

July 11, 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 MARINARI DEPUTY MAYOR SORCHIK
MAYOR TROTTA BUSINESS ADMIN PEZARRAS DAVID LEUTWYLER, CDC
ATTORNEY KELLY DEPUTY MUNICIPAL CLERK CICERO

Committeeman Lotito was excused.

Lieutenant Reilly, Jennifer Witham, Patricia Starzynski and Vanessa Bloor were also in attendance.

Mayor Trotta asked everyone to rise for the flag salute. He asked Pastor Cuozzo to come forward for the invocation.

Trotta reviewed the agenda. He said there is a proclamation for National Night Out. There is a second reading and public hearing on the ordinance for the Redevelopment Plan which reallocates approximately \$29,000 for the soft costs of redevelopment. There is a second reading and public hearing on the ordinance requiring employees to use direct deposit. There is also an add-on ordinance. Trotta said that due to a holiday, there are quite a few add-ons to tonight's agenda.

Trotta said the draft ordinance requires that anyone who serves on the Recreation Committee must be a township resident. If they are not a resident and would like to serve, they would need to request a waiver from the township committee. He said there are some sports with a majority of the people running the boards who are not township residents, which has led to some issues. Trotta asked Business Administrator Pezarras to speak further about the ordinance.

Pezarras said the ordinance concerns youth sports organizations. The same language has been added in a resolution for tonight. The resolution substitutes “recreation committee” for “youth sports organizations.” Recreation committee members are appointed by the township committee. Trotta said the issue came up during a meeting that he, Pezarras, Committeeman Marinari, and Dave Leutwyler had with the Recreation Committee. Marinari said the township is trying to make things more consistent.

Trotta said that there are a number of resolutions on the prepared agenda. There is a resolution, which is done yearly, appointing members to the Safety Committee. There is a resolution for the \$17,000 Clean Community grant received from the State and a resolution authorizing the submission of a grant to the County for SOS.

Trotta said there is resolution authorizing a change order for Mecor for the road work they did on Hopkins Road from a year and a half ago, which has taken this long to get resolved. There are a couple of resolutions for Dorothy Hendrickson's retirement and a resolution changing a member on the township's recreation committee.

Resolution 2018-222 authorizes an application to the Local Finance Board for Redevelopment Area bonds to fund the sewer project. Trotta said that he hears constantly that the sewer project and the senior project are not going to happen. He said both projects are moving forward. There are always hiccups in every process, but the projects are moving forward every week.

Resolution 2018-223 is for the receipt of the 2017 Audit. The committee members have had a chance to look at the section regarding findings. The auditor indicated there were no findings, which is good. It means that the township is being run properly financially. The committee members need to sign a document tonight that they have seen that.

Trotta said it does not mean that the township does not see things that could be done better as it goes through its processes every year. There were a couple of things found on our side and the CFO has worked to tighten them up. The township is always looking to improve.

Resolution 2018-224 authorizes Dave Roberts, who prepared our original Redevelopment Plan, to review and make some changes to it. There is also a resolution authorizing the submission of the Municipal Alliance Agreement.

In addition, there are some add-on resolutions. There is a resolution revising Resolution 2018-219 regarding the recreation committee.

There is a resolution adopting a Section 457 Deferred Compensation Plan from Lincoln Retirement Services for township employees. Trotta said four companies were evaluated and two were selected for the township to move forward with. One will be appointed tonight. The other one will be appointed shortly. They are just waiting for the state to finish their end. Trotta asked Pezarras to explain the plan.

Pezarras said that the 457B plan is the equivalent of a 401K plan in the private sector. It gives the employees a tax-deferred plan that they can contribute money into toward retirement. These are companies whose plans have already been approved by the State, so they are basically resubmitting the same plan.

Once the particular plan is approved for Plumsted by the State, they can be hired by the township. This allows them to come in and speak with employees so they can utilize something other than their state pensions to fund their retirement, if they so desire.

Trotta said the next draft resolution is to hire a temporary part-time employee in the construction office. Joan Gruca submitted a letter of resignation because she is going to work in another town. That leaves a week and a half to find a replacement. A permanent replacement for her will not be found within that time. Pezarras knows the part-time person who will be hired. He has worked with her for many years. Trotta said that he and Committeeman Marinari met with her and she is willing to help out in the construction department on a temporary part-time basis. Joan will be leaving soon, so we need to move forward with that.

The next two resolutions will be put on hold right now. The township has been conducting interviews for a floater position and a part-time clerk-typist for the construction office. Both candidates are here tonight. The committee will talk to them in Executive Session and go forward from there.

The next resolution concerns the Upper Freehold School District. Trotta said he received a call from the school district requesting that a Class 3 Officer be hired by Plumsted Township for their use. He and Chief Meroney will be meeting with the school district tomorrow night. The district wants the person to be in place for the upcoming school year.

Trotta said he asked for the resolution to be put on tonight's agenda in case they decided to move forward at tomorrow night's meeting. Upper Freehold Township will absorb any costs for a police officer who is serving in their school district. The school district will have to pay for everything. It is the same as when Plumsted Township Schools had a regular officer at the school.

Upper Freehold Schools needs Plumsted to hire the person because Upper Freehold Township does not have a police department. It would be a shared services agreement. Deputy Mayor Sorchik said that Class 3 officers have to report to a Chief of Police. That they will be going to work in another town and reporting to our Chief. Trotta said that is correct. It is something that will be discussed at tomorrow night's meeting.

Trotta said that there are two more resolutions; one for the municipal clerk and one for the municipal search officer. They will be put aside until the committee talks to the individual first.

Trotta asked for a number for the Lincoln Financial resolution. Cicero said that it would be 2018-227. The resolution for the hiring of Ellen Reilly-Privet will be 2018-228. The resolution for Upper Freehold is 2018-229. The ordinance will be 2018-11. Trotta said everything else will receive numbers after Executive Session.

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

Attorney Kelly read Resolution No. 2018-209 for Executive Session. The following matters will be discussed: under personnel: personnel matters—new hires, business administrator/tax collector position; and under potential litigation – Code Enforcement/Land Use issue/Opioid Epidemic/Noble Estates Homeowners Association.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, RESOLUTION NO. 2018-209, 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. He said there a few more resolutions that need numbers. Resolution 2018-230 appoints Patricia Starzynski as a Clerk Typist for the Plumsted Township Construction Department. Resolution 2018-231 appoints Vanessa Bloor as a Floating Clerk Typist for the Township of Plumsted. Resolution 2018-232 appoints Jennifer Witham as the Acting Township Clerk and Resolution 2018-233 appoints Jennifer Witham as Assessment Search Officer for the Township of Plumsted.

MINUTES TO BE CONSIDERED FOR APPROVAL:

ON MOTION OF COMMITTEEMAN MARINARI SECONDED BY COMMITTEEMAN JONES, THE WORKSHOP/REGULAR/EXECUTIVE SESSION OF JUNE 6, 2018 WAS APPROVED. ROLL CALL VOTE: ALL AYES.

CORRESPONDENCE: Mayor Trotta read Dorothy Hendrickson's Letter of Resignation as the Plumsted Township Clerk.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN JONES, THE RESIGNATION OF DOROTHY HENDRICKSON WAS ACCEPTED WITH REGRETS. ROLL CALL VOTE: ALL AYES

PRESENTATIONS:

Mayor Trotta asked Lieutenant Reilly to come forward to accept the proclamation for Plumsted Township Emergency Services "National Night Out" Tuesday, August 7, 2018. Trotta said that National Night Out was started to support the police. In this town, the Fire Department has taken it over, but we are giving it to the police tonight. The proclamation was read by Deputy Mayor Sorchik.

ON MOTION OF COMMITTEEMAN JONES SECONDED BY COMMITTEEMAN MARINARI, THE PROCLAMATION FOR PLUMSTED TOWNSHIP EMERGENCY SERVICES "NATIONAL NIGHT OUT" TUESDAY, AUGUST 7, 2018 WAS APPROVED. ROLL CALL VOTE: ALL AYES

Sorchik said National Night Out will be held on August 7th at the school soccer field. The police department will be attending, there will be a display by the Fire Department and the CERT team will be available. He said everyone is invited to come out. It should be a pretty good event.

ORDINANCES: Second Reading and Public Hearing

Trotta said the next item on the agenda is the second reading and public hearing on Ordinance No. 2018-09.

Trotta opened the Public Hearing on Ordinance No. 2018-09. There were no public comments.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, THE PUBLIC HEARING ON ORDINANCE NO. 2018-09 – AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, RE-APPROPRIATING \$28,914.82 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR AID TO THE REDEVELOPMENT PROJECT DESCRIBED IN THE NEW EGYPT REDEVELOPMENT PLAN IN AND BY THE TOWNSHIP OF PLUMSTED, IN THE COUNTY OF OCEAN, NEW JERSEY WAS CLOSED. ROLL CALL VOTE: ALL AYES

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, ORDINANCE NO. 2018-09 WAS ADOPTED ON SECOND AND FINAL READING. ROLL CALL VOTE: ALL AYES

Trotta said next on the agenda is the second reading and public hearing on Ordinance No. 2018-10. This is an ordinance that requires township employees to utilize direct deposit.

Trotta opened the Public Hearing on Ordinance No. 2018-10. There were no public comments.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN JONES, THE PUBLIC HEARING ON ORDINANCE NO. 2018-10 – AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 46, SECTION 2 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “PERSONNEL POLICY” WAS CLOSED. ROLL CALL VOTE: ALL AYES

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, ORDINANCE NO. 2018-10 WAS ADOPTED ON SECOND AND FINAL READING. ROLL CALL VOTE: ALL AYES

ORDINANCES: Introduction

Mayor Trotta said Ordinance 2018-11 will be introduced tonight.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, 2018-09 – AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 43A, OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED ENTITLED “NONPROFIT YOUTH-SERVING ORGANIZATIONS” WAS INTRODUCED. ROLL CALL VOTE: ALL AYES

The second reading and public hearing is scheduled for the meeting of August 1, 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. 2018-210 – APPOINTING MEMBERS TO THE SAFETY COMMITTEE FOR 2018

RESOLUTION NO. 2018-211 – ADOPTING THE OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND 2018 SAFETY MANAGEMENT PROGRAM

RESOLUTION NO. 2018-212 – AUTHORIZING PAYMENT OF ELECTION DAY FLEX TIME FOR THE MUNICIPAL CLERK’S OFFICE

RESOLUTION NO. 2018-213 – APPROVING THE PUBLIC DISPLAY OF FIREWORKS AT LAURITA WINERY JULY 21, 2018 (RAIN DATE JULY 22, 2018)

RESOLUTION NO. 2018-214 - REQUESTING APPROVAL FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A.40A:4-87 (CLEAN COMMUNITIES GRANT PROGRAM \$17,260,800)

RESOLUTION NO. 2018-215 – AUTHORIZING THE SUBMITTAL OF THE OCEAN COUNTY OFFICE OF SENIOR SERVICES COMPETITIVE CONTRACT PROPOSAL FOR THE OLDER AMERICANS ACT TITLE III AREA PLAN GRANT FUNDING FOR 2019

RESOLUTION NO. 2018-216 – AMENDING RESOLUTION 2017-330 AUTHORIZING CHANGE ORDER #2 TO AN AWARDED CONTRACT TO MECO, INC. FOR THE NJDOT FY2015 MUNICIPAL AID ROAD PROGRAM (HOPKINS ROAD IMPROVEMENTS)

RESOLUTION NO. 2018 – 217 – AUTHORIZING PAYMENT OF UNUSED VACATION AND SICK DAYS FOR DOROTHY J. HENDRICKSON

RESOLUTION NO. 2018 – 218 AUTHORIZING THE ISSUANCE OF CHECKS FOR THE REDEMPTION OF TAX SALE CERTIFICATES

RESOLUTION NO. 2018-219 – AMENDING RESOLUTION 2018-35 OF THE TOWNSHIP OF PLUMSTED APPOINTING MEMBERS TO THE PLUMSTED TOWNSHIP RECREATION COMMITTEE

RESOLUTION NO. 2018-220 – AUTHORIZING CANCELLATION OF UNEXPENDED BALANCES, GRANT RECEIVABLES AND APPROPRIATED GRANT RESERVE BALANCES AS RECOMMENDED BY THE CHIEF FINANCIAL OFFICER

RESOLUTION NO. 2018-221 - AUTHORIZING THE MAYOR TO EXECUTE APPLICATIONS FOR BLUE LIGHT PERMIT

RESOLUTION NO. 2018-222 - AUTHORIZING AN APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:12A-29(a)(3) AND N.J.S.A. 40A:12A-67(g) IN CONNECTION WITH REDEVELOPMENT AREA BONDS

RESOLUTION NO. 2018-223 – ACKNOWLEDGING THE RECEIPT OF THE 2017 AUDIT

RESOLUTION NO. 2018-224 – DESIGNATING DAVID ROBERTS, AICP, P.P., OF DGR PLANNING AND DESIGN, AS PROFESSIONAL PLANNER FOR THE TOWNSHIP OF PLUMSTED FOR THE RE-EXAMINATION OF THE REDEVELOPMENT PLAN AS IT PERTAINS TO THE FUTURE DEVELOPMENT BLOCK 40, LOT 1

RESOLUTION NO. 2018-225 - TO AUTHORIZE THE RELEASE OF THE PERFORMANCE GUARANTEE AND ACCEPTING THE MAINTENANCE GUARANTEE FOR THE NJDOT MUNICIPAL AID FY2015 GRANT – ROADWAY IMPROVEMENTS TO HOPKINS ROAD

RESOLUTION NO. 2018-226 – AUTHORIZING THE SUBMISSION OF THE FY2019 MUNICIPAL ALLIANCE AGREEMENT AGAINST ALCOHOLISM AND DRUG ABUSE GRANT ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, THE AFOREMENTIONED RESOLUTIONS 2018-210 THROUGH 2018-226 ON PAGES 2 AND 3 OF THE CONSENT AGENDA WERE ADOPTED. ROLL CALL VOTE: ALL AYES.

Trotta said there are also some an add-on resolutions tonight, beginning with Resolution 2018-227.

Trotta asked if there were any comments regarding Resolution 2018-227. There were none.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, RESOLUTION NO. 2018-227 – ADOPTING A SECTION 457 DEFERRED COMPENSATION PLAN FROM LINCOLN RETIREMENT SERVICES, LLC WAS ADOPTED. ROLL CALL VOTE: ALL AYES

Trotta asked if there were any comments regarding Resolution 2018-228. There were none.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, RESOLUTION NO. 2018-228 – APPOINTING ELLEN REILLY-PRIVET AS A TEMPORARY PART-TIME CLERK TYPIST FOR THE TOWNSHIP OF PLUMSTED CONSTRUCTION DEPARTMENT WAS ADOPTED. ROLL CALL VOTE: ALL AYES

Trotta asked if there were any comments regarding Resolution 2018-229. Deputy Mayor Sorchik said that Upper Freehold is in another county. He is not against the resolution, but the township would have a police officer working for our Police Chief in a different county. He said the township needs to get some guidance before we commit to an agreement. Trotta said that because time is short, the township is putting something in place in case the agreement goes through. Sorchik said he will be at tomorrow night's meeting.

ON MOTION OF COMMITTEEMAN JONES, SECONDED BY COMMITTEEMAN MARINARI, RESOLUTION NO. 2018-229 – AUTHORIZING PLUMSTED TOWNSHIP TO PARTICIPATE IN A SHARED SERVICE AGREEMENT FOR THE SHARING OF SPECIAL LAW ENFORCEMENT OFFICERS WITH AND BETWEEN THE TOWNSHIP OF PLUMSTED AND THE UPPER FREEHOLD SCHOOL DISTRICT WAS ADOPTED. ROLL CALL VOTE: ALL AYES

Trotta asked if there were any comments regarding Resolution 2018-230. There were none.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN JONES, RESOLUTION NO. 2018-230 – APPOINTING PATRICIA STARZYNSKI AS A PART-TIME CLERK TYPIST FOR THE TOWNSHIP OF PLUMSTED CONSTRUCTION DEPARTMENT WAS ADOPTED. ROLL CALL VOTE: ALL AYES

Trotta asked if there were any comments regarding Resolution 2018-231. There were none.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN JONES, RESOLUTION NO. 2018-231 – APPOINTING VANESSA BLOOR AS A PART-TIME FLOATING CLERK TYPIST FOR THE TOWNSHIP OF PLUMSTED WAS ADOPTED. ROLL CALL VOTE: ALL AYES

Trotta asked if there were any comments regarding Resolution 2018-232. There were none.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, RESOLUTION NO. 2018-232 – AS TO THE APPOINTMENT OF JENNIFER WITHAM AS THE ACTING MUNICIPAL CLERK PURSUANT TO N.J.S.A. 40A:9-133(C) WAS ADOPTED. ROLL CALL VOTE: ALL AYES

Trotta asked if there were any comments regarding Resolution 2018-233. There were none.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN JONES, RESOLUTION NO. 2018-233 – AS TO THE APPOINTMENT OF JENNIFER WITHAM AS THE ASSESSMENT SEARCH OFFICER FOR THE YEAR 2018 WAS ADOPTED. ROLL CALL VOTE: ALL AYES

MOTIONS TO CONSIDER:

None

REPORTS OF DEPARTMENTS AND PROFESSIONALS:

Mayor Trotta said that there were some bills paid last week for fireworks. They are included in tonight's bill list. The committee needs to ratify the bills separately that were paid in advance.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, PAYMENT OF THE FOLLOWING FOUR BILLS LISTED ON THE BILL LIST, WHICH WERE PAID PRIOR TO THE MEETING IN ACCORDANCE WITH RESOLUTION 2018-100 WERE RATIFIED: 1) Wire #104 paid 6/13/18 NJIB, Accrued Interest on BAN 1; 2) Check #3679 paid 7/6/18; 3) Check #3680 paid 7/6/18; and 4) Check #3681 paid 7/6/18. ROLL CALL VOTE: ALL AYES.

Trotta commented on the bill list. He said he knows that Meco has to be paid, but will be voting no on their bill. He thinks the process the Township went through with them was unpleasant. They did not cooperate at all to fix their problems. It took way too long and he feels that the township should not be paying them, even though it is State money. He thinks they should not get another cent for what they did. However, it does need to be paid, so he is voting no. He is not asking anybody else to vote no in it because we do need to pay it.

Marinari asked what happened with Meco. Trotta said they did the work originally and then they had to fix it after much arm-twisting. Marinari said the road is patched now. Trotta said that the engineer said that was what was agreed to. There is a two year maintenance guarantee on the project. The township authorized the release of a performance guarantee tonight. The maintenance guarantee is there in case there are problems. Time will tell.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN JONES, THE BILL LIST OF JULY 11, 2018 WAS APPROVED. ROLL CALL VOTE: ALL AYES WITH MAYOR TROTTA VOTING NO ON #16-00422 & #17-00885.

REPORTS SUBMITTED FOR COMMITTEE REVIEW: CONSTRUCTION REPORT – May, 2018; FINANCIAL REPORTS – Revenue Summary by Month – May, 2018; Abbreviated Summary Budget Account Status – May, 2018; POLICE DEPARTMENT REPORT – May 2018 and June, 2018; PLUMSTED TOWNSHIP BOARD OF FIRE COMMISSIONERS DISTRICT #1 MEETING MINUTES – May, 2018; PLUMSTED TOWNSHIP MUA MEETING MINUTES – May, 2018

Trotta said he wanted to point out that even though the Construction Department's revenues have been down this year, there was a significant increase in revenues in June. It is still down, but it made a nice bounce back. We anticipate Lennar filing for permits, etc. later this year so those numbers will begin to rise again in the fall when that starts happening.

Trotta spoke about the audit report and the fund balance analysis. He said the auditors noted that the audit looks much healthier this year than it has in the past two or three years. So, the township is headed in the right direction, which is a good thing.

Mayor Trotta asked for any old business from the committee.

Committeeman Marinari said he has both old and new business. He will start with the old business first. He said that he and Dave Leutwyler have met numerous times with the contractor who does lawn maintenance for the township.

Marinari said the contract needs to be totally revised. He looked at the contract again today and does not know why he ever agreed to it, especially knowing what he knows about it.

Marinari said it states in the contract that the contractor is responsible for weed control in all of the beds, particularly the bump-outs. You cannot even see the primary plantings in the bump-outs due to the weeds. So, the contractor is clearly not following the contract. There are other issues, including some with Rec, but the bump-outs are something that have to be taken care of as soon as possible.

Marinari said the plantings in the parks looked beautiful five years ago. If you look at them now, they are not so beautiful. It is not the fault of the contractor. That is the weather, but we have asked him several times to put a plan together and provide us with an estimate. Marinari said he has yet to see it.

Leutwyler said he has not seen it either. He said he asked the contractor for it the other day and he indicated he would give it to Leutwyler this week.

Marinari said he has talked to the Mayor about this. He asked if the township looks at his daily workloads. Leutwyler said that information has not been provided to him for the past two or three weeks. Marinari said that is not good.

Trotta said that he is not looking to make a change. He asked if it is part of the contract that the contractor is supposed to provide that information to the township. Marinari said it is not in the contract. Trotta said if it is in the specifications, then it is part of the contract. Kelly said the requirements were in the bid package. Trotta said that if it is part of the bid package, it is part of the contract. That needs to be checked right away. If it is, then Attorney Kelly should send him a letter advising him that he is not fulfilling his contractual obligations.

Marinari spoke about the incident with the butterfly garden that Mr. Lewis put together for the benefit of the town. The contractor has agreed to reimburse the township in full for the plantings. He asked Leutwyler if he had any follow up for him about it. Leutwyler said he spoke with the contractor and he said he is going to bring the check in this week. Trotta said there is a note to collect that check from the contractor before the township will give him his check.

Marinari said there were a lot of comments on Facebook generated by Mr. Lewis. He said he would hope that eventually there would be something on Facebook from Mr. Lewis saying that the township has fully complied with everything we should, even though we were really not supposed to. He is only asking for fairness.

Leutwyler said as soon as he gets the check from the contractor, he will notify Mr. Lewis that he can come and pick it up.

Marinari said he agrees with Lewis that the plantings should not be done now. They should be done in the fall, with the knowledge that some of the plants are annuals and he is not going to be able to pick them up. The township really has to watch this closely. Marinari said he knows the supplier well. The company is well-established and has been around a long time. He thinks that if the township said to them would you make these available to Lewis in March or April, they would agree to that. It would all have to be documented.

Marinari said that he reviewed the Huntington and Newark bamboo invasive species stipulations/requirements. He also reviewed Assemblyman Dancer's bill from 2016. He thinks the township should stay with Ordinance 2018-06. It includes the list of DEP invasive species, which is a broad spectrum of species. The township's ordinance also mentions bamboo as an invasive species. He suggests that the committee look at the ordinance again next month to consider whether or not it wants to pass it. If the committee decides it does not want to pass it, then it can go back to the original ordinance. He said he knows there are a lot of questions about it, i.e. if it is detected, how will the township identify it, control it, and/or enforce it? The township needs something there. One person has come forward who brought a bamboo specimen to a meeting. It is a strongly invasive material.

Marinari asked what is happening with Colliers Mills. Leutwyler said that Mr. Fitzpatrick did not appear in court. He will find out if the matter was adjourned or if a bench warrant has been issued. The township is asking for a fine for violating its ordinance. Leutwyler is also trying to get an update from the DEP to see if they are requiring Fitzpatrick to remediate the soil. He said he will provide the committee with an update as soon as he hears anything.

Marinari said this year's fireworks were great. There were minimal breaks during the display, but he did not think it ended well. Other people said the same thing to him.

Trotta said that in the past, the fireworks committee was informal. A formal committee needs to be appointed for next year. There are a lot of things that need to get done, so it has to begin soon. Mike Wysonog took on a lot of the process this year and did an excellent job. He has also informed us that he will be out of state next year. He has everything that he did written out, but he will need to be replaced. Those people who are already on the committee do not have the time to take on the work that he did. It will be opened up to the public as well. Marinari said that the school needs to be involved to get the school kids in it.

Pezarras said that the township can speak to the vendor about how it wants the show to run. Trotta said that they spoke to the vendor in the past, but have not talked to them in a couple of years. There was no price increase this year, which probably means that something was cut in the program. The township can tell the vendor what it wants in the program and then decide what it wants to pay.

Marinari said the event was excellent between the combination of the fireworks, a name band, and the great weather. Leutwyler said he timed the fireworks and it was a fifteen minute show. He said there were a lot of compliments. He agrees with what is being said. We always strive to do better than the year before.

Marinari gave an update regarding the Board of Education. He said the township and the Board of Education agreed to move ahead. He was in contact with the Superintendent today and they will meet with the township on August 14, 2018 at 7:00 pm.

Marinari asked about the accuracy of the total number of calls on the police department report for May. There was a discussion about what was contained in the report.

Marinari requested the committee consider instituting a requirement for mercantile licenses in Plumsted Township. He said it is difficult for businesses in town to continue anymore. For his business, he pays everything he is required to pay for municipal, state and federal taxes. He probably pays the federal government more than he makes. What bothers him are the number of illegal businesses operating in Plumsted. They come into town and make money, which undercuts legitimate businesses. If they do not have a commercial license, they most likely do not have insurance. A homeowner may not know that they are uninsured and if something happens on the job, it will be the homeowner who is responsible.

Marinari said he understands that the mercantile license will be another fee for businesses in town. He is hoping it would be in the \$25-\$50 range. There needs to be a registry in town of businesses that are being run legally. He is a licensed nursery and is inspected three times a year by the State. He also has to have a license to buy from a wholesaler or dealer. He thinks the committee has to do something to protect the businesses in town. He feels very awkward using himself as an example, but it is extremely hard to run a legal business in New Jersey.

Marinari said that Committeeman Jones spoke to him about individuals on Facebook who are willing to do unlicensed work in the township. He said residents should be aware that if they hire someone who is unlicensed there is the potential of some type of accident occurring for which the homeowner could be liable.

Trotta said he has seen someone on Facebook who sells particular food items from their home. You are not allowed to bake or prepare food in your home for sale.

Marinari asked Attorney Kelly and Business Administrator Pezarras for their comments about what the township can do about these situations.

Pezarras said he and Kelly did speak about it. The mercantile license is not an issue. The only thing is the mercantile license will be solely for businesses that are situated in town. He will let Kelly talk about businesses coming from outside of town.

Pezarras said the beauty of the mercantile license is that if there is someone doing business illegally or underhandedly, you do not have to use the court system to shut them down. He provided the example of a town that could not shut down a business for not following DEP requirements because it did not have a requirement for a mercantile license. The Zoning Officer said if the town had a mercantile license, he could go and shut them down. It is good from that standpoint. He said Kelly will expand on the other situation.

Kelly said mercantile licenses only cover businesses that are located in the township. The township is kind of hamstrung because it cannot police businesses outside of town. There are some very stringent consumer fraud statutes in New Jersey specifically intended to protect consumers from the types of things that are being discussed. They are not intended to protect other businesses. By default, there are strict penalties in the form of triple damages. If they were to go to someone's home and the work was not done right, the courts will automatically give that penalty because it is statutory.

Kelly said in addition, attorney's fees need to be considered. In one instance there were pool contractors that did not have a license. The damages were \$50,000. Legal fees were close to that as well. Someone coming into town doing these kinds of things really does it at their peril. It is at the peril of the homeowners as well if they do not know that the person is unlicensed. Those are some of the things you have to look for when you are hiring someone to do something. If you hire somebody on Facebook to come over and do something, intuitively you know that person is not licensed if they are not driving up in a commercial vehicle.

Kelly said there are different forms of mercantile licenses. Some municipalities have more elaborate ones than other ones, i.e. breaking down the specific values, or having a flat fee, to address all of the businesses and make sure they are complying on an annual basis. If there is an issue, the town can choose not to renew the license. A business should have an opportunity for a hearing if there is a problem. He thinks businesses in town would all be aware of it and act according to the statute. But those businesses coming from out of town are policed by Consumer Affairs and the Attorney General's Office. The municipality cannot police them.

Marinari said he understands. He would just ask the committee to consider it sometime in the future.

Trotta said he has no problem doing that. In the meantime, he is thinking that if anyone should see a vehicle that has a business name written on the side but does not have commercial plates, can the police be called? Sorchik asked what they are going to do. Trotta said he does not know, that is why he is asking the question. What can be done? Reilly said that other than a motor vehicle violation, not much. It is the responsibility of the homeowner to do their due diligence to make sure the contractor is licensed. Sorchik asked what the violation would be. The only requirement is if a vehicle has commercial plates, the business name has to be on the side of the vehicle. If they do not have commercial plates, there is no law about putting your name on the

side of your vehicle. Trotta said he said it backwards. Sorchik said the big violation is the insurance company. That is what is going to cost you money.

Trotta said that he asked the question because anyone who drives through Allentown knows they are not going to break the law in Allentown. They have a reputation for enforcing the law. He is thinking along those same lines. If Plumsted had a reputation for getting you on a motor vehicle violation if you were operating a business illegally, maybe they would not come into town. Just a thought. He is not encouraging ticket writing, he is just saying the town has to do something to protect our businesses and our residents.

Mayor Trotta asked for any other business from the committee. Committeeman Jones said that it is one year today that he has been on the committee. He is learning a lot. He thanked everyone.

Leutwyler provided an update on the lobby situation. He said right now, we are waiting for a significant rainstorm to ensure that the roof is repaired. We do not want to put new sheetrock in and paint until we are sure that the roof is not leaking. He will work with the restoration company to finish the repairs once we are confident that the roof is repaired.

Sorchik asked if a letter of thanks could be put on our website or Facebook page for all of the people in town who contributed to the fireworks. He especially wants to recognize the volunteer fire company. They spent the entire day there. The football team, the Boy Scouts picking up the garbage, sometimes get forgotten. The Republican Club manned the gates, etc. Not just the vendors. He is talking about the people who came out and volunteered. The whole event is paid for by donations. There is no tax money involved. Everybody does this out of service to the community. He thinks it would be appropriate to put a letter out from the township thanking those people. Trotta said he is working on a list of people to recognize. He already has a list of names. Mike Wysong has given him the names of other individuals he needs to add. A letter just needs to be put together at this point.

Sorchik said he thinks the police did a great job being there on Saturday. You saw them move through the area the entire time. They sort of disappeared when traffic was ready to go because they set everything up. He wants to recognize the Chief and the Lieutenant for that because they were there as well. They had an incident/accident plan developed for this. They anticipated traffic flow, so kudos for that.

Sorchik said the final thing is that the township is meeting tomorrow with fire, police, and the Public Safety Director of the Schools to update the township's emergency operation plan. The existing plan will be reviewed. The goal is to have it updated by the end of the year.

Trotta said he has a couple of things. First, he congratulated Jennifer Witham on her new position. He also welcomed Patricia Starzynski and Vanessa Bloor as new employees to the township. He saw Vanessa had to leave because she has a 1 year old.

Trotta said potholes are constantly an issue. The township does not have the money to do permanent fixes, which would entail tearing up some streets and repaving them. The township really has to attack potholes, especially the roads that he has been emailing Leutwyler about.

Leutwyler said he contacted the Ocean County Road Department and they had filled them. The problem is after they are filled, water moves to a different spot and creates a different pothole. He is getting each of them measured so he can get an estimate to repave sections of the road when the township has the money.

Trotta asked about the new system that was purchased by the township for filling potholes. At the time the new system was purchased, the repair would last for a year or so once the pothole was filled. Why is it not lasting a year now? He does not get the difference.

There was a discussion about the reasons why a new pothole appears after a short time. Whether water it is caused by water moving to a different spot or if there is another reason. Trotta said the township needs to come to a conclusion as to why the same roads are having continuous pothole issues. The problem needs to be solved, whether it is money to pave the roads or finding out if the equipment is being used properly.

Trotta spoke about Loveman Road and how the same potholes keep appearing. He said something is wrong. If the test pothole lasted forever, and they are not lasting forever now, what

is different? Is it the material...is the township not using enough material...is the machine not being heated enough? There is an issue that needs to be found.

Trotta said the next thing is just a general statement. He is only telling the committee what he is hearing. People are complaining about speeding at various places in town and are bringing up the subject of speed bumps again. He said he is not saying he is in favor of that. He is just telling the committee so it can be prepared in case they are asked about it. He knows speed bumps can be put in. He has seen them in other towns. Marinari said if a car drives over speed bumps on a regular basis, even if it goes slowly, it will have to be aligned on a regular basis.

Marinari asked Leutwyler to contact the lawn contractor and ask him to get the bump-outs done by next Friday. It looks bad for anyone coming into town.

Trotta said that the downtown businesses also need to be reminded that the sidewalks are theirs to maintain. Leutwyler said he has letters going out. Trotta spoke about a business downtown that refused to sweep the dirt on the sidewalk in front of their business because they said it is not their job. Trotta said it is their job to maintain their sidewalks in a safe manner so that someone does not trip. It is their responsibility if something happens, so they do need to maintain them. Leutwyler said the township might have to start writing citations.

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

Mayor Trotta asked for public comment. There was none. .

Mayor Trotta asked if there was any further business. There was none.

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

Respectfully submitted,



Nadene M. Cicero
Deputy Municipal Clerk