

May 2, 2018
Municipal Building
121 Evergreen Road
New Egypt, NJ 08533

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

STATEMENT: “This meeting is being held in compliance with the Open Public Meetings Act. It was advertised for publication in the Asbury Park Press and posted on the bulletin board.”

THOSE OFFICIALS PRESENT WERE:

COMMITTEEMAN JONES COMMITTEEMAN LOTITO COMMITTEEMAN MARINARI
MAYOR TROTTA BUSINESS ADMIN PEZARRAS DAVID LEUTWYLER, CDC
ATTORNEY KELLY MUNICIPAL CLERK HENDRICKSON

Deputy Mayor Sorchik attended via telephone.

Public Safety Director Galloway, Chief Meroney and Lieutenant Reilly were also in attendance.

Mayor Trotta asked everyone to rise for the flag salute. The invocation was led by Pastor Cuozzo. Prior to the invocation, Mayor Trotta asked everyone to remember Warrant Officer James Casadona in their thoughts and prayers. He was from New Egypt and was recently killed in a helicopter training accident.

Trotta reviewed the agenda. He said there are a couple of proclamations today – Paint the Town Purple for the American Cancer Society and Tick Awareness Month. There is a second reading and public hearing on the Municipal Humane Law Enforcement Officer, which replaces the Animal Cruelty Officer. There is an introduction of the salary ordinance.

Trotta said there are also some routine resolutions, i.e. appointing a volunteer to SOS, authorizing fireworks at Laurita Winery, some items for New Egypt Day, and accepting a grant for bulletproof vests, which saves money for the township while also protecting officers’ lives. There is a resolution opposing the State’s move to legalize recreational marijuana.

There is another resolution for Senate Bill 2029 and Assembly Bill 3859 which would change the law so that municipalities would have to conduct tax assessments every year. It would cost a fortune. The township would have to hire more people. There are already mechanisms in place in the state for reassessment when a municipality gets to a certain percentage of the values. In his opinion, there is no reason to change the law. Payments to the county will increase for deeds that are filed within a certain period of time. It makes no sense. He is asking that the committee oppose the change to the law.

There is a resolution establishing a committee to review and select 457-B providers for employees. That is deferred compensation, similar to a 401K. There is a resolution reappointing Damian Murray as municipal court judge. Business Administrator Scott Pezarras is working with him on his salary, which will be in the salary ordinance.

Trotta said he was asked by the construction official if the permit fees could be waived for the fire department for the demolition of the Plum Tree and the house next door, which they had recently acquired. He said they are a municipal agency, just like the township. They do not pay fees. So the fee was waived by the township and there is a resolution to ratify that. Pezarras said that it does not preclude inspections taking place.

There is a “Click-It or Ticket” resolution for 2018 and an add-on resolution for Safe and Secure Communities grant. The state changed their grant number so the original resolution needs to be amended.

Trotta said there are the normal reports.

Trotta said that something came up last night in the Land Use Board meeting. There is a piece of property that borders Emery’s, Price’s Recycling and EME, amongst others. This property had previously received a variance to split the property into four pieces to build on and one piece that would be given to the township. It was changed last night to three pieces of property to be built on. The township would still get the same piece of property.

Trotta said that the neighbors would like the piece of property that is being donated to the township to be kept as open space or reserved for recreational use. They do not want to see more building there in the future. It is landlocked, so it makes no sense to build on it. He told them that he would talk to the committee about putting some type of restriction on the deed so that a future committee cannot put anything on there. He is not sure when the township will get the deed, but he wanted the committee to know that he made the commitment to consider doing that.

Committeeman Lotito asked how big the parcel is. Trotta said it is a 10 acre piece of property. Since it is landlocked, the plan is for an access road to be constructed so the township will be able get back there. Lotito asked about the topography. Trotta said there are some wetlands in the back and he thinks it is wooded.

Lotito suggested that the township construct a walking trail on the property. Trotta said that would be passive and would be okay. He said the committee will look at it and if everyone agrees, put some type of restriction on it. Pezarras said it could be put on the township's recreation/open space inventory and then the township could decide later to put further restrictions in the deed itself.

Trotta said that the developer is leaving the existing trees on the properties. They would like to plant four trees in the township in lieu of planting new trees in the development. It was suggested that the trees be planted at the municipal building.

Trotta asked if there were any comments. There was none.

Attorney Kelly read Resolution No. 2018-169 for Executive Session. The following matters will be discussed: under personnel: personnel matters—business administrator/tax collector position; and under potential litigation – Code Enforcement/Land Use issue/Opioid Epidemic/Colliers Mills.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, RESOLUTION NO. 2018-169, AUTHORIZING THE CONVENING OF AN EXECUTIVE SESSION IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT WAS ADOPTED. ROLL CALL VOTE: ALL AYES.

Mayor Trotta called the regular session of the meeting to order.

PRESENTATIONS:

Mayor Trotta asked Mike Brady from Relay for Life to come forward to accept the proclamation for “Paint the Town Purple” – May 12, 2018 and May 13, 2018. Mayor Trotta read and presented the proclamation to Mr. Brady.

ON MOTION OF COMMITTEEMAN MARINARI SECONDED BY COMMITTEEMAN JONES, THE PROCLAMATION FOR PAINT THE TOWN PURPLE” – MAY 12, 2018 AND MAY 13, 2018 WAS APPROVED. ROLL CALL VOTE: ALL AYES

Mike Brady said the Relay for Life movement is a volunteer-driven movement. He introduced Patty Meyer who said they were honored to be invited to the committee meeting. She said they have been coming to the township for seventeen years and always feel very welcome when they are here.

Ms. Meyer asked the committee to join them in honoring survivors at the Survivor's Dinner and the opening ceremony on May 12th. She said the organization embraces the survivors because they know the life they have led and the hardships they have gone through. She said they do Relay for Life for their loved ones to let them know they are not alone. That we are all here together. They appreciate the support from the township and hope to continue the relationship in the years to come.

Mr. Brady said this year's theme is “Halloween in May, Scare Cancer Away.” Ms. Meyer and Mr. Brady thanked the committee for its support.

Mayor Trotta asked Marilyn Crespy of Master Gardeners of Ocean County to come forward to accept the proclamation for “Tick Awareness Month” – June, 2018. Dave Leutwyler read and presented the proclamation to Ms. Crespy.

ON MOTION OF COMMITTEEMAN MARINARI SECONDED BY COMMITTEEMAN JONES, THE PROCLAMATION FOR “TICK AWARENESS MONTH” – JUNE, 2018 WAS APPROVED. ROLL CALL VOTE: ALL AYES

Ms. Crespy thanked the committee for its support of Tick Awareness Month. She said what the Master Gardeners do is identify and count the number of ticks in the county. There has been a significant increase in the tick population in Ocean County. There were 3700 ticks last year, which is the highest it has been since they started keeping track in 2010. One of the things they do is to teach people how to protect themselves from ticks, i.e. how to dress outside and to check their bodies for ticks.

Committeeman Lotito asked how the ticks are counted. Crespy said that 2000 residents of Ocean County have utilized their services. Of those 2000 people, they have counted 3700 ticks.

The committee thanked her for the information.

ORDINANCES: Second Reading and Public Hearing

Trotta said the next item on the agenda is the second reading and public hearing on Ordinance No. 2018-07, which amends Chapter 4 of the General Ordinances, entitled “Animal Control,” to add the title of “Municipal Humane Law Enforcement Officer.”

Trotta opened the Public Hearing on Ordinance No. 2018-07. There were no public comments.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, THE PUBLIC HEARING ON ORDINANCE NO. 2018-07 – AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 4 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED ENTITLED “ANIMAL CONTROL” WAS CLOSED. ROLL CALL VOTE: ALL AYES

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN MARINARI, ORDINANCE NO. 2018-07 WAS ADOPTED ON SECOND AND FINAL READING. ROLL CALL VOTE: ALL AYES

Trotta said there was an ordinance that was tabled last month. Ordinance No. 2018-06 amends Chapter 5, removal of brush, grass and weeds to include bamboo and other invasive species. He said the ordinance needs to either be passed or struck down.

Lotito asked if any progress has been made in researching other ordinances. Trotta said an ordinance has been found specifically for bamboo. He personally feels that it is a better way of going at this point. Originally, he thought there were some other issues that needed to be included in the ordinance. It became too much to handle. Many other towns have done just bamboo.

Lotito said that even if the ordinance focuses only on bamboo, it does not mitigate the issues that Deputy Mayor Sorchik brought up at the last meeting, such as who put it there, etc. Trotta said that just because an ordinance on bamboo has been found does not mean it has to be adopted. This ordinance needs to be voted upon, so we can move on one way or the other.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN LOTITO, ORDINANCE NO. 2018-06 – AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 5 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED ENTITLED “BRUSH, GRASS AND WEEDS, REMOVAL OF” WAS NOT ADOPTED. ROLL CALL VOTE: ALL NAYES

ORDINANCES: Introduction

Mayor Trotta said an ordinance will be introduced tonight. Ordinance 2018-08 is the salary ordinance which is updated from time to time.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, 2018-08 – AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AN ORDINANCE ENTITLED “AN ORDINANCE TO ESTABLISH SALARIES FOR VARIOUS OFFICIALS OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, NEW JERSEY REGULATING THE MANNER OF PAYMENT OF SAME” WAS INTRODUCED. ROLL CALL VOTE: ALL AYES

The second reading and public hearing is scheduled for the meeting of June 6, 2018.

CONSENT AGENDA:

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

RESOLUTION NO. 2018-170 – AUTHORIZING THE REFUND OF 2018 1ST QUARTER ADDED ASSESSMENT DUPLICATE PAYMENT OF TAXES

RESOLUTION NO. 2018-171 – APPOINTING A MEMBER TO THE SENIOR OUTREACH SERVICES (SOS) PROGRAM

RESOLUTION NO. 2018-172 – APPROVING THE PUBLIC DISPLAY OF FIREWORKS AT LAURITA WINERY MAY 19, 2018 (RAIN DATE MAY 20, 2018)

RESOLUTION NO. 2018-173 – AUTHORIZING A CONTRACT BETWEEN PARTY RENTALS 4 U, LLC AND PLUMSTED TOWNSHIP'S MAIN STREET NEW EGYPT

RESOLUTION NO. 2018-174 – AUTHORIZING THE SUBMITTAL OF THE U.S. DEPARTMENT OF JUSTICE – FY-18 BULLETPROOF VEST PARTNERSHIP GRANT APPLICATION

RESOLUTION NO. 2018-176 –AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO SIGN AN AGREEMENT FOR TEMPORARY CONSTRUCTION ACCESS AND RIGHT OF WAY BETWEEN THE TOWNSHIP OF PLUMSTED AND THE OWNER OF BLOCK 42, LOT 7.01 FOR THE UNION TRANSPORTATION TRAIL (UTT) PROJECT

RESOLUTION NO. 2018-177 – AUTHORIZING THE ISSUANCE OF CHECKS FOR THE REDEMPTION OF TAX SALE CERTIFICATES

RESOLUTION NO. 2018-178 – OPPOSING SENATE BILL NO. 2029/ASSEMBLY BILL NO. A3859 WHICH WOULD REVISE LAWS GOVERNING ASSESSMENT OF REAL PROPERTY WHICH WOULD INCREASE COSTS TO TAXPAYERS AND MUNICIPALITIES

RESOLUTION NO. 2018-179 – AUTHORIZING THE ESTABLISHMENT OF THE 457b TAX DEFERRED COMPENSATION COMMITTEE

RESOLUTION NO. 2018-180 – REAPPOINTING DAMIAN G. MURRAY AS MUNICIPAL COURT JUDGE

RESOLUTION NO. 2018-181 – RATIFYING AUTHORIZATION FOR THE PLUMSTED TOWNSHIP CONSTRUCTION OFFICIAL TO WAIVE THE COLLECTION OF FEES FOR PROPERTY LOCATED ON BLOCK 19, LOTS 20 AND 21 (61 AND 63 MAIN STREET KNOWN AS NEW EGYPT FIRE COMPANY

RESOLUTION NO. 2018-182 – AUTHORIZING THE SUBMITTAL OF THE STATE OF NEW JERSEY, DEPARTMENT OF LAW AND PUBLIC SAFETY DIVISION OF HIGHWAY TRAFFIC SAFETY CLICK IT OR TICKET 2018 STATEWIDE SEAT BELT ENFORCEMENT MOBILIZATION APPLICATION

RESOLUTION NO. 2018-183 – AUTHORIZING THE RENEWAL OF A TEMPORARY TRAILER PERMIT TO ACRPC, LLC (BLOCK 44, LOT 36 18A HORNERSTOWN ROAD

Committeeman Lotito asked if the homeowner was contacted about the temporary access easement for Resolution 2018-176. Trotta said that Peter Ylvisaker negotiated with the homeowner and reached an agreement as to where the access will be located.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, THE AFOREMENTIONED RESOLUTIONS 2018-170 THROUGH 2018-174 AND 2018-176 THROUGH 2018-183 ON PAGES 2 AND 3 OF THE CONSENT AGENDA WERE ADOPTED. ROLL CALL VOTE: ALL AYES, EXCEPT COMMITTEEMAN JONES ABSTAINED ON RESOLUTION 2018-183.

RESOLUTION

Resolution 2018-175 concerning the recreational use and sale of marijuana was removed from the Consent Agenda at the request of Committeeman Marinari.

Marinari said he wanted to make the point that he supports the use of marijuana for medicinal purposes. It is helping people with their illnesses and pain in their last hours. He wants it on the record that medical marijuana is not what this resolution is about.

Marinari said the other thing he would like to bring up is that the original federal law is from 1970. He thinks the government needs to look at it again and modernize the law. Trotta said that some type of testing needs to be developed to help police officers in their job,

Trotta said that several years ago the township adopted a zoning ordinance allowing for the growth and/or distribution of medical marijuana in the township in specific areas. He said Wendy Galloway, Herb Marinari and himself worked on the ordinance. Marinari said they have all been in a cancer situation. The use of medical marijuana is a major factor in eliminating some of the pain for people who are dying from cancer.

Trotta said the township is not backing away from its commitment for medicinal marijuana. He said he asked the township attorney to look at ordinances some towns are adopting that are against recreational use. Some were against both medical and recreational use. Trotta said no, not in this town. He wants to see legislation against recreational use, but medical use would still be okay. He is researching that for the committee.

Lotito said medicinal marijuana is different than recreational marijuana. One of the difficulties with recreational marijuana is the sobriety factor. With alcohol, sobriety is clear because blood alcohol content can be measured. Marijuana is different.

Lotito said the laws in New Jersey are irresponsible. He took an oath to uphold the constitution, which means he needs to abide by federal law. Even though federal law is outdated, there is a process in place to change those laws. He feels it is hypocritical for the state to violate federal law because it does not agree with it, instead of working through the process. He thinks that the pharmaceutical industry and the industry that deals with narcotics and drugs and various schedules of pharmaceuticals are also irresponsible. That cannabis should be brought in through them.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, RESOLUTION NO. 2018-175 – OPPOSING THE ENACTMENT OF LEGISLATION TO LEGALIZE THE RECREATION USE AND SALE OF MARIJUANA WAS ADOPTED. ROLL CALL VOTE: ALL AYES

Trotta said next, Resolution 2018-184 accepts 2018 State of New Jersey Safe and Secure Communities Grant No. 18-1523.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, RESOLUTION NO. 2018-184 – AMENDING RESOLUTION NO. 2017-325 ACCEPTING THE 2018 STATE OF NEW JERSEY SAFE AND SECURE COMMUNITIES GRANT NO. 18-1523 ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY WAS ADOPTED. ROLL CALL VOTE: ALL AYES

MOTION TO CONSIDER:

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, THE FOLLOWING RAFFLES AND BINGO LICENSES WERE APPROVED: RAFFLES LICENSE NO. 2018-10 – ON PREMISE RAFFLE. OCEAN COUNTY 4-H ASSOCIATION; RAFFLES LICENSE NO. 2018-11 – ON PREMISE MERCHANDISE, MCKAIG-TEST-MULLEN AMERICAN LEGION POST 455 ROLL CALL VOTE: ALL AYES

REPORTS OF DEPARTMENTS AND PROFESSIONALS:

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, THE BILL LIST OF MAY 2, 2018 WAS APPROVED. ROLL CALL VOTE: ALL AYES WITH DEPUTY MAYOR SORCHIK ABSTAINING.

REPORTS SUBMITTED FOR COMMITTEE REVIEW: CONSTRUCTION REPORT – March, 2018; FINANCIAL REPORTS - Revenue Summary by Month – March, 2018; Abbreviated

Summary Budget Account Status –March, 2018; POLICE DEPARTMENT REPORT – March 2018; PLUMSTED TOWNSHIP BOARD OF FIRE COMMISSIONERS DISTRICT #1 MEETING MINUTES – March, 2018

Mayor Trotta asked for any old business from the committee. There was none.

Mayor Trotta asked for any new business.

David Leutwyler spoke about the Edmunds online system that allows citizens to make complaints to the township. He said the link is now active on the township's website. Potholes, code enforcement issues, etc. can be reported by clicking the link. The report goes to him and he distributes it for repair or resolution.

Leutwyler handed out the latest reports to the committee. He said there are some reports that were put in for testing purposes, so they are not valid. There are some reports that are completed and some that are still pending.

Trotta said that this is the program that was purchased for a work order program. It also had the ability for people to report issues. Leutwyler said it will help to keep track of complaints.

Sorchik said he wanted to remind people that the National Day of Prayer celebration is tomorrow night at the municipal building.

Sorchik also wants to advise the committee that he spoke with Linda Salcfas of the Office of Emergency Management regarding the two year anniversary of the emergency plan for the township. He told her he would like to initiate a review of the plan with the consent of the committee. He said, generally, it is in the format it needs to be in. It was approved by the state in 2016. It is reviewed by the county every two years.

Sorchik said there are new demographics with the school annex. The primary school is now a contract facility, so some of the needs there are going to change and the plan needs to be updated. His intention is to generate a letter to invite the fire commissioners and law enforcement to the school to get them involved in reviewing their particular annexes. He sees that being done within the next month or so. It was agreed that Sorchik should go ahead with review of the OEM plans.

Trotta said there are two parts to the National Day of Prayer. There are the services that are being held at the municipal building. He said that the Plumsted Presbyterian Church is also having a National Day of Prayer service at 7:00 pm in their gardens.

Mayor Trotta asked if there was any other new business. There was none.

Mayor Trotta asked for public comment. There was none.

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

Respectfully submitted,

Dorothy J. Hendrickson, RMC
Municipal Clerk