordinance without cost during normal business hours from the Municipal Clerk's Office, 121 Evergreen Road, New Egypt, New Jersey.



**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

**ORDINANCE NO. 2023-08**

**AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 15, ARTICLE OF THE TOWNSHIP CODE, PREVIOUSLY ENTITLED "IMPROPER DISPOSAL OF WASTE."**

**NOW, THEREFORE, BE IT ORDAINED**, by the governing body of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** The Township Code of the Township of Plumsted is hereby amended and supplemented so as to amend<sup>1</sup> Chapter 15, previously entitled "Improper Disposal of Waste", so as to read as follows:

**§ 15-5.22. Improper Disposal of Waste; Salt and De-Icing Storage. [Added 12-1-2022 by Ord. No. 2022-09]**

- a. Purpose. An ordinance to prohibit the spilling, dumping, or disposal of materials, **including stored salt and other solid de-icing materials**, other than stormwater to the municipal separate storm sewer system (MS4) operated by the Township of Plumsted so as to protect health, safety and welfare, and to prescribe penalties for the failure to comply.
- b. Definitions. For the purpose of this subsection, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future; words used in the plural number include the singular number; and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

**DE-ICING MATERIALS – Any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.**

**IMPERVIOUS SURFACE - A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.**

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)** — A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the Township of Plumsted or other public body, and is designed and used for collecting and conveying stormwater. MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport

<sup>1</sup> Additions shall be denoted in **bold underline**. Removed portions shall be denoted in ~~strikethrough~~.



stormwater from streets and other sources.

**PERMANENT STRUCTURE - A permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall). A fabric frame structure shall be considered a permanent structure as defined within this chapter if it meets all of the following specifications:**

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;**
- 2. The design prevents stormwater run-on and run through.**
- 3. The structure is erected on an impermeable slab.**
- 4. The structure is not open sided; and**
- 5. The structure shall have a roll up door or other means of completely sealing the access way from rainfall.**

PERSON — Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

STORMWATER — Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

- c. Prohibited Conduct. The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Township of Plumsted is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.
- d. Exceptions to Prohibition.
  1. Water line flushing or discharges from potable water sources.
  2. Uncontaminated groundwater (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising groundwaters).
  3. Air-conditioning condensate (excluding contact and noncontact cooling water).
  4. Irrigation water (including landscape and lawn watering runoff).
  5. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows.
  6. Residential car-washing water, and residential swimming pool discharges.



7. Sidewalk, driveway and street wash water.
8. Flows from firefighting activities.
9. Rinsing of Equipment.
  - (a) Flows from rinsing of the following equipment with clean water:
    - (1) Beach maintenance equipment immediately following their use for their intended purposes; and
    - (2) Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using drying cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.
  - (b) Rinsing of equipment, as noted in the above situation, is limited to exterior, undercarriage, and exposed parts and does not apply to the engines or other enclosed machinery.
10. Township-approved events.

- e. **De-Icing Material Storage Requirements. De-icing materials should be stored in a permanent structure, if available. De-icing materials may be stored in a permanent structure year round. The property owner shall notify the Township of a designated person(s) responsible for operations at the site where these materials are stored, and who shall document that weekly inspections are conducted to ensure full compliance with this ordinance.**

**Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15<sup>th</sup> through April 15<sup>th</sup>, but cannot exceed thirty (30) calendar days total without prior written approval from the New Jersey Department of Environmental Protection:**

1. **Materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;**
2. **Materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, and/or ditches or other stormwater conveyance channels;**
3. **Materials shall be formed in a cone-shaped storage pile;**
4. **All storage piles shall be covered as follows:**
  - (a) **The cover shall be waterproof, impermeable, and flexible;**
  - (b) **The cover shall extend to the base of any and all piles;**
  - (c) **The cover shall be free from all holes and tears;**

- (d) The cover shall be secured and weighed down around the perimeter to prevent removal by wind;
  - (e) Weight shall be placed on all covers to minimize potential of exposure as materials shift and runoff flows down to the base of the pile. Sandbags lashed together with rope or cable, placed uniformly over the flexible cover; or poly-cord nets provide a suitable alternate method. Items that can potentially hold water, including but not limited to tires, shall not be used.
5. All temporary storage sites shall be free of de-icing materials from April 16<sup>th</sup> until October 14<sup>th</sup> with no exceptions.
- f. Exceptions to De-Icing Storage Provision. Section (e) does not apply to facilities where the stormwater discharges from salt storage activities are regulated under another NJPDES permit.
  - g. Enforcement. This subsection shall be enforced by the Code Enforcement Officer or the Police Department of the Township of Plumsted.
  - h. Penalties. Any person(s) who continues to be in violation of the provisions of this subsection, after being duly notified, shall be subject to a fine of not less than \$100 nor more than \$1,000 per day.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 4.** This ordinance shall take effect after second reading and publication as required by law.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

## **NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Plumsted held on the 1<sup>st</sup> day of June, 2023, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 6<sup>th</sup> day of July, 2023 at 7:00 P.M., at the Municipal Courtroom, located at 21 Evergreen Road, New Egypt, New Jersey at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Pursuant to N.J.S.A. 40:49-2, as amended, further notice is hereby given that the purpose of the forgoing ordinance is to provide regulations for salt and de-icing storage as required by the NJ Department of Environmental Protection.

Members of the general public may obtain a copy of the ordinance without cost during normal business hours from the Municipal Clerk's Office, 121 Evergreen Road, New Egypt, New Jersey.

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**JENNIFER WITHAM, RMC, CMR**  
Municipal Clerk

**ORDINANCE NO. 2023-09**

**AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 45, ARTICLE OF THE TOWNSHIP CODE, ENTITLED “CANVASSING AND ‘NO KNOCK’ REGISTRY.”**

**NOW, THEREFORE, BE IT ORDAINED**, by the governing body of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** The Township Code of the Township of Plumsted is hereby amended and supplemented so as to amend<sup>1</sup> Chapter 45, entitled “Peddling and Soliciting and ‘No Knock’ Registry”, Sections 45-3 “Exceptions”; 45-15 “Time, place and manner restrictions”; 45-16 “Plumsted Township ‘No Knock’ Registry”; and 45-21 “Exemptions” so as to read as follows:

Article I

§ 45-3. Exceptions.

This chapter is intended to particularly exclude fees for wholesalers who are either licensed by the State of New Jersey or who have been issued a sales tax exemption permit from the State of New Jersey due to their status as wholesalers, holders of special privileges and all of the persons exempted by operation of law such as a veteran who holds such state permit. Charitable, **political** and religious organizations shall **be exempted from all permit requirements**. Vendors participating in Township-sponsored events shall be exempt from permit fees. ~~An application shall be submitted in accordance with § 45-4, Permit application, without fees.~~

Article II

Canvassing and “No Knock Registry”

§ 45-15. Time, place, and manner restrictions.

No individual that has been given a permit to canvass or solicit may operate beyond the timeframe outlined below:

- A. 10:00 a.m. — 6:00 p.m. Monday through Saturday.
- B. 12:00 noon — 2:00 p.m. on Sunday.
- C. ~~No canvassing shall occur on any Federal or State holiday.~~

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<sup>1</sup> Additions shall be denoted in **bold underline**. Removed portions shall be denoted in ~~striketrough~~.

Further, no individual or group of individuals may knowingly enter private property that has displayed a "no knock" sticker or is on the "No Knock" Registry set forth in § 45-16.

**The Township encourages any exempt group and/or person that solicits and/or canvasses within the Township to adhere to the above-referenced time, place and manner restrictions if at all possible.**

**§ 45-16. Plumsted Township "No Knock" Registry.**

- A. The Township Clerk shall prepare and maintain a list of addresses of those premises where the owner and/or occupant has notified the Clerk that canvassing, peddling, itinerant vending, and door-to-door sales enterprises are not permitted on the premises (hereinafter referred to as the Plumsted Township "No Knock" Registry). Notification shall be completion of a form available at the Township Clerk's office during normal business hours.
- B. Any owner and/or occupant who has requested enlistment on the Plumsted Township "No Knock" Registry pursuant to Subsection A herein shall be able to procure from the Clerk's office a sticker for display at his/ her/its premises indicating enlistment on the Plumsted Township "No Knock" Registry. The first sticker shall be provided free of charge and may be picked up in person during regular business hours. If a replacement sticker is required, a fee of one dollar (\$1) will be charged to any individual requesting such replacement and which shall be payable to the Township Clerk.
- C. The Township Clerk shall distribute the current Plumsted Township "No Knock" Registry to a canvasser at the time of issuance of a license to canvass pursuant to the provisions of this chapter. The licensee shall not canvass or conduct door-to-door sales at any premises identified on the then-current Plumsted Township "No Knock" Registry. **The Township encourages all exempt groups and/or persons soliciting and/or canvassing within the Township to request a "No Knock" Registry and to respect the wishes of those on the "No Knock" Registry to not be disturbed, if at all possible.**



- D. Although the most current list of registrants on the Plumsted Township "No Knock" Registry shall be provided by the Township Clerk, it is the responsibility of the canvasser, or solicitor to have the most up-to- date list prior to performing their business.

§ 45-21. Exemptions.

This article does not apply to real estate that is publicly advertised by sale or to "open houses," sponsored by the owner or listed by licensed real estate agents for a specific home on a specific date and time. **This article shall not apply to solicitations on behalf of members of any charitable organizations, religious purposes, or on behalf of a political candidate or activity.**

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 4.** This ordinance shall take effect after second reading and publication as required by law.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Plumsted held on the 1<sup>st</sup> day of **June, 2023**, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 6<sup>th</sup> day of **July, 2023** at 7:00 P.M., at the Municipal Courtroom, located at 21 Evergreen Road, New Egypt, New Jersey at

which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Pursuant to N.J.S.A. 40:49-2, as amended, further notice is hereby given that the purpose of the forgoing ordinance is to amend canvassing regulations regarding charitable organizations, religious purposes or on behalf of a political candidate or activity within the Township of Plumsted.

Members of the general public may obtain a copy of the ordinance without cost during normal business hours from the Municipal Clerk's Office, 121 Evergreen Road, New Egypt, New Jersey.

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**JENNIFER WITHAM, RMC, CMR**  
Municipal Clerk

**ORDINANCE NO. 23-10**

**AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING  
AND SUPPLEMENTING CHAPTER 39 OF THE TOWNSHIP  
CODE OF THE TOWNSHIP OF PLUMSTED ENTITLED  
“NUISANCES” SO AS TO CREATE ARTICLE III ENTITLED, “NOISE”**

**BE IT ORDAINED**, by the Township Council of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** §39-3 of the Township Code of the Township of Plumsted, entitled "Nuisances." is hereby amended and supplemented so as to create Article III, entitled, "Noise," which shall read in its entirety as follows:

**ARTICLE III NOISE**

**§39 – 8. Noise.**

Whereas it is found that excessive sound and vibration are a serious hazard to the public, health, safety, and welfare and the quality of life ; and technology exists by which excessive sound and vibration may be substantially abated; and whereas the people have a right to and should be ensured an environment free from excessive sound and vibration that may jeopardize their health, safety or welfare or degrade the quality of life; it is hereby declared the policy of the Township to prevent excessive sound and vibration which may jeopardize the health, safety and welfare of its citizens and degrade the quality of life.

**§39 – 9. Certain Noise Prohibited.**

It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the Township.

**§39 – 10. Unlawful Acts.**

**r|m|s|h|c**

Rothstein, Mandell, Strohm,  
Halm & Cipriani, P.A.  
ATTORNEYS AT LAW

98 East Water Street  
Toms River, NJ 08753

o: 732.363.0777  
f: 732.905.6555

A. The following acts are hereby declared to be examples unlawful noise that annoy, disturb, injure, or endanger the comfort repose health peace safety of others and are in violation of this chapter:

(1) Radios; televisions; phonographs. The using, operating or permitting to be played, used or operated any radio receiving set, television, musical instrument, phonograph or other machine or device for the producing or reproducing of sound at any time, in such manner as to disturb the peace, quiet and comfort of neighboring inhabitants (including neighboring inhabitants in attached residential units sharing a common wall(s)) or with louder volume than is necessary for convenient hearing for the persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 8:00 a.m. in such manner as to be plainly audible at a distance of 50 feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this chapter.

(2) Yelling; shouting. Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, dwelling, hotel, motel or other type of residence or of any persons in the vicinity.

(3) Animals; birds. The keeping of any animals or birds which, by causing frequent or long-continued noise, disturbs the comfort or repose of any person in the vicinity.

(4) Horns. The sounding of any horn or warning device on any automobile, motorcycle, bus or other vehicle except when required by law or when necessary to give timely warning of the approach of the vehicle or as a warning of

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impending danger to persons driving other vehicles or to persons upon the street. No person shall sound any horn or warning device on any automobile, motorcycle, bus or other vehicle which emits an unreasonably loud or harsh sound or for any unnecessary or unreasonable period of time.

(5) Exhaust. The discharge into the open air of the exhaust / engine noise of any engine, stationary internal-combustion engine or motor vehicle, motorcycle except through a muffler or other device which effectively prevents loud or explosive noises there from.

(6) The operating of landscape machinery including any noise-creating blower or power fan or any internal-combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is adequately muffled and such engine is equipped with a muffler device sufficient to deaden such noises. In no event shall such landscaping equipment or machines be operated except between the hours of 8:00 am through 8:00 pm Monday through Friday; and between the hours of 9:00 am through 8:00 pm on Saturday, Sunday or any state or federal holiday.

(7) Defect / Modification in vehicle or load. The use of any automobile, motorcycle or vehicle so out of repair, so loaded or specifically modified in such manner as to create loud and unnecessary grating, grinding, rattling, combustion or other noise.

(8) Schools; courts; churches. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same is in use, or which unreasonably interferes with the working of such institution, provided that conspicuous signs are displayed in such street indicating that the same is a school, hospital or court street.

**B.** The above enumeration is intended to give typical illustrations of prohibited

**r|m|s|h|c**

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o: 732.363.0777  
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noise and shall not be construed as exclusive.

### **§39 – 11. Exceptions.**

A) The following are exempt from the noise regulations contained herein.

(1) Sounds from any municipality-sponsored or -approved celebrations or events.

(2) Sounds from any police, fire, ambulance, or other emergency vehicles in the discharge of their official duties, garbage trucks or such other vehicles used for the removal of residential or commercial garbage, together with the removal of snow and ice from Township and county roadways and from residential, commercial and office properties located within the Township.

(3) Sounds emanating from the performance of any municipal, County or state construction or improvements project(s)

(4) Sound from bells and chimes when a part of religious observance or service.

### **§ 39 -12. Violations and penalties.**

Any person violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine of not more than one thousand dollars (\$1,000.) or by imprisonment for a term not to exceed ninety (90) days, or by both such fine and imprisonment, in the discretion of the Judge. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.

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Rothstein, Mandell, Strohm,  
Halm & Cipriani, P.A.  
ATTORNEYS AT LAW

98 East Water Street  
Toms River, NJ 08753

o: 732.363.0777  
f: 732.905.6555

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 4.** This ordinance shall take effect after second reading and publication as required by law.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**NOTICE**

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Plumsted held on the 1<sup>st</sup> day June, 2023 and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 6<sup>th</sup> day of July, 2023 at 7:00 PM, at the Municipal Building, 121 Evergreen Road, New Egypt, NJ 08533, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.

Pursuant to N.J.S.A. 40:49-2, as amended, further notice is hereby given that the purpose of the forgoing ordinance is to adopt restrictions on excessive noises as part of the Code provisions on Nuisances.

Members of the general public may obtain a copy of the ordinance without cost during normal business hours from the Municipal Clerk's Office, 121 Evergreen Road, New Egypt, New Jersey.

**JENNIFER WITHAM, RMC, CMR  
MUNICIPAL CLERK**

**r|m|s|h|c**

Rothstein, Mandell, Strohm,  
Halm & Cipriani, P.A.  
ATTORNEYS AT LAW

98 East Water Street  
Toms River, NJ 08753

o: 732.363.0777  
f: 732.905.6555

**ORDINANCE NO. 2023-11**

**AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY  
OF OCEAN, STATE OF NEW JERSEY AMENDING AND  
SUPPLEMENTING CHAPTER 62 OF THE CODE BOOK  
ENTITLED “VEHICLES, UNLICENSED” TO ALLOW FOR  
THE FORFEITURE OF AN ALL-TERRAIN VEHICLE OR DIRT  
BIKE IN VIOLATION OF N.J.S.A. 39:3C-17, DECLARING THE  
OPERATION OF ALL-TERRAIN VEHICLES AND DIRT BIKES  
IN VIOLATION OF CHAPTER 62 OF THE CODE BOOK AN  
IMMEDIATE THREAT TO PUBLIC SAFETY HEALTH AND  
WELFARE AND DESIGNATING SUCH VEHICLES AS CONTRABAND  
SUBJECT TO FORFEITURE**

**WHEREAS**, the amendments to N.J.S.A. 39:3C-35 authorize a municipality to declare, by ordinance, that an all-terrain vehicle or dirt bike operated on a public street, highway, or right of way in violation of N.J.S.A. 39:3C-17 poses an immediate threat to the public health, safety or welfare and designate such all-terrain vehicles or dirt bikes operated in such a manner contraband subjected to forfeiture in accordance with N.J.S. 2C:64-1 et seq. and that an all-terrain vehicle or dirt bike forfeited under this section shall be disposed of in accordance with the provisions of N.J.S. 2C:64-6 or, at the discretion of the entity funding the prosecuting agency involved, may be destroyed; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2 a municipality is empowered to adopt ordinances for the public health, safety and welfare of the municipality and its residents; and

**WHEREAS**, the Township Committee of the Township of Plumsted believes it is in the best interest of the Township’s residents to implement N.J.S.A. 39:3C-35 and declare all-terrain vehicles and dirt bikes a threat to the public’s health, safety and welfare.

**NOW THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Plumsted that Chapter 62- Vehicles, Unlicensed shall be amended and supplemented as follows:

**Section 1.** Chapter 62 of the Township Code entitled Vehicles, Unlicensed is hereby amended and supplemented as follows:

**§62-6 All-Terrain Vehicles and Dirt Bikes- Prohibited Operation and Forfeiture.**

It shall be unlawful and pose an immediate threat to the public health, safety and welfare of the residents of the Township of Plumsted for any person to operate any all-terrain vehicle or dirt bike upon any public street, highway or right-of-way located within the Township of Plumsted in violation of N.J.S.A. 39:3C-17. Any all-terrain vehicle or dirt bike operated in a manner that violates this Section shall be deemed contraband subjected to forfeiture in accordance with N.J.S. 2C:64-1 et seq., and shall be disposed of in accordance with the provisions of N.J.S. 2C:64-6 or, at the discretion of the entity funding the prosecuting agency involved, may be destroyed.

**Section 2:** Chapter 62-1 of the Township Code entitled “Definitions” is amended to include the new following definitions:

PUBLIC PROPERTY- Includes all streets, sidewalks, easements, parking lots or any other areas dedicated or commonly used for vehicular or pedestrian traffic.

TOWNSHIP-OWNED LAND- Includes all parks, recreation areas, ball parks, lake areas, storage facilities, garage areas, and all other township or publicly owned land and premises.

**Section 3:** Chapter 62-2 of the Township Code entitled “Operation and use restrictions” is amended to include:

It shall be unlawful for any person to operate or permit and suffer to be operated a motor-vehicle driven vehicle, as defined herein, within the Township of Plumsted, under the following circumstances:

- A. On private property of another without the express, prior written consent of the owner and the occupant of said property.
- B. On any public property or township-owned lands.
- C. In such manner as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons.
- D. In a careless, reckless or negligent manner so as to endanger or be likely to endanger the safety or property of any person.
- G. It shall be unlawful for any person to operate to permit or suffer to be operated, or to ride as a passenger on, any motor-driven vehicle without wearing a protective helmet approved by the Director of the Division of Motor Vehicles in the Department of Law and Public Safety of the State of New Jersey. Any such helmet shall be of a type acceptable for use in conjunction with motorcycles as provided in N.J.S.A. 39:3-76.7 through N.J.S.A. 39:3-76.10.

**Section 4:** All Ordinances or parts of Ordinances inconsistent with any of the terms of this Ordinance are hereby repealed to the extent of such inconsistency or inconsistencies.

**Section 5:** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**Section 6:** This Ordinance shall take effect immediately upon final passage and publication, as provided by law.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

### **NOTICE**

Notice is hereby given that the foregoing ordinance was introduced and passed by the Township Committee on the first reading at a meeting of the Township Committee of the Township of Plumsted on the 1<sup>st</sup> day of **JUNE, 2023**, and will be considered for second reading and final passage at a meeting of the Township Committee to be held on the **6<sup>th</sup>** day of **JULY, 2023**, at 7:00 P.M. at the Municipal Building located at 121 Evergreen Road, New Egypt, New Jersey 08533, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Pursuant to N.J.S.A. 40:49-2, as amended, further notice is hereby given that the purpose of the forgoing ordinance is to amend the all-terrain vehicle regulations within the Township of Plumsted.

Members of the general public may obtain a copy of the ordinance without cost during normal business hours from the Municipal Clerk's Office, 121 Evergreen Road, New Egypt, New Jersey.

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**Jennifer Witham, RMC, CMR**  
**Municipal Clerk**



**RESOLUTION NO. 2023-197**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
APPOINTING A MUNICIPAL HUMANE LAW  
ENFORCEMENT OFFICER FOR THE  
TOWNSHIP OF PLUMSTED FOR THE YEAR 2023**

**WHEREAS**, there exists a need to appoint a Municipal Humane Law Enforcement Officer for the Township of Plumsted for the Year 2023; and

**WHEREAS**, Officer Kevin Leonard of the Plumsted Township Police Department is qualified to be appointed as a Municipal Humane Law Enforcement Officer; and

**WHEREAS**, it is the desire of the governing body to appoint Officer Kevin Leonard as the Municipal Humane Law Enforcement Officer for the Township of Plumsted for the Year 2023.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey as follows:

1. That Officer Kevin Leonard is hereby appointed as the Municipal Humane Law Enforcement Officer for the Township of Plumsted for the Year 2023.
2. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer, the Chief of Police and Officer Kevin Leonard.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1<sup>ST</sup>** day of **JUNE, 2023**.

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**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

**RESOLUTION NO. 2023-198**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING PAYMENT FOR THE  
INSURANCE OPT-OUT PROGRAM FOR 2023**

**WHEREAS**, pursuant to the Revised General Ordinances of the Plumsted Township Ordinance, Chapter 46, Section 21, entitled “Insurance”, the Township Committee may determine the cost effectiveness of offering and implementing an “Insurance Opt-Out Program”; and

**WHEREAS**, the Township of Plumsted may pay a full-time employee a percentage of the savings realized by the Township for health benefits and prescriptions in accordance with the Insurance Opt-Out Program and applicable NJ State Law; and

**WHEREAS**, the full-time employees John Garrigan, Frank Murphy, Sharon Gower, Earl Meroney, and Anthony Covone have expressed an interest in the Insurance Opt-Out Program; and

**WHEREAS**, employees who participate in the Insurance Opt-Out Program shall present the Township with proof of insurance; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey as follows:

1. That Mayor and Township Committee hereby authorizes the following employees to participate in the “Insurance Opt-Out Program” in accordance with the Revised General Ordinances of the Plumsted Township Ordinance, Chapter 46, Section 21, entitled “Insurance”: John Garrigan, Frank Murphy, Sharon Gower, Earl Meroney, and Anthony Covone.
2. That these employees shall be paid the savings realized by the Township for health benefits and prescriptions in accordance with the Insurance Opt-Out Program and applicable NJ State Law.
3. That employees who participate in the Insurance Opt-Out program shall present the Township with proof of insurance by July, 2023 and January, 2024 for the previous six months.
4. That these payments shall be made semi-annually (July, 2023 and January, 2024) with the understanding that such payments will not be considered part of the employee’s base salary and, therefore, there will be no pension deduction. Payroll taxes will be deducted from this payment as required by law.
5. That Schedule ‘A’ attached gives the breakdown of amounts to be paid to the employees.

6. That certified copies of this resolution shall be forwarded to Sharon Gower, Chief Financial Officer, the Municipal Auditor, John Garrigan, Frank Murphy, Sharon Gower, Earl Meroney, and Anthony Covone.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

### **CERTIFICATION**

I, **JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1<sup>st</sup> of JUNE, 2023**.

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**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

### **SCHEDULE 'A'**

Frank Murphy	\$5,000.00 (\$2,500.00/\$2,500.00)
Sharon Gower	\$5,000.00 (\$2,500.00/\$2,500.00)
Earl Meroney	\$5,000.00 (\$2,500.00/\$2,500.00)
Anthony Covone	\$5,000.00 (\$2,500.00/\$2,500.00)
John Garrigan	\$5,000.00 (\$2,500.00/\$2,500.00)

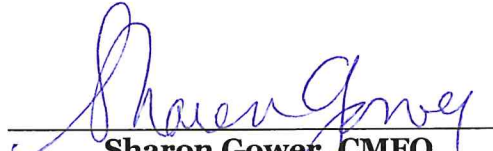
**CERTIFICATION OF AVAILABILITY OF FUNDS**

**I, Sharon Gower**, Chief Financial Officer for the Township of Plumsted, do hereby certify that adequate funds to authorize payment for the Insurance Opt-Out Program for full time employees pursuant to Plumsted Township Ordinance No. 46, Section 21, are available in the 2023 budget.

The funds available for this resolution are to be found in the following line item appropriation:

**Health Benefit Waiver**  
**3-01-23-221-282**  
**Amount Not to Exceed \$25,000.00**

**DATE: June 1, 2023**

  
\_\_\_\_\_  
**Sharon Gower, CMFO**  
**Chief Financial Officer**



**RESOLUTION NO. 2023-199**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING AMENDMENT NO. 1 TO THE SURETY/PERFORMANCE BOND POSTED BY LENNAR PLUMSTED URBAN RENEWAL, LLC, FOR VENUE AT CROSSWICKS CREEK PHASE 7 BLOCK 40, LOTS 1, 10 AND 18**

**WHEREAS**, the Land Use Board of the Township of Plumsted required the posting of performance bonds by Lennar Plumsted Urban Renewal, LLC (“Lennar”) for the installation of certain site improvements in regard to approvals given for the construction of the project known as Venue at Crosswicks Creek Phases 1 through 9, Block 40, Lots 1, 10 and 18; and

**WHEREAS**, the Land Use Board Engineer has provided a Performance Guarantee Estimate of \$1,660,756.80 for Phase 7 of the project, requiring the posting of a Surety Guarantee in the amount of \$1,494,681.12 and a Cash Guarantee in the amount of \$166,075.68; and

**WHEREAS**, original bonds as submitted were unsatisfactory in form, and the correct form of bonds were re-submitted by Lennar, marked as Amendment No. 1; and

**WHEREAS**, Lennar has posted Amendment No. 1 to Performance Surety Bond No. FGAC-22502 in the amount of \$1,494,681.12, issued by Fidelity Guaranty and Acceptance Corp. on January 30, 2023, for Phase 7 of the project, as shown on the attached Schedule A; and

**WHEREAS**, the Township Attorney has reviewed the Performance Surety Bond and found it to be in compliance with Land Use Board requirements; and

**WHEREAS**, it is the desire of the Township Committee to accept the Performance Surety Bond posted by Lennar for the Venue at Crosswicks Creek Phase 7.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and Township Committee do hereby accept Amendment No. 1 to Performance Surety Bond No. FGAC-22502 posted by Lennar Plumsted Urban Renewal, LLC in the amount of \$1,494,681.12, issued by Fidelity Guaranty and Acceptance Corp. on January 30, 2023, for Phase 7 of the project known as Venue at Crosswicks Creek, Block 40, Lots 1, 10 and 18, as shown on the attached Schedule A.
2. That a certified copy of this resolution shall be provided to the Chief Financial Officer for the Township of Plumsted; the Township Engineer; the Plumsted Township Land Use Board, the Township Attorney and Lennar Plumsted Urban Renewal, LLC.



NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1st** day of **JUNE, 2023**.

\_\_\_\_\_  
**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

**SCHEDULE A  
FIDELITY GUARANTY AND ACCEPTANCE CORP**

**IRREVOCABLE STANDBY LETTER OF CREDIT NO. FGAC-22502**

**ISSUANCE DATE: JANUARY 30, 2023**

**ISSUER: FIDELITY GUARANTY AND ACCEPTANCE CORP.  
5505 BLUE LAGOON DRIVE, 7TH FLOOR WEST  
MIAMI, FL 33126**

**TELEPHONE: (305) 553-8724**

**BENEFICIARY: TOWNSHIP OF PLUMSTED  
ATTN: JENNIFER WITHAM, RMC, CMR  
PLUMSTED MUNICIPAL COMPLEX  
121 EVERGREEN ROAD  
NEW EGYPT, NJ 08533**

**TELEPHONE: (609) 758-2241**

**APPLICANT: LENNAR PLUMSTED URBAN RENEWAL, LLC  
2465 KUSER RD., 3RD FLOOR  
HAMILTON, NJ 08690**

**TELEPHONE: (609) 245-2200**

**LC AMOUNT: USD \$1,494,681.12 (ONE MILLION FOUR HUNDRED NINETY-FOUR  
THOUSAND SIX HUNDRED EIGHTY-ONE AND 12/100 US DOLLARS)**

**RE: VENUE AT CROSSWICKS CREEK PHASE 7  
PLANNING BOARD APPLICATION NUMBER: 2021-08**

**GENTLEMEN:  
TO AMEND LETTER OF CREDIT NO. FGAC-22502 AS ISSUED IN YOUR FAVOR.**

**THIS AMENDMENT IS AN INTEGRAL PART OF THE ORIGINAL CREDIT. ALL OTHER TERMS AND  
CONDITIONS OF THE LETTER OF CREDIT INCLUDING PREVIOUS AMENDMENTS REMAIN UNCHANGED.**

**AMENDED TERMS:**

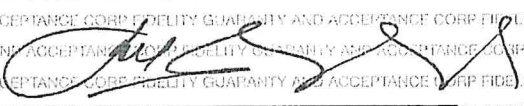
**REDUCE DOLLAR AMOUNT FROM: \$1,660,756.80 TO: \$1,494,681.12.**

**IMMEDIATE NOTIFICATION MUST BE GIVEN TO US IF THIS AMENDMENT IS NOT ACCEPTED.**

**THIS IS AMENDMENT NO. 1.**

**VERY TRULY YOURS,**

**FIDELITY GUARANTY AND ACCEPTANCE CORP.**

**BY:   
JOY CHAMBERS, AUTHORIZED AGENT**



**RESOLUTION NO. 2023-200**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING AMENDMENT NO. 1 TO THE SURETY/PERFORMANCE BOND POSTED BY LENNAR PLUMSTED URBAN RENEWAL, LLC, FOR VENUE AT CROSSWICKS CREEK PHASE 9, BLOCK 40, LOTS 1, 10 AND 18**

**WHEREAS**, the Land Use Board of the Township of Plumsted required the posting of performance bonds by Lennar Plumsted Urban Renewal, LLC (“Lennar”) for the installation of certain site improvements in regard to approvals given for the construction of the project known as Venue at Crosswicks Creek Phases 1 through 9, Block 40, Lots 1, 10 and 18; and

**WHEREAS**, the Land Use Board Engineer has provided a Performance Guarantee Estimate of \$1,593,224.40 for Phase 9 of the project, requiring the posting of a Surety Guarantee in the amount of \$1,433,901.96 and a Cash Guarantee in the amount of \$159,322.44; and

**WHEREAS**, original bonds as submitted were unsatisfactory in form, and the correct form of bonds were re-submitted by Lennar, marked as Amendment No. 1; and

**WHEREAS**, Lennar has posted Amendment No. 1 to Performance Surety Bond No. FGAC-22503 in the amount of \$1,433,901.96, issued by Fidelity Guaranty and Acceptance Corp. on January 30, 2023, for Phase 9 of the project, as shown on the attached Schedule A; and

**WHEREAS**, the Township Attorney has reviewed the Performance Surety Bond and found it to be in compliance with Land Use Board requirements; and

**WHEREAS**, it is the desire of the Township Committee to accept the Performance Surety Bond posted by Lennar for the Venue at Crosswicks Creek Phase 9.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and Township Committee do hereby accept Amendment No. 1 to Performance Surety Bond No. FGAC-22503 posted by Lennar Plumsted Urban Renewal, LLC in the amount of \$1,433,901.96, issued by Fidelity Guaranty and Acceptance Corp. on January 30, 2023, for Phase 9 of the project known as Venue at Crosswicks Creek, Block 40, Lots 1, 10 and 18, as shown on the attached Schedule A.
2. That a certified copy of this resolution shall be provided to the Chief Financial Officer for the Township of Plumsted; the Township Engineer; the Plumsted Township Land Use Board, the Township Attorney and Lennar Plumsted Urban Renewal, LLC.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1st** day of **JUNE, 2023**.

\_\_\_\_\_  
**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**





## **RESOLUTION NO. 2023-201**

### **RESOLUTION OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING AMENDMENT NO. 1 TO THE SURETY/PERFORMANCE BOND POSTED BY LENNAR PLUMSTED URBAN RENEWAL, LLC, FOR VENUE AT CROSSWICKS CREEK PHASE 8, BLOCK 40, LOTS 1, 10 AND 18**

**WHEREAS**, the Land Use Board of the Township of Plumsted required the posting of performance bonds by Lennar Plumsted Urban Renewal, LLC (“Lennar”) for the installation of certain site improvements in regard to approvals given for the construction of the project known as Venue at Crosswicks Creek Phases 1 through 9, Block 40, Lots 1, 10 and 18; and

**WHEREAS**, the Land Use Board Engineer has provided a Performance Guarantee Estimate of \$932,888.40 for Phase 8 of the project, requiring the posting of a Surety Guarantee in the amount of \$839,599.56 and a Cash Guarantee in the amount of \$93,288.84; and

**WHEREAS**, original bonds as submitted were unsatisfactory in form, and the correct form of bonds were re-submitted by Lennar, marked as Amendment No. 1; and

**WHEREAS**, Lennar has posted Amendment No. 1 to Performance Surety Bond No. FGAC-22504 in the amount of \$839,599.56, issued by Fidelity Guaranty and Acceptance Corp. on January 30, 2023, for Phase 8 of the project, as shown on the attached Schedule A; and

**WHEREAS**, the Township Attorney has reviewed the Performance Surety Bond and found it to be in compliance with Land Use Board requirements; and

**WHEREAS**, it is the desire of the Township Committee to accept the Performance Surety Bond posted by Lennar for the Venue at Crosswicks Creek Phase 8.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and Township Committee do hereby accept Amendment No. 1 to Performance Surety Bond No. FGAC-22504 posted by Lennar Plumsted Urban Renewal, LLC in the amount of \$839,599.56, issued by Fidelity Guaranty and Acceptance Corp. on January 30, 2023, for Phase 8 of the project known as Venue at Crosswicks Creek, Block 40, Lots 1, 10 and 18, as shown on the attached Schedule A.
2. That a certified copy of this resolution shall be provided to the Chief Financial Officer for the Township of Plumsted; the Township Engineer; the Plumsted Township Land Use Board, the Township Attorney and Lennar Plumsted Urban Renewal, LLC.



NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1st** day of **JUNE, 2023**.

\_\_\_\_\_  
**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

**SCHEDULE A  
FIDELITY GUARANTEE AND ACCEPTANCE CORP.**

**5505 BLUE LAGOON DRIVE, 7TH FLOOR WEST**

**MIAMI, FL 33126**

**PHONE: (305) 553-8724**

**IRREVOCABLE STANDBY LETTER OF CREDIT NO. FGAC-22504**

**ISSUANCE DATE: JANUARY 30, 2023**

**ISSUER: FIDELITY GUARANTEE AND ACCEPTANCE CORP.**

**5505 BLUE LAGOON DRIVE, 7TH FLOOR WEST**

**MIAMI, FL 33126**

**TELEPHONE: (305) 553-8724**

**BENEFICIARY:**

**TOWNSHIP OF PLUMSTED**

**ATTN: JENNIFER WITHAM, RMC, CMR**

**PLUMSTED MUNICIPAL COMPLEX**

**121 EVERGREEN ROAD**

**NEW EGYPT, NJ 08533**

**TELEPHONE: (609) 758-2241**

**APPLICANT:**

**LENNAR PLUMSTED URBAN RENEWAL, LLC**

**2465 KUSER RD., 3RD FLOOR**

**HAMILTON, NJ 08690**

**TELEPHONE: (609) 245-2200**

**LC AMOUNT:**

**USD \$839,599.56 (EIGHT HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED NINETY-NINE AND 56/100 US DOLLARS)**

**RE:**

**VENUE AT CROSSWICKS CREEK PHASE 8**

**PLANNING BOARD APPLICATION NUMBER: 2021-08**

**GENTLEMEN:**

**TO AMEND LETTER OF CREDIT NO. FGAC-22504 AS ISSUED IN YOUR FAVOR:**

**THIS AMENDMENT IS AN INTEGRAL PART OF THE ORIGINAL CREDIT. ALL OTHER TERMS AND CONDITIONS OF THE LETTER OF CREDIT INCLUDING PREVIOUS AMENDMENTS REMAIN UNCHANGED.**

**AMENDED TERMS:**

**REDUCE DOLLAR AMOUNT FROM: \$932,888.40 TO: \$839,599.56.**

**IMMEDIATE NOTIFICATION MUST BE GIVEN TO US IF THIS AMENDMENT IS NOT ACCEPTED.**

**THIS IS AMENDMENT NO. 1.**

**VERY TRULY YOURS,**

**FIDELITY GUARANTEE AND ACCEPTANCE CORP.**

**BY: JOY CHAMBERS, AUTHORIZED AGENT**



## **RESOLUTION NO. 2023-202**

### **RESOLUTION OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING AMENDMENT NO. 1 TO THE SURETY/PERFORMANCE BOND POSTED BY LENNAR PLUMSTED URBAN RENEWAL, LLC, FOR VENUE AT CROSSWICKS CREEK PHASE 7, BLOCK 40, LOTS 1, 10 AND 18**

**WHEREAS**, the Land Use Board of the Township of Plumsted required the posting of performance bonds by Lennar Plumsted Urban Renewal, LLC (“Lennar”) for the installation of certain site improvements in regard to approvals given for the construction of the project known as Venue at Crosswicks Creek Phases 1 through 9, Block 40, Lots 1, 10 and 18; and

**WHEREAS**, the Land Use Board Engineer has provided a Performance Guarantee Estimate of \$100,742.40 for Phase 7 of the project, requiring the posting of a Surety Guarantee in the amount of \$90,668.16 and a Cash Guarantee in the amount of \$10,074.24; and

**WHEREAS**, original bonds as submitted were unsatisfactory in form, and the correct form of bonds were re-submitted by Lennar, marked as Amendment No. 1; and

**WHEREAS**, Lennar has posted Amendment No. 1 to Performance Surety Bond No. FGAC-22505 in the amount of \$90,668.16, issued by Fidelity Guaranty and Acceptance Corp. on January 30, 2023, for Phase 7 of the project, as shown on the attached Schedule A; and

**WHEREAS**, the Township Attorney has reviewed the Performance Surety Bond and found it to be in compliance with Land Use Board requirements; and

**WHEREAS**, it is the desire of the Township Committee to accept the Performance Surety Bond posted by Lennar for the Venue at Crosswicks Creek Phase 7.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and Township Committee do hereby accept Amendment No. 1 to Performance Surety Bond No. FGAC-22505 posted by Lennar Plumsted Urban Renewal, LLC in the amount of \$90,668.16, issued by Fidelity Guaranty and Acceptance Corp. on January 30, 2023, for Phase 7 of the project known as Venue at Crosswicks Creek, Block 40, Lots 1, 10 and 18, as shown on the attached Schedule A.
2. That a certified copy of this resolution shall be provided to the Chief Financial Officer for the Township of Plumsted; the Township Engineer; the Plumsted Township Land Use Board, the Township Attorney and Lennar Plumsted Urban Renewal, LLC.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1st** day of **JUNE, 2023**.

**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

**FIDELITY GUARANTY AND ACCEPTANCE CORP.****5505 BLUE LAGOON DRIVE, 7TH FLOOR WEST****MIAMI, FLORIDA 33126****PHONE: (305) 553-8724****IRREVOCABLE STANDBY LETTER OF CREDIT NO. FGAC-22505****ISSUANCE DATE: JANUARY 30, 2023****ISSUER:****FIDELITY GUARANTY AND ACCEPTANCE CORP.****5505 BLUE LAGOON DRIVE, 7TH FLOOR WEST****MIAMI, FL 33126****TELEPHONE: (305) 553-8724****BENEFICIARY:****TOWNSHIP OF PLUMSTED****ATTN: JENNIFER WITHAM, RMC, CMR****PLUMSTED MUNICIPAL COMPLEX****121 EVERGREEN ROAD****NEW EGYPT, NJ 08533****TELEPHONE: (609) 758-2241****APPLICANT:****LENNAR PLUMSTED URBAN RENEWAL, LLC****2465 KUSER RD., 3RD FLOOR****HAMILTON, NJ 08690****TELEPHONE: (609) 245-2200****LC AMOUNT:****USD \$90,668.16 (NINETY THOUSAND SIX HUNDRED SIXTY-EIGHT 16/100 US DOLLARS)****RE:****VENUE AT CROSSWICKS CREEK PHASE 7****PLANNING BOARD APPLICATION NUMBER: 2021-08****GENTLEMEN:****TO AMEND LETTER OF CREDIT NO. FGAC-22505 AS ISSUED IN YOUR FAVOR:****THIS AMENDMENT IS AN INTEGRAL PART OF THE ORIGINAL CREDIT. ALL OTHER TERMS AND CONDITIONS OF THE LETTER OF CREDIT INCLUDING PREVIOUS AMENDMENTS REMAIN UNCHANGED.****AMENDED TERMS:****REDUCE DOLLAR AMOUNT FROM: \$100,742.40 TO: \$90,668.16****IMMEDIATE NOTIFICATION MUST BE GIVEN TO US IF THIS AMENDMENT IS NOT ACCEPTED.****THIS IS AMENDMENT NO. 1.****VERY TRULY YOURS,****FIDELITY GUARANTY AND ACCEPTANCE CORP.****BY: JOY CHAMBERS, AUTHORIZED AGENT**



**RESOLUTION NO. 2023-203**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING AMENDMENT NO. 1 TO THE SURETY/PERFORMANCE BOND POSTED BY LENNAR PLUMSTED URBAN RENEWAL, LLC, FOR VENUE AT CROSSWICKS CREEK PHASE 8, BLOCK 40, LOTS 1, 10 AND 18**

**WHEREAS**, the Land Use Board of the Township of Plumsted required the posting of performance bonds by Lennar Plumsted Urban Renewal, LLC (“Lennar”) for the installation of certain site improvements in regard to approvals given for the construction of the project known as Venue at Crosswicks Creek Phases 1 through 9, Block 40, Lots 1, 10 and 18; and

**WHEREAS**, the Land Use Board Engineer has provided a Performance Guarantee Estimate of \$59,572.80 for Phase 8 of the project, requiring the posting of a Surety Guarantee in the amount of \$53,615.52 and a Cash Guarantee in the amount of \$5,957.28; and

**WHEREAS**, original bonds as submitted were unsatisfactory in form, and the correct form of bonds were re-submitted by Lennar, marked as Amendment No. 1; and

**WHEREAS**, Lennar has posted Amendment No. 1 to Performance Surety Bond No. FGAC-22506 in the amount of \$53,615.52, issued by Fidelity Guaranty and Acceptance Corp. on January 30, 2023, for Phase 8 of the project, as shown on the attached Schedule A; and

**WHEREAS**, the Township Attorney has reviewed the Performance Surety Bond and found it to be in compliance with Land Use Board requirements; and

**WHEREAS**, it is the desire of the Township Committee to accept the Performance Surety Bond posted by Lennar for the Venue at Crosswicks Creek Phase 8.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

- 1.** That the Mayor and Township Committee do hereby accept Amendment No. 1 to Performance Surety Bond No. FGAC-22506 posted by Lennar Plumsted Urban Renewal, LLC in the amount of \$53,615.52, issued by Fidelity Guaranty and Acceptance Corp. on January 30, 2023, for Phase 8 of the project known as Venue at Crosswicks Creek, Block 40, Lots 1, 10 and 18, as shown on the attached Schedule A.
- 2.** That a certified copy of this resolution shall be provided to the Chief Financial Officer for the Township of Plumsted; the Township Engineer; the Plumsted Township Land Use Board, the Township Attorney and Lennar Plumsted Urban Renewal, LLC.



NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1st** day of **JUNE, 2023**.

\_\_\_\_\_  
**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

# SCHEDULE A FIDELITY GUARANTEE AND ACCEPTANCE CORP.

5505 BLUE LAGOON DRIVE, 7TH FLOOR WEST

MIAMI, FL 33126

PHONE: (305) 553-8724

IRREVOCABLE STANDBY LETTER OF CREDIT NO. FGAC-22506

ISSUANCE DATE:

JANUARY 30, 2023

ISSUER:

FIDELITY GUARANTEE AND ACCEPTANCE CORP.

5505 BLUE LAGOON DRIVE, 7TH FLOOR WEST

MIAMI, FL 33126

TELEPHONE: (305) 553-8724

BENEFICIARY:

TOWNSHIP OF PLUMSTED

ATTN: JENNIFER WITHAM, RMC, CMR

PLUMSTED MUNICIPAL COMPLEX

121 EVERGREEN ROAD

NEW EGYPT, NJ 08533

TELEPHONE: (609) 758-2241

APPLICANT:

LENNAR PLUMSTED URBAN RENEWAL, LLC

2465 KUSER RD., 3RD FLOOR

HAMILTON, NJ 08690

TELEPHONE: (609) 245-2200

LC AMOUNT:

USD \$53,615.52 (FIFTY-THREE THOUSAND SIX HUNDRED FIFTEEN AND

52/100 US DOLLARS)

RE:

VENUE AT CROSSWICKS CREEK PHASE 8

PLANNING BOARD APPLICATION NUMBER: 2021-08

GENTLEMEN:

TO AMEND LETTER OF CREDIT NO. FGAC-22506 AS ISSUED IN YOUR FAVOR:

**THIS AMENDMENT IS AN INTEGRAL PART OF THE ORIGINAL CREDIT. ALL OTHER TERMS AND CONDITIONS OF THE LETTER OF CREDIT INCLUDING PREVIOUS AMENDMENTS REMAIN UNCHANGED.**

AMENDED TERMS:

REDUCE DOLLAR AMOUNT FROM: \$59,572.80 TO: \$53,615.52

IMMEDIATE NOTIFICATION MUST BE GIVEN TO US IF THIS AMENDMENT IS NOT ACCEPTED.

THIS IS AMENDMENT NO. 1.

VERY TRULY YOURS,

FIDELITY GUARANTEE AND ACCEPTANCE CORP.

BY:

JOY CHAMBERS, AUTHORIZED AGENT

**RESOLUTION NO. 2023-204**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING AMENDMENT NO. 1 TO THE SURETY/PERFORMANCE BOND POSTED BY LENNAR PLUMSTED URBAN RENEWAL, LLC, FOR VENUE AT CROSSWICKS CREEK PHASE 9, BLOCK 40, LOTS 1, 10 AND 18**

**WHEREAS**, the Land Use Board of the Township of Plumsted required the posting of performance bonds by Lennar Plumsted Urban Renewal, LLC (“Lennar”) for the installation of certain site improvements in regard to approvals given for the construction of the project known as Venue at Crosswicks Creek Phases 1 through 9, Block 40, Lots 1, 10 and 18; and

**WHEREAS**, the Land Use Board Engineer has provided a Performance Guarantee Estimate of \$59,500.80 for Phase 9 of the project, requiring the posting of a Surety Guarantee in the amount of \$53,550.72 and a Cash Guarantee in the amount of \$5,950.08; and

**WHEREAS**, original bonds as submitted were unsatisfactory in form, and the correct form of bonds were re-submitted by Lennar, marked as Amendment No. 1; and

**WHEREAS**, Lennar has posted Amendment No. 1 to Performance Surety Bond No. FGAC-22507 in the amount of \$53,550.72, issued by Fidelity Guaranty and Acceptance Corp. on January 30, 2023, for Phase 9 of the project, as shown on the attached Schedule A; and

**WHEREAS**, the Township Attorney has reviewed the Performance Surety Bond and found it to be in compliance with Land Use Board requirements; and

**WHEREAS**, it is the desire of the Township Committee to accept the Performance Surety Bond posted by Lennar for the Venue at Crosswicks Creek Phase 9.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and Township Committee do hereby accept Amendment No. 1 to Performance Surety Bond No. FGAC-22507 posted by Lennar Plumsted Urban Renewal, LLC in the amount of \$53,550.72, issued by Fidelity Guaranty and Acceptance Corp. on January 30, 2023, for Phase 9 of the project known as Venue at Crosswicks Creek, Block 40, Lots 1, 10 and 18, as shown on the attached Schedule A.
2. That a certified copy of this resolution shall be provided to the Chief Financial Officer for the Township of Plumsted; the Township Engineer; the Plumsted Township Land Use Board, the Township Attorney and Lennar Plumsted Urban Renewal, LLC.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1st** day of **JUNE, 2023**.

\_\_\_\_\_  
**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**



SCHEDULE A  
FIDELITY GUARANTEE AND ACCEPTANCE CORP.



5505 BLUE LAGOON DRIVE, 7TH FLOOR WEST  
MIAMI, FL 33126  
PHONE: (305) 553-8724

**IRREVOCABLE STANDBY LETTER OF CREDIT NO: FGAC-22507**

**ISSUANCE DATE: JANUARY 30, 2023**

**ISSUER: FIDELITY GUARANTEE AND ACCEPTANCE CORP.**  
**5505 BLUE LAGOON DRIVE, 7TH FLOOR WEST**  
**MIAMI, FL 33126**  
**TELEPHONE: (305) 553-8724**

**BENEFICIARY: TOWNSHIP OF PLUMSTED**  
**ATTN: JENNIFER WITHAM, RMC, CMR**  
**PLUMSTED MUNICIPAL COMPLEX**  
**121 EVERGREEN ROAD**  
**NEW EGYPT, NJ 08533**  
**TELEPHONE: (609) 758-2241**

**APPLICANT: LENNAR PLUMSTED URBAN RENEWAL, LLC**  
**2465 KUSER RD, 3RD FLOOR**  
**HAMILTON, NJ 08690**  
**TELEPHONE: (609) 245-2200**

**LC AMOUNT: USD \$53,550.72 (FIFTY-THREE THOUSAND FIVE HUNDRED FIFTY AND 72/100 US DOLLARS)**

**RE: VENUE AT CROSSWICKS CREEK PHASE 9**  
**PLANNING BOARD APPLICATION NUMBER: 2021-08**

**GENTLEMEN:**  
**TO AMEND LETTER OF CREDIT NO: FGAC-22507 AS ISSUED IN YOUR FAVOR:**

**THIS AMENDMENT IS AN INTEGRAL PART OF THE ORIGINAL CREDIT. ALL OTHER TERMS AND CONDITIONS OF THE LETTER OF CREDIT INCLUDING PREVIOUS AMENDMENTS REMAIN UNCHANGED.**

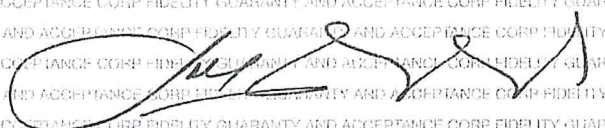
**AMENDED TERMS:**  
**REDUCE DOLLAR AMOUNT FROM: \$59,500.80 TO: \$53,550.72**

**IMMEDIATE NOTIFICATION MUST BE GIVEN TO US IF THIS AMENDMENT IS NOT ACCEPTED.**

**THIS IS AMENDMENT NO. 1.**

**VERY TRULY YOURS,**

**FIDELITY GUARANTEE AND ACCEPTANCE CORP.**

  
**BY: JOY CHAMBERS, AUTHORIZED AGENT**

**RESOLUTION NO. 2023-205**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED, COUNTY OF  
OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE  
EXECUTION OF CHANGE ORDER #3 TO THE CONTRACT WITH  
EARLE ASPHALT COMPANY FOR THE NEW JERSEY  
DEPARTMENT OF TRANSPORTATION FY2020 MUNICIPAL AID  
PROGRAM FOR IMPROVEMENTS TO TOWER ROAD PROJECT**

**WHEREAS**, by Resolution 2023-135, adopted on February 2, 2023, the Mayor and Township Committee authorized Change Order #2 for the New Jersey Department of Transportation FY2020 Municipal Aid Program for Improvements to Tower Road project; and

**WHEREAS**, the Township Engineer submitted Resolution 2023-135 and Change Order #2 to the New Jersey Infrastructure Bank ("NJIB") for review; and

**WHEREAS**, NJIB has recommended that the \$0.60 adjustment for Item No. A-6 "Tack Coat (Alternate Bid Item)" in Change Order #2 be revised; and

**WHEREAS**, a contract was previously awarded to Earle Asphalt Company for the New Jersey Department of Transportation FY2020 Municipal Aid Program for Improvements to Hopkins Road and Improvements to Tower Road projects (the "Projects") and

**WHEREAS**, the amount of the original contract for both Projects was \$390,413.13, and

**WHEREAS**, the amount of the original contract allocated to Tower Road was \$170,277.13; and

**WHEREAS**, the original contract amount for Tower Road was adjusted by Change Order #1 to \$182,277.76; and

**WHEREAS**, the adjusted contract amount for Tower Road was adjusted to \$184,062.16 by Change Order #2;

**WHEREAS**, NJIB has recommended that the adjusted contract amount for Tower Road be increased by \$0.60 to \$184,062.76; and

**WHEREAS**, the Mayor and Township Committee wish to authorize Change Order #3 for an increase of \$0.60 to the adjusted contract price for Tower Road, resulting in a new adjusted contract price of \$184,062.76, consisting of additional quantities related to the improvements required in addition to the milling and resurfacing that was performed on the Projects, as set forth in the attached Schedule "A"; and

**WHEREAS**, this change order has been recommended by the Township Engineer and agreed to by the contractor; and

**WHEREAS**, this change order totals less than 20% of the original contract amount; and

**WHEREAS**, this scope modification is was approved by the NJDOT and the Infrastructure Bank on 7/5/2022.



**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

**1.** That the Mayor and Township Committee of the Township of Plumsted, do hereby authorize the execution of Change Order #3 for in an increase of \$0.60 to the adjusted contract price for Tower Road, resulting in a new adjusted contract price of \$184,062.76, consisting of additional quantities related to the improvements required in addition to the milling and resurfacing that was performed on the Projects, as set forth in the attached Schedule "A."

**2.** That the Mayor is hereby authorized to execute, and the Municipal Clerk to attest to, Change Order #3 to the contract with Earle Asphalt Company in accordance with the provisions of this resolution and the approval of the scope modification by the NJDOT and the Infrastructure Bank.

**3.** That a certified copy of this resolution, together with Change Order No. 3 to the contract between the parties, shall be forwarded by the Municipal Clerk to the Chief Financial Officer, the Township Engineer, the NJDOT, the Infrastructure Bank and to Earle Asphalt Company.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1st** day of **JUNE, 2023**.

\_\_\_\_\_  
**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

**RESOLUTION NO.  
SCHEDULE A**

**Nadene Cicero - Deputy Municipal Clerk**

**From:** Municipal Clerk  
**Sent:** Monday, May 15, 2023 6:01 PM  
**To:** Nadene Cicero - Deputy Municipal Clerk  
**Subject:** FW: Tower and Hopkins Road Change Order  
**Attachments:** 2023 0515 - SA-1 - Change Order 003 - Tower Road-signed.pdf

Could you do a resolution rescinding the change order #2 for this administrative change to approve the 60 cents please?

I believe it was resolution 23-135.

Thank you!

Jen

---

**From:** Bronson, Walter [mailto:wbronson@Dewberry.com]  
**Sent:** Monday, May 15, 2023 5:17 PM  
**To:** Municipal Clerk <municipalclerk@plumsted.org>; Sharon Gower <sgower@plumsted.org>  
**Cc:** Lockwood, William <wlockwood@Dewberry.com>  
**Subject:** Tower and Hopkins Road Change Order

NJDOT/i-Bank has requested that we handle the \$0.60 change order differently. Instead of modifying change order 2 as we did to correct the error, they want us to issue a new one for \$0.60, attached. I am not sure how the Township should handle this. I assume that you should rescind the revised change order 2 we prepared and then approve the one attached. It seems like a lot of work for \$0.60.

Walter Bronson, PE, CME, LEED AP

Associate, Department Manager  
1015 Briggs Road, Suite 210  
Mount Laurel, NJ 08054-4114  
D 856.780.3643 C 609.752.1724  
LICENSED NJ, PA



www.dewberry.com

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**NEW JERSEY DEPARTMENT OF TRANSPORTATION**  
**DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT**  
**CHANGE ORDER NUMBER - 003**  
**STATE AID PROJECT**

<b>Project</b>	<u>Tower Road Resurfacing</u>
<b>Municipality</b>	<u>Plumsted Township</u>
<b>County</b>	<u>Ocean County</u>
<b>Contractor</b>	<u>Earle Asphalt Company</u>

**In accordance with the project Supplementary Specification, the following are changes in the contract:**

These additional quantities relate to the improvements required in addition to the milling and resurfacing that was performed on the Tower and Hopkins Roads. This scope modification was approved by the NJDOT and Infrastructure Bank on 7/5/2022.

<u>Item No.</u>	<u>Description</u>	<u>Quantity (+/-)</u>	<u>Unit Price</u>	<u>Amount</u>
A-6	Tack Coat (Alternate Bid Item)	+60.0 GAL	\$0.01	+\$0.60

Amount of Original Contract      \$ 390,413.13

Amount of Original Contract  
Allocated to Tower Road      \$ 170,277.13

Adjusted amount Based on Change  
Order 001.      \$ 182,277.76

Adjustment Amount Based on  
Change Order 002      \$ 184,062.16

Adjustment Amount Based on  
Change Order 003      \$ 184,062.76

Extra	\$	0.60
Supplemental	\$	
Reduction	\$	

Total Change      \$ 0.60

% Change in Contract  
[(+) Increase or (-) Decrease]      + 8.1 %

Walter C. Bann      5/15/2023  
(Engineer)      (Date)

Approved: \_\_\_\_\_  
(District Manager)      (Date)  
(Bureau of Local Aid)

\_\_\_\_\_  
(Presiding Officer)      (Date)  
Chadwick      5/15/23  
(Contractor)      (Date)

(Submit four (4) copies to the Local Aid District Office)

**RESOLUTION NO. 2023-206**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
REQUESTING APPROVAL TO SUBMIT A GRANT  
APPLICATION AND EXECUTE A GRANT CONTRACT WITH  
THE NEW JERSEY DEPARTMENT OF TRANSPORTATION  
FOR THE FY2024 JANSEN COURT AND MARIA DRIVE PROJECTS**

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Committee of the Township of Plumsted formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as FY2024 Jansen Court and Maria Drive Projects to the New Jersey Department of Transportation on behalf of the Township of Plumsted.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Plumsted Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the 1<sup>st</sup> day of **JUNE, 2023**.

\_\_\_\_\_  
**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**ATTEST and AFFIX SEAL:**

\_\_\_\_\_  
Jennifer Witham, Municipal Clerk

\_\_\_\_\_  
Robert W. Bowen, Mayor



**RESOLUTION NO. 2023-207**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING PAYMENT OF SEWER LOANS**

**WHEREAS**, Ordinance 2021-02 of the Township of Plumsted provides for a special assessment of the cost related to sanitary sewer installation for approximately 600 existing property owners who are required to connect to the sanitary sewer system (the "Sewer System") within the Township; and

**WHEREAS**, the Township and the Plumsted Municipal Utilities Authority are offering each existing property owner who is eligible to connect to the Sewer System a loan to assist with the funding of the construction of the lateral connection of the property to the Sewer System and the cost to abandon in place the existing septic or cesspool system; and

**WHEREAS**, the maximum loan amount shall be \$4,000 for property owners whose main building is located within 150 lineal feet of the Sewer System and \$6,000 for property owners whose main building is located in excess of 150 lineal feet of the Sewer System and an additional \$6,000 for those properties requiring a grinder pump;

**WHEREAS**, sewer loan applications were received and approved by the Executive Director of the Plumsted Municipal Utilities Authority by the property owner(s) listed on the attached Schedule 'A'; and

**WHEREAS**, it is the desire of the Township Committee to authorize payment of a sewer loan to the property owner(s) on the attached Schedule 'A'.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and Township Committee hereby authorizes the payment of a sewer loan to the property owner(s) listed on the attached Schedule 'A'.
2. That certified copies of this resolution shall be forwarded to Sharon Gower, CFO, the PMUA, and to the property owner(s) on the attached Schedule 'A'.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the 1<sup>ST</sup> day of **JUNE, 2023**.

**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

Resolution No. 2023-207 Schedule 'A'

BLOCK & LOT	NAME	ADDRESS	AMOUNT OF LOAN	Bill List
30/4	Monica Podgueski	4 Maple Avenue	\$ 4,000.00	6/1/2023
24/12	49 Meadowbrook Lane LLC	49 Meadowbrook Lane	\$ 10,000.00	6/1/2023
24/46	Jung Hyun & Yunshim Cho	67 Jacobstown Road	\$ 4,000.00	6/1/2023
24/45	Jung Hyun & Yunshim Cho	65 Jacobstown Road	\$ 4,000.00	6/1/2023
29/22	Nancy Sandoval Arevalo	35 Oakford Ave	\$ 3,738.23	6/1/2023



## **RESOLUTION NO. 2023-208**

### **RESOLUTION OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, SUPPORTING OCEAN COUNTY REPRESENTATION ON THE NEW JERSEY BOARD OF PUBLIC UTILITIES (NJBP)**

**WHEREAS**, the New Jersey Board of Public Utilities (“BPU”) is the state agency with authority to oversee the regulated utilities, which provide critical services such as natural gas, electricity, water, telecommunications, and cable television; and

**WHEREAS**, the law requires the BPU to ensure safe, adequate, and proper utility services at reasonable rates for all customers throughout New Jersey; and

**WHEREAS**, for years, Ocean County and the Township of Plumsted have called upon the appointing authority in the State of New Jersey to choose a resident of Ocean County to sit on the BPU in order to provide a needed voice to represent the unique characteristics and challenges faced by communities located along the coast of the State; and

**WHEREAS**, the population of Ocean County continues to grow with both full-time and seasonal residents increasing the need for assurances by utility companies to provide uninterrupted service and to make certain equipment is maintained and adequately updated; and

**WHEREAS**, Ocean County currently has a year-round population of 650,000 residents with the number steadily increasing in the summer/warm weather months to more than 1.3 million people; and

**WHEREAS**, it is imperative that with the increase in population, energy and utility demands are met without interruption of service, and County residents, visitors and businesses are confident in all utilities working properly and available for their needs; and

**WHEREAS**, coastal counties are more prone to serious weather conditions, including hurricanes, northeasters and, most recently, tornadoes, which can result in power outages, utility poles down and a host of safety issues; and

**WHEREAS**, Ocean County residents have experienced the likes of Hurricane Irene in 2011, Superstorm Sandy in 2012, Tropical Storm Isaias, an April 1, 2023 tornado, and widespread power outages in the summer months dating back to July 2003 that devastated the height of the summer tourism season; and

**WHEREAS**, any type of lengthy power outages, especially during the tourism season, which produced \$7 billion in revenue for Ocean County alone, can result in many residents and businesses, both full time and seasonal, experiencing a financial loss due to having to discard food and medication, and loss of wages; and

**WHEREAS**, adding to the concern, Ocean County is also home to more than 200,000 senior citizens who are often more reliant on medical devices that use power for their health needs, and are on fixed incomes that do not allow for extra money to replace food and prescriptions spoiled by power outages or any challenges poses by utility issues; and

**WHEREAS**, utility interruptions can also create safety hazards for residents and visitors along with the additional strain emergency responders are tasked with in assisting during these times; and

**WHEREAS**, the current sitting members of the Board of Public Utilities are from Essex, Camden, Morris, and Somerset Counties; and

**WHEREAS**, without a voice on the BPU, Ocean County and similar coastal communities face an uphill battle with utility companies in getting help for residents and businesses; and

**WHEREAS**, coastal counties like Ocean have unique characteristics – from its land size, population shifts based on time of year, both economically and geographically – that the current members of the BPU are not as familiar with as a resident of Ocean County would be; and

**WHEREAS**, in the absence of a member from Ocean County, the BPU in the meantime, should designate one of its current members as liaison to the area in order to address concerns.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

1. That the Township hereby urges the Board of Public Utilities to designate a qualified individual from Ocean County in order to assure representation of the interest of the residents and businesses of Ocean County and all shore communities.
2. That the Township urges Governor Murphy and the Senate recognize that as the population continues to grow, and people continue to move to Ocean County to raise a family or retire, the need for representation on the BPU also increases providing coastal communities with a needed voice on the Board, and in the absence of a member from the Jersey Shore, the BPU, at a minimum, should designate a liaison to this area to address ongoing concerns.
3. That certified copies of this resolution shall be forwarded to Governor Phil Murphy, the State Board of Public Utilities, and Ocean County Mayors.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1<sup>st</sup> of JUNE, 2023**.

\_\_\_\_\_  
**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

**RESOLUTION NO. 2023-209**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
APPROVING ESTIMATED TAX RATE AND TAX LEVY LIST**

**WHEREAS**, the Township of Plumsted Tax Collector and Chief Financial Officer have computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies, which is attached hereto as Schedule “A”; and

**WHEREAS**, in accordance with Chapter 72, P.L. 1994, the Governing Body of the Township of Plumsted is permitted to approve the estimated tax levy listed below in order for the Township to meet its financial obligations, maintain the tax collection rate, and provide uniformity for tax payments.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

1. That the Plumsted Township Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Township for the third installment of 2023 taxes. The Tax Collector shall proceed upon approval from the Director and take such actions as are permitted and required by P.L. 1993, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. That the entire tax levy for 2023 is hereby set at \$22,358,839.11, and the estimated tax rate set at 2.851.
3. That in accordance with law, the third installment of 2023 taxes shall not be subject to interest until the later of August 7 or the twenty-fifth calendar day after the date the estimated tax bills are mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.
4. That a certified copy of this resolution shall be forwarded to the Plumsted Township Tax Collector, the Chief Financial Officer and the Ocean County Board of Taxation.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1<sup>st</sup> of JUNE, 2023.**

---

**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

RESOLUTION NO. 2023 - 209  
SCHEDULE A

PLUMSTED TOWNSHIP  
CALCULATION OF THE 2023 ESTIMATED TAX RATE

2022 Township Levy \$2,576,281.32 (Incl Open Space Tax)  
2022 School Levy \$12,882,551.00  
2022 Fire District Levy \$1,927,855.38  
2021 County Levy \$3,525,152.15

<u>2022 TAX LEVY &amp; TAX RATE</u>			<u>ESTIMATED RANGE FOR 2023 TAX LEVY</u>		
	<u>LEVY</u>			<u>95%</u>	<u>105%</u>
LOCAL & OPEN SPACE	\$2,628,002.88	0.336	LOCAL & OPEN SPACE	\$2,496,602.74	\$2,759,403.02
SCHOOL	\$13,296,003.00	1.699	SCHOOL	\$12,631,202.85	\$13,960,803.15
FIRE	\$2,069,268.00	0.265	FIRE	\$1,965,804.60	\$2,172,731.40
COUNTY	\$3,673,989.47	0.47	COUNTY	\$3,490,290.00	\$3,857,688.94
TOTALS	\$21,667,263.35	2.77		\$20,583,900.18	\$22,750,626.52

2023 Ratable Base \$784,267,800.00

2023 ESTIMATED TAX RATE

Amount to be raised by taxation:		Tax Rate:	
LOCAL & OPEN SPACE	\$2,638,955.78	0.3364866	(2023 Municipal & Open Space Levy)
SCHOOL	\$13,561,923.06	1.7292464	(2023 School Levy)
FIRE	\$2,410,491.00	0.3073556	(2023 Fire Levy) *Referendum
COUNTY	\$3,747,469.27	0.4778303	(2023 County Levy)
TOTALS	\$22,358,839.11	\$ 2.8509	Estimated Rate
		\$2.851	Rounded Rate

PREPARED AND  
CERTIFIED BY:

  
Sharon Gower  
Chief Financial Officer

  
Kelly Creighton  
Tax Collector



**RESOLUTION NO. 2023-210**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, SUPPORTING THE NEW JERSEY FOREST FIRE SERVICE AND FUELS MITIGATION PROJECTS USING PRESCRIBED FIRE AND OTHER TREATMENTS**

**WHEREAS**, the New Jersey Forest Fire Service (hereinafter “Fire Service”), a division of the Department of Environmental Protection, has been protecting the residents of this State from catastrophic wildfires since its inception in 1906; and

**WHEREAS**, wildfires pose a significant threat to human life and to improved Property within the Pinelands National Reserve; and

**WHEREAS**, the Fire Service has had success mitigating the threats from wildfires using techniques such as prescribed fire and mechanical fuel reduction; and

**WHEREAS**, the Fire Service recently contained a 11,129-acre fire in Washington, Shamong, and Hammonton Townships; 418-acre and 1607-acre wildfires along Route 539 in Little Egg Harbor Township; and a 257-acre wildfire in Washington Township; and

**WHEREAS**, the governing body desires to support the Fire Service and its efforts in mitigating threats from wildfires using ongoing mitigation projects utilizing prescribed fire, mechanical fuel reduction, as well as the maintenance and construction of new and established fire breaks.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

1. That the governing body does hereby support the New Jersey Forest Fire Service and its efforts in mitigating threats from wildfires using ongoing mitigation projects, utilizing prescribed fire, mechanical fuel reduction, and the maintenance and construction of new and established fire breaks, which provide safety to the residents of the Township.
2. That a certified copy of this resolution shall be forwarded to the New Jersey Department of Environmental Protection, the New Jersey Forest Fire Service, Governor Murphy, 12th District Legislators, the Ocean County Board of Commissioners, and Plumsted Township Fire District #1.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

I, **JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the 1<sup>st</sup> of **JUNE, 2023**.

\_\_\_\_\_  
**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

**RESOLUTION NO. 2023-211**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED, COUNTY OF  
OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE REFUND  
OF UNUSED ESCROWS TO MVG GROUP USA, INC.**

**WHEREAS**, in accordance with the Township's request, MVG Group USA, Inc. posted escrow funds for Block 54, Lots 11 & 15 on the tax map of the Township of Plumsted; and

**WHEREAS**, MVG Group USA, Inc. has requested by email to Plumsted Township, as shown on the attached Schedule "A," a refund of unused escrow in the amount of:

**Block 54, Lots 11 & 15    \$1,715.50**

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and Township Committee do hereby authorize the refund of escrow fees in an amount not to exceed \$1,715.50 in accordance with Schedule "A," attached hereto and made a part hereof.
2. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following is the line item appropriation which constitutes the availability of funds for this refund:

**RESERVE FOR LAND USE BOARD ESCROWS**

**T15-56-850-805**

**Amount Not to Exceed \$1,715.50**

3. That a certified copy of this resolution be forwarded to the Chief Financial Officer and MVG Group USA, Inc.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1st** day of **JUNE, 2023**.

\_\_\_\_\_  
**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

**Municipal Clerk**

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**From:** Daniel Chovnick <daniel@isf-mgmt.com>  
**Sent:** Friday, April 21, 2023 1:45 PM  
**To:** Cyndi MacReynolds -- Police Sec.; Nadene Cicero - Deputy Municipal Clerk; Municipal Clerk; Sharon Gower  
**Cc:** Richard Pulaski; Michael Goldstein  
**Subject:** application #4251600

To whom it may concern,

In regards to the township development application prepared by FWH Associates, P.A., dated October 5, 2021. I hereby, as the owner of the lots, would like to withdraw this application from record and request that any remaining escrow funds ,if any, that were deposited with the township for said application be refunded.

Please let me know if you have any questions

Thank you

--

Regards,

Daniil Chovnyk, CFA  
Managing Partner  
[isf-mgmt.com](mailto:daniel@isf-mgmt.com)  
ISF Management  
917.804.8753

FWH Associates		4 Hawkin Road		732-797-3100	
Preliminary & Final Site Inspection REVIEW					
BLOCK 54 LOT 11 & 15					
INVOICE		DEPOSIT	ATTORNEY	ENGINEER	BALANCE
12/7/2021	DEPOSIT	\$ 5,000.00			\$ 5,000.00
2/3/2022	1130312		\$ 256.00		\$ 4,744.00
2/3/2022	ERI 88679			\$ 1,772.50	\$ 2,971.50
3/3/2022	Dasti 113533		\$ 48.00		\$ 2,923.50
5/5/2022	Dasti 114693		\$ 176.00		\$ 2,747.50
6/2/2022	ERI 89952			\$ 600.00	\$ 2,147.50
6/2/2022	Dasti 115169		\$ 432.00		\$ 1,715.50

FWH Associates 4 Hawkin Road			
Preliminary & Final Site Inspection MISC Deposits BLOCK 54 LOT 11 & 15			
		INVOICE	DEPOSIT
12/7/2021	Application Fee	\$ 750.00	Ck#3320



**RESOLUTION NO. 2023-212**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING A TEMPORARY INCREASE IN HOURS  
FOR BRANDI ROBBINS AS PART-TIME CLERK TYPIST**

**WHEREAS**, Resolution No. 2021-336 appointed Brandi Robbins as part-time clerk typist for the Township of Plumsted; and

**WHEREAS**, due to a vacancy in the finance office, there is a need to temporarily appoint a part-time clerk typist until an assistant treasurer is appointed; and

**WHEREAS**, Brandi Robbins currently works in the tax office as a part-time clerk typist; and

**WHEREAS**, the Chief Financial Officer has requested Brandi Robbins temporarily work additional hours in the finance office as needed; and

**WHEREAS**, the Mayor and Township Committee approve Brandi Robbins to temporarily work up to 40 hours per week at the rate of \$17.00 per hour, without benefits until an assistant treasurer is appointed.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of Plumsted Township, County of Ocean, State of New Jersey as follows:

1. That the Mayor and Township Committee do hereby authorize Brandi Robbins to increase her hours to up to 40 hours per week as part-time clerk typist in the tax office and the finance office.
2. Brandi Robbins is approved to work the additional hours at a rate of \$17.00 per hour, without any benefits, in performance of her duties as part-time clerk typist for the Township of Plumsted.
3. That certified copies of this resolution shall be forwarded to the Plumsted Township Finance Office and Brandi Robbins.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1<sup>ST</sup>** day of **JUNE, 2023**.

---

**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

**RESOLUTION NO. 2023-214**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RENEWAL OF CERTAIN CLUB LICENSES, PLENARY RETAIL CONSUMPTION LICENSES, PLENARY RETAIL DISTRIBUTION LICENSES AND POCKET LICENSES WITHIN THE TOWNSHIP OF PLUMSTED**

**WHEREAS**, following applicants have each filed applications for renewal of their liquor licenses in accordance with the rules and regulations of the Division of Alcoholic Beverage Control:

Club License: New Egypt Elks Lodge No. 2457 (1523-31-005-003)  
McKaig Test Mullen Post #455 American Legion (1523-31-004-001)

Plenary Retail Consumption: Kyki, Inc., T/A Plumsted Grill (1523-33-002-008)  
Wilcove Holdings, LLC T/A Kovacs Corner Bar and Grill  
(1523- 33-003-003)

Plenary Retail Distribution: Plumsted Wine & Liquors (1523-44-007-005)

Pocket License: Downtown NE, Inc (1523-33-001-006)

**WHEREAS**, the requisite fees have been paid to the Township of Plumsted for license renewals; and

**WHEREAS**, the Plumsted Township Police Department has found no incidents that would affect the renewal of the license renewals as indicated in the attached Schedule "A"; and

**WHEREAS**, no written objections to the renewal of their licenses have been filed with the Township Clerk.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

**1.** That the Mayor and Township Committee do hereby authorize the renewal of the following club, plenary retail consumption and plenary retail distribution licenses in accordance with the provisions of New Jersey Statutes and New Jersey Administrative Code:

Club License: New Egypt Elks Lodge No. 2457 (1523-31-005-003)  
McKaig Test Mullen Post #455 American Legion (1523-31-004-001)

Plenary Retail Consumption: Kyki, Inc., T/A Plumsted Grill (1523-33-002-008)  
Wilcove Holdings, LLC T/A Kovacs Corner Bar and Grill  
(1523- 33-003-003)

Plenary Retail Distribution: Plumsted Wine & Liquors (1523-44-007-005)

Pocket License: Downtown NE, Inc (1523-33-001-006)

2. That the Township Clerk is hereby authorized and directed to issue liquor licenses for the fiscal year beginning July 1, 2023 for the establishments named here.

3. That a certified copy of this resolution shall be forwarded to the Division of Alcoholic Beverage Control.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

I, **JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1st** day of **JUNE, 2023**.

**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

PLUMSTED TOWNSHIP POLICE DEPARTMENT

Earl E. Meroney Jr.  
Chief of Police

May 30, 2023



Earl E. Meroney Jr.  
Chief of Police

May 30, 2023

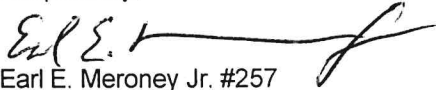
Dear Mayor Bowen and Committee,

This memorandum is in reference to the 2023/2024 ABC Licenses renewals for the following establishments within Plumsted Township:

- Sai Namah, LLC (T/A Plumsted Wines & Liquors-Retail Distribution **1523-44-007-005**)
- Kyki, Inc T/A Plumsted Grill (Retail Consumption License **1523-33-002-008**)
- New Egypt Elks (Club License **1523-31-005-003**)
- Kovacs Corner (Retail Consumption License **1523-33-003-003**)
- Downtown NE, Inc (Pocket License **1523-33-001-006**)
- McKaig Test Mullen Post #433 American Legion (Club License **1523-31-004-001**)

After further review there have been no police related incidents in the past year with the above locations that would affect their licenses renewal.

Respectfully,

  
Earl E. Meroney Jr. #257  
Chief of Police  
Plumsted Police Department

**RESOLUTION NO. 2023-215**

**TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN  
STATE OF NEW JERSEY, RESOLUTION AUTHORIZING THE  
EXECUTION OF AN AGREEMENT WITH DILWORTH  
PAXSON LLP, AS BOND COUNSEL FOR THE  
TOWNSHIP OF PLUMSTED**

**WHEREAS** on January 2, 2023 the law firm of GluckWalrath LLP was appointed as Bond Counsel; and

**WHEREAS** on June 1 2023, the law firm of GluckWalrath LLP will become affiliated with the firm of Dilworth Paxson LLP; and

**WHEREAS** the governing body desires to amend the appointment of Bond Counsel, and to enter into an agreement to reflect the affiliation of GluckWalrath with Dilworth Paxson LLP.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

1. Effective immediately, the law firm of Dilworth Paxson LLP is hereby retained for the provision of bond counsel services for the balance of the one-year term ending December 31, 2023, pursuant to an agreement that shall include the same terms, fees and conditions of the agreement previously authorized on January 2, 2023 for the calendar year 2023.
2. The Mayor is hereby authorized to execute and the Township Clerk to attest to, respectively, the execution of said agreement with the law firm of Dilworth Paxson LLP.
3. This resolution shall take effect immediately.
4. That a certified copy of this resolution shall be forwarded by the Township Clerk to the Chief Financial Officer and to Michael H. Gluck, Esquire.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

I, **JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at the Meeting held on the 1<sup>st</sup> day of **JUNE, 2023**.

---

**JENNIFER WITHAM, RMC, CMR**  
**MUNICIPAL CLERK**



**RESOLUTION NO. 2023-216**  
**RESOLUTION OF THE TOWNSHIP OF PLUMSTED,**  
**COUNTY OF OCEAN, STATE OF NEW JERSEY,**  
**AUTHORIZING PAYMENT OF UNUSED**  
**LEAVE TIME FOR TARA OLIVER**

**WHEREAS,** Tara Oliver, former Assistant Municipal Treasurer for Plumsted Township, no longer works for the township effective May 4, 2023; and

**WHEREAS,** it is the desire of the Mayor and Township Committee to authorize payment of 7.5 days of unused vacation, 1 unused floating holiday and 14 hours of unused personal time for Tara Oliver as set forth in the attached Schedule "A".

**NOW, THEREFORE BE IT RESOLVED,** by the Mayor and Township Committee of Plumsted Township, County of Ocean, State of New Jersey as follows:

- 1.** That Tara Oliver no longer works for the township effective May 4, 2023.
- 2.** That the Mayor and Township Committee hereby authorize payment for 7.5 days of unused vacation, 1 unused floating holiday and 14 hours of unused personal time for Tara Oliver as set forth in the attached Schedule "A".
- 3.** That certified copies of this resolution shall be forwarded to the Plumsted Township Finance Office and Tara Oliver.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM,** Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1<sup>ST</sup>** day of **JUNE, 2023.**

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**JENNIFER WITHAM, RMC, CMR**  
**Municipal Clerk**

## Municipal Clerk

---

**From:** Sharon Gower - CFO  
**Sent:** Wednesday, May 31, 2023 2:41 PM  
**To:** Municipal Clerk  
**Subject:** RE: Oliver Leave Balance for Reimbursement

2022 hourly rate was \$19.62  
2023 hourly rate was \$26.48

2022 vacation = \$618.03  
2023 holiday = \$185.36  
2023 personal= \$370.72  
2023 vacation= \$556.08

Total= \$1,730.19

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**From:** Municipal Clerk  
**Sent:** Wednesday, May 31, 2023 2:14 PM  
**To:** Sharon Gower - CFO <cfo@plumsted.org>  
**Subject:** Oliver Leave Balance for Reimbursement

The following are hours reimbursable as of Tara Oliver's termination date of May 4<sup>th</sup>:

4.5 vacation days from 2022 (used 2.5 vacation days in February 2023)  
3 vacation days from 2023 (includes earned as of May 2023)  
14 personal hours (2 days)  
1 floating holiday (1 day)

She would not be eligible for any sick or flex time balances.

Please advise the amount she would be reimbursed so that I may include it in the resolution.

Thank you,

Jennifer Witham, RMC, CMR  
she/her  
Municipal Clerk/Business Administrator  
Township of Plumsted  
121 Evergreen Rd  
New Egypt, NJ 08533  
609/758-2241, ext 101  
fax 609/758-0123

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**RESOLUTION NO. 2023-217**

**RESOLUTION OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF CHANGE ORDER #1 TO THE CONTRACT WITH C. STEVENSON & SON FOR THE SANITARY SEWER CONNECTIONS PROJECT**

**WHEREAS**, by Resolution 2022-344, adopted on November 3, 2022, the Plumsted Township Committee awarded a Contract to C. Stevenson & Son for the Sanitary Sewer Connections Project in the amount of \$152,496.00; and

**WHEREAS**, the Mayor and Township Committee wish to authorize Change Order #1 which will result in an increase of \$9,141.56, consisting of the costs related to the rerouting of the force main piping at Recreation Park due to the anticipated costs associated with the traffic control required by the County, as set forth in the attached Schedule "A," resulting in an adjusted contract price of \$161,637.56; and

**WHEREAS**, this change order has been recommended by the Township Engineer and agreed to by the contractor; and

**WHEREAS**, this change order totals less than 20% of the original contract amount.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Plumsted, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and Township Committee of the Township of Plumsted, do hereby authorize Change Order #1 to the contract with C. Stevenson & Son for the Sanitary Sewer Connections Project, which will result in an increase of \$9,141.56, consisting of the costs related to the rerouting of the force main piping at Recreation Park due to the anticipated costs associated with the traffic control required by the County, as set forth in the attached Schedule "A," resulting in an adjusted contract price of \$161,637.56.

2. That the Mayor is hereby authorized to execute, and the Municipal Clerk is hereby authorized attest to, Change Order #1 to the contract with C. Stevenson & Son, in accordance with the provisions of this resolution.

3. That nothing herein contained shall be deemed a waiver by the Township of any claims it currently possesses, or may possess in the future, regarding this contract, the existing insurance policy, performance and payment bond, and any other rights, privileges or remedies otherwise available to it.

4. That a certified copy of this resolution, together with Change Order No. 1 to the contract between the parties, shall be forwarded by the Municipal Clerk to Chief Financial Officer Sharon Gower, the Township Engineer, and C. Stevenson & Son.

NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES					
ABSTAIN					
NAYS					
ABSENT					

**CERTIFICATION**

**I, JENNIFER WITHAM**, Municipal Clerk of the Township of Plumsted, do hereby certify that the foregoing resolution was duly adopted by the Plumsted Township Committee at a meeting held on the **1<sup>ST</sup>** day of **JUNE, 2023**.

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**JENNIFER WITHAM, RMC**  
**Municipal Clerk**

Christopher J. Noll, PE, CME, PP  
*President & CEO*

William H. Kirchner, PE, CME, N-2  
*Vice President*

Rakesh R. Darji, PE, PP, CME, CFM  
*Vice President/Treasurer*

Benjamin R. Weller, PE, CME, CPWM, S-3, C-3  
*Secretary*



Joseph P. Orsino, Jr. CET, *Vice President*

Harry R. Fox, NICET III

G. Jeffrey Hanson, PE, CME

Joseph R. Hirsh, PE, CME, CPWM

C. Jeremy Noll, PE, CME, CPWM

Marc H. Selover, LSRP, PG

May 2, 2023  
42515 00

**RESOLUTION NO. 2023 - 217**  
**SCHEDULE A**

Re: Sanitary Sewer Connections Project  
Township of Plumsted  
***Change Order #1***

**SENT VIA EMAIL**

Ms. Jennifer Witham, RMC, CMR  
Municipal Clerk/Business Administrator  
Plumsted Township  
121 Evergreen Road  
New Egypt, NJ 08533

Dear Ms. Witham:

Enclosed please find Change Order #1 for the above referenced project. The Change Order is for the additional labor and materials required for the re-routing of the sanitary sewer force main. The force main was re-routed to avoid significant costs associated with closing Brindletown Road for traffic control as required by the County. This alternate route required additional length of force main, however, the bulk of the work was completed with topsoil and seed restoration instead of asphalt. We also installed the piping necessary for the future connection of the Public Works building at the end of Pine Street. In addition, we upgraded the control box for the pump station to stainless steel in lieu of plastic because of the public location where it had to be installed.

The change order results in a net addition of \$9,141.56, or 5.99%, to the base contract price of \$152,496.00 to an adjusted contract price of \$161,637.56.

The Contractor and I have signed the Change Order Form. If you have any other questions, or require additional information, please do not hesitate to contact our office.

Sincerely,

Joseph R. Hirsh, PE, CME  
Township Engineer

Enclosures

cc: Sharon Gower, CFO  
42515 00 change order1 2023-05-02



SANITARY SEWER CONNECTIONS PROJECT  
PLUMSTED TOWNSHIP  
42515 00  
05/01/23  
CHANGE ORDER #1

CONTRACTOR:

C. Stevenson & Son  
950 Mt. Holly Road  
Edgewater Park, NJ 08010

IT IS HEREBY AGREED ON MAY 1, 2023, SUBJECT TO THE PROVISIONS OF THE CONTRACT AND SPECIFICATIONS TO MAKE THE FOLLOWING CHANGES:

ITEM	DESCRIPTION	UNIT PRICE	QUANTITY CHANGE	ADDITIONS	REDUCTIONS
C1a	Recreation Field - Additional Labor to reroute	4,405.00	1.00 LS	\$4,405.00	
C1b	Recreation Field - Additional Materials to reroute	1,824.18	1.00 LS	\$1,824.18	
C1c	Recreation Field - Additional Bond costs to reroute	934.38	1.00 LS	\$934.38	
C1d	Recreation Field - Upgraded Electrical Box	1,978.00	1.00 Units	\$1,978.00	

\$9,141.56 \$0.00

ADJUSTMENT TOTAL: \$9,141.56

BASE CONTRACT PRICE: \$152,496.00

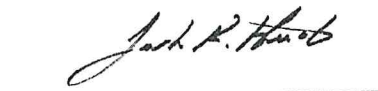
ADDITIONS: \$9,141.56

REDUCTIONS: \$0.00

ADJUSTED CONTRACT PRICE: \$161,637.56

% CONTRACT ADJUSTMENT 5.99%

  
C. STEVENSON & SON

  
JOSEPH R. HIRSH, P.E.

PLUMSTED TOWNSHIP

Robert Bowen, Mayor  
Herbert Marinari, Deputy Mayor  
Dominick Cuzzo, Committeeman  
Leonard Grilletto, Committeeman  
Michael Hammerstone, Committeeman

*Township of Plumsted*



The States Center

121 Evergreen Road  
New Egypt, NJ 08533  
609-758-2241  
609-758-0123 (fax)  
[www.plumsted.org](http://www.plumsted.org)

TO: Mayor & Township Committee  
FROM: Finance Department  
DATE: May 30, 2023  
RE: Bill List – Meeting June 1, 2023

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CURRENT FUND 2022	\$ 65,316.44
CURRENT FUND 2023	\$ 1,401,284.67
GRANT FUND	\$ 2,112.00
GENERAL CAPITAL FUND	\$ 38,911.03
(Capital Fund includes \$22,479.50- PMUA)	
DOG TRUST (T-12)	\$ 1,992.60
TRUST OTHER FUND (T-15)	\$ 131,424.44
<b>TOTAL OF ALL FUNDS</b>	<b>\$ 1,641,041.18</b>

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**PAYROLL**

**May 2023**

CURRENT FUND	\$ 151,003.12
GRANT FUND	\$ 1,809.32
TRUST OTHER FUND	\$ 14,100.00
<b>TOTAL</b>	<b>\$ 166,912.44</b>

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<b>GRAND TOTAL</b>	<b>\$ 1,807,953.62</b>
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**Ratifying-**

<b>PO23-00349</b>	<b>Ocean Co. Joint Insurance Fund</b>	<b>\$ 83,503.00</b>
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P.O. Type: All

Open: N

Paid: N

Void: N

Rcvd: Y

Held: Y

Aprv: N

Range: First to Last

Format: Condensed

Bid: Y

State: Y

Other: Y

Exempt: Y

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
20-00884	12/15/20	10064	T & M ASSOCIATES	CONSTRUCTION ADMIN- WWT	Open	479.50	0.00 B
21-00602	09/01/21	DEWBE005	DEWBERRY ENGINEERS INC	PD CULVERT REPLACEMENT	Open	750.00	0.00 B
21-00809	11/03/21	DEWBE005	DEWBERRY ENGINEERS INC	TOWER RD NJDOT 2020 ADMIN/INSP	Open	390.00	0.00 B
21-00810	11/03/21	DEWBE005	DEWBERRY ENGINEERS INC	HOPKINS NJDOT 2021 ADMIN/INSP	Open	390.00	0.00 B
22-00891	10/31/22	WIREL010	WIRELESS ELECTRONICS, INC	ETICKET MACHINES	Open	11,163.30	0.00 B
22-00970	11/03/22	CSTEV005	C. STEVENSON & SON, INC.	SEWER CONNECTION - 4 LOCATIONS	Open	65,136.44	0.00 B
23-00017	01/19/23	10181	DEPTCOR	STREET SIGN	Open	161.00	0.00
23-00146	02/16/23	11305	ACE OUTDOOR POWER EQUIPMENT	POLE SAW - PB&G	Open	545.09	0.00
23-00177	02/02/23	ONSIT005	ON-SITE LANDSCAPE MANAGEMENT	GROUNDS MAINTENANCE 2023	Open	3,973.41	0.00 B
23-00197	02/10/23	TEAML005	TEAM LIFE, INC	DEFIBRILLATOR SUPPLIES - PD	Open	1,322.00	0.00
23-00219	02/21/23	STA02	STATE TOXICOLOGY LABORATORY	RANDOM TESTING - PD	Open	180.00	0.00
23-00253	03/14/23	ZOOMV005	ZOOM VIDEO COMMUNICATIONS, INC	(A) ZOOM 2023-2024	Open	149.00	0.00
23-00274	03/22/23	00016	COUNTY OF OCEAN	SCHEDULE C 2023- Q1	Open	649.46	0.00 B
23-00284	03/28/23	10257	DON E. MILLER SEPTIC SVC, INC.	PORT O POT -SOFTBALL APR & MAY	Open	320.00	0.00 B
23-00305	03/29/23	10037	M.D. AUTO SERVICE	CHEVY F-150 -WHEEL ASBLY -PB&G	Open	747.00	0.00
23-00325	03/30/23	10230	TREASURER, STATE OF NEW JERSEY	STORMWATER DISCHARGE PERMIT	Open	500.00	0.00
23-00334	03/27/23	10813	SIRCHIE FINGER PRINT LABS INC	EVIDENCE BAGS/RECORDS BOX	Open	288.60	0.00
23-00351	04/21/23	10656	OFFICE BASICS	JANITORIAL SUPPLIES - PB&G	Open	92.77	0.00
23-00374	04/24/23	NEWEG005	PFO, LLC	HEATING OIL - PD	Open	314.41	0.00
23-00375	04/24/23	10043	NJ LEAGUE OF MUNICIPALITIES	NJLM CONFERENCE -TAX COLLECTOR	Open	125.00	0.00
23-00380	04/30/23	MATTH010	MATTHEW RACK	(M) MILEAGE - RACK -APRIL 2023	Open	70.09	0.00
23-00382	04/05/23	10097	NJ STATE ASSOC CHIEFS OF POLIC	(A) PROGRAM FEE 2023	Open	1,332.00	0.00
23-00383	04/03/23	10097	NJ STATE ASSOC CHIEFS OF POLIC	CHIEFS CONFERENCE - MERONEY	Open	425.00	0.00
23-00384	04/04/23	RR01	R&R RADAR INC	(A) RADAR CONTRACT 2023-2024	Open	1,191.90	0.00
23-00385	04/30/23	RALPH010	RALPH ROSAMILIA	MILEAGE - ROSAMILIA - APR 2023	Open	209.60	0.00
23-00386	05/01/23	MONIC005	MONICA PODGURSKI	SEWER LOAN PROGRAM -BL 30 LT 4	Open	4,000.00	0.00
23-00387	04/30/23	11005	NJ DEPT OF HEALTH & SR SVCS	MONTHLY DOG LICENSE - APR 2023	Open	42.60	0.00
23-00388	05/08/23	10112	TCTA OF NJ	2023 MEMEBERSHIP- K CREIGHTON	Open	100.00	0.00
23-00390	05/10/23	ENVIR005	ENVIRONMENTAL RESOLUTIONS, INC	PROFESSIONAL SERVICES-ENGINEER	Open	5,843.75	0.00
23-00391	05/05/23	ATFMO005	AT&T-MOBILITY LLC	CELL PHONES & AIR CARDS- APRIL	Open	504.69	0.00
23-00392	02/23/23	10003	ANJEC	2023 ANNUAL DUES- ENVIR COMM	Open	400.00	0.00
23-00393	05/11/23	10227	BOMAR PRINTING	SOS NEWSLETTER- JUNE 2023	Open	597.00	0.00 B
23-00394	04/26/23	10921	JERSEY CENTRAL POWER & LIGHT	(M) ELECTRIC/STREET APR 2023	Open	7,726.63	0.00
23-00395	05/04/23	AMAZO005	AMAZON CAPITAL SERVICES, INC.	MEMORIAL DAY STICK FLAGS	Open	78.99	0.00
23-00396	05/05/23	BRUNO005	BRUNO ASSOCIATES, INC.	GRANT WRITING SERVICE-APR 2023	Open	3,000.00	0.00
23-00397	05/09/23	MVGGR005	MVG GROUP USA INC	REFUND OF ESCROW BL 54 LT11&15	Open	1,715.50	0.00
23-00398	05/03/23	49MEA005	49 MEADOWBROOK LN LLC	SEWER LOAN PROGRAM- BL24 LT12	Open	10,000.00	0.00
23-00399	05/09/23	JUNGH005	JUNG HYUN CHO	SEWER LOAN PROGRAM-BL 24 LT 46	Open	4,000.00	0.00
23-00400	05/09/23	JUNGH005	JUNG HYUN CHO	SEWER LOAN PROGRAM-BL 24 LT 45	Open	4,000.00	0.00
23-00401	05/09/23	ROTHS005	ROTHSTEIN MANDELL STROHM &HALM	ATTORNEY SRVS- FEB & MAR 2023	Open	25,665.00	0.00
23-00402	05/05/23	COM01	COMCAST	PHONE/INTERNET- MAY 2023	Open	1,686.32	0.00
23-00403	05/22/23	NANCY005	NANCY SANDOVAL AREVALO	SEWER LOAN PROGRAM-BL 29 LT 22	Open	3,738.23	0.00
23-00406	05/25/23	10191	DASTI, MURPHY, MCGUCKIN, ULAKY	ESCROW INVOICES- MAY 2023	Open	3,162.00	0.00
23-00407	05/25/23	RICHA010	RICHARD KELLY	PROSECUTOR- APR & MAY 2023	Open	1,000.00	0.00
23-00409	05/09/23	AMAZO005	AMAZON CAPITAL SERVICES, INC.	OFFICE SUPPLIES- PD/FINANCE	Open	48.74	0.00
23-00421	04/30/23	MOR02	CYNTHIA MacREYNOLDS	MILEAGE- C MACREYNOLDS	Open	10.48	0.00
23-00422	04/19/23	10189	JAMES HENDRICKSON	JANITORIAL SUPPLIES- DRUG ALL	Open	59.97	0.00
23-00423	05/20/23	00022	SENIOR OUTREACH SERVICES	SENIOR SERVICES- Q2 2023	Open	500.00	0.00
23-00424	05/03/23	LDIND005	L&D INDUSTRIES LLC	DRUG ALLIANCE EVENT 6/1/2023	Open	1,015.00	0.00
23-00425	05/05/23	ASSOC010	ASSOCIATED HUMANE SOCIETIES,IN	ANIMAL CONTROL- APRIL 2023	Open	975.00	0.00

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
23-00426	05/20/23	00011	PLUMSTED TOWNSHIP SCHOOL	SCHOOL TAX PAYMENT- JUNE 2023	Open	1,108,100.00	0.00
23-00427	05/05/23	10179	PLUMSTED TWP FIRE DISTRICT 1	FIRE TAXES- JUNE 2023	Open	209,233.00	0.00
23-00434	05/10/23	10076	ASBURY PARK PRESS (dba)	PUBLIC NOTICES- CLERKS OFFICE	Open	103.84	0.00
23-00436	05/05/23	10821	CENTRAL JERSEY HEALTH INS.FUND	HEALTH INSURANCE- MAY(BAL)& JUN	Open	27,750.53	0.00
23-00438	04/28/23	10665	ADP, INC.	PAYROLL PROCESSING- APRIL 2023	Open	465.51	0.00
23-00441	05/10/23	QUADI005	QUADIENT, INC.	POSTAGE METER RENTAL- 2023	Open	456.26	0.00
23-00443	05/02/23	10659	NJ DIVISION OF MOTOR VEHICLES	JUNK TITLES- TOW YARD VEHICLES	Open	24.00	0.00
23-00444	05/11/23	10659	NJ DIVISION OF MOTOR VEHICLES	2022 CHEVY TAHOE REGISTRATION	Open	60.00	0.00
23-00445	05/25/23	10858	REBECCA NOWALSKI	PHOTOS- MEMORIAL DAY PARADE	Open	250.00	0.00
23-00447	03/14/23	WIT01	JENNIFER WITHAM	MILEAGE- J. WITHAM	Open	51.75	0.00
23-00449	05/23/23	10132	WEX BANK	GASOLINE- MAY 2023	Open	3,997.79	0.00
23-00450	05/26/23	AET01	AETNA	DENTAL- JUNE 2023	Open	1,727.60	0.00
23-00451	05/26/23	10897	HOME DEPOT	STORE CHARGES- MAY 2023	Open	36.76	0.00
23-00457	05/20/23	FRESH005	FRESH CLEANING SERVICES LLC	CLEANING- MAY 2023	Open	1,437.50	0.00
23-00458	05/31/23	ASSOC010	ASSOCIATED HUMANE SOCIETIES,IN	ANIMAL CONTROL- MAY 2023	Open	975.00	0.00
23-00459	05/26/23	GREYM005	GREYMOOR LLC	TAX SALE REDEMPTION #20-00016	Open	85,368.79	0.00
23-00460	05/26/23	TLOAO005	TLOA OF NJ LLC	TAX SALE REDEMPTION #21-00011	Open	29,201.47	0.00
23-00461	05/26/23	11078	CRYSTAL SPRINGS	(M) WATER DELIVERY - APR 2023	Open	54.93	0.00
23-00463	05/24/23	SHARO005	SHARON GOWER	MILEAGE TRAINING- S. GOWER	Open	53.71	0.00
23-00464	05/30/23	NEW01	NEW JERSEY AMERICAN WATER	(M) WATER - MAY 2023	Open	585.10	0.00
23-00465	05/30/23	10987	VERIZON	(M) PHONE/INTERNET -MAY 2023	Open	332.17	0.00
Total Purchase Orders:		71	Total P.O. Line Items:	0	Total List Amount:	1,641,041.18	Total Void Amount: 0.00

Totals by Year-Fund						
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total
CURRENT FUND BUDG	2-01	65,316.44	0.00	65,316.44	0.00	65,316.44
CURRENT FUND BUDG	3-01	1,401,284.67	0.00	1,401,284.67	0.00	1,401,284.67
GENERAL CAPITAL F	C-04	38,911.03	0.00	38,911.03	0.00	38,911.03
STATE & FEDERAL G	G-02	2,112.00	0.00	2,112.00	0.00	2,112.00
DOG TRUST	T-12	1,992.60	0.00	1,992.60	0.00	1,992.60
TRUST OTHER BUDGE	T-15	131,424.44	0.00	131,424.44	0.00	131,424.44
Year Total:		133,417.04	0.00	133,417.04	0.00	133,417.04
Total of All Funds:		1,641,041.18	0.00	1,641,041.18	0.00	1,641,041.18



## MAY 2023

DEPT NAME	ADP CODE	BUDGET CODE	MAY 2023	TOTAL PER FUND
Mayor & Committee		x-01-20-110-111	\$0.00	
Municipal Clerk/Clerical Staff	101	x-01-20-120-111	\$12,261.90	
Election Pay		x-01-20-120-112	\$0.00	
Clerk--Meetings		x-01-20-120-112	\$0.00	
Clerk- PIO	903	x-01-20-120-113	\$1,076.92	
Assessment Search Officer	201	x-01-20-125-111	\$387.94	
Finance Officers	150	x-01-20-130--111	\$6,968.49	
Purchasing Agent	152	x-01-20-130-113	\$334.70	
Tax Assessor	200	x-01-20-150--111	\$3,138.46	
Business Administrator	105	x-01-20-105-111	\$2,439.90	
Tax Collections	250	x-01-20-145-111	\$6,033.30	
Tax Collections--Office Staff	806	x-01-20-145-113	\$1,075.08	
Tax Search Officer	805	x-01-20-145-112	\$237.02	
Municipal Court Personnel	300	x-01-43-490--111	\$3,053.73	
Municipal Court-Call-Outs	302	x-01-43-490-113	\$160.00	
LUB Secretary	400	x-01-21-180-111	\$339.76	
LUB Meetings		x-01-21-180-113	\$150.00	
Zoning Officer	450	x-01-21-185-111	\$1,727.30	
Code Enforcement Officer	475	x-01-22-195-111	\$549.32	
Rental Inspector	551	x-01-22-200-111	\$863.04	
Mobile Home Inspector	552	x-01-22-196-111	\$235.56	
Construction Office (Inside CAP)	550	x-01-22-195-211	\$0.00	
<b>Construction Office (Outside CAP)</b>	550	x-01-22-195-311	\$12,062.68	
Electrician---Construction Office	553	x-01-22-195-311	\$848.44	
Plumber--Construction Office	554	x-01-22-195-311	\$620.23	
New Hanover UCC SSA	556	x-01-22-195-411	\$914.67	
Public Safety Director	500	x-01-25-240-301	\$0.00	
Police Department Clerk	501	x-01-25-240-111	\$2,720.06	
Police Officers (all)	502/503	x-01-25-240-112	\$72,107.68	
Police Overtime	509/900(OC Reim	x-01-25-240-114	\$5,874.28	
Holiday Pay	507	x-01-25-240-115	\$236.52	
Emergency Management	520	x-01-25-252-111	\$615.38	
Public Buildings & Grounds	775	x-01-26-310-111	\$1,555.23	
Public Buildings & Grounds/Rec(Mtgs)	750/775	x-01-26-310-111	\$0.00	
<b>PBG-Overtime (COVID-19)</b>	778	x-01-26-310-113	\$0.00	
Downtown Economic	804	x-01-20-173-111	\$203.98	\$138,791.57
Clean Communities Coord & DownMaint	GRANT 802/744	G-02-41-770-301	\$241.00	
Recycling Coordinator/Laborers	GRANT 800	G-02-41-701-300	\$1,101.60	
Drunk Driving Enforcement-Grant Fund	GRANT 810	G-02-41-745-301	\$0.00	
Safe & Secure (State)	GRANT	G-02-41-704-327	\$0.00	
Safe & Secure (Local)	GRANT	G-02-41-704-328	\$0.00	
Municipal Drug Alliance (County)	GRANT 704	G-02-41-705-026	\$466.72	\$1,809.32
<b>Municipal Drug Alliance (Local)</b>	<b>GRANT 704</b>	<b>G-02-41-705-029</b>	\$0.00	
PBG-Open Space Trust	TRUST 777(775)	T-15-56-850-813	\$2,000.00	
Off-Duty Patrolman-Trust Other	TRUST 801	T-15-56-850-815	\$11,240.00	\$14,100.00
Off-Duty Patrolman-Taxes	TRUST	T-15-56-850-815	\$860.00	
<b>Public Employee Awards</b>	<b>803</b>	<b>2-01-30-426-111</b>	\$953.40	
Social Security		x-01-36-472-298	\$10,495.45	\$12,211.55
SUI/DUI (Unemployment)		x-01-23-225-297	\$762.70	
	<b>Total S&amp;W &amp; Taxes</b>		<b>\$166,912.44</b>	<b>\$166,912.44</b>