

July 1, 2020
Municipal Building
121 Evergreen Road
New Egypt, NJ 08533

The Plumsted Township Committee meeting of July 1, 2020 was called to order by Mayor Marinari. Due to the emergent situation with COVID-19 and the municipal building being closed, the meeting was conducted through Zoom.com for the public to participate.

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

THOSE OFFICIALS PRESENT:

In the Meeting Room:

COMMITTEEMAN GRILLETTO COMMITTEEMAN BOWEN DEPUTY MAYOR SORCHIK
MAYOR MARINARI DAVE LEUTWYLER BA ELLEN REILLY-PRIVETT ATTORNEY STIEBER
CLERK WITHAM

Calling in through Zoom.com: COMMITTEEMAN TROTTA

Chief Meroney and Lieutenant Reilly and Township Engineer Walt Bronson were also in attendance.

Mayor Marinari asked everyone to rise for the flag salute followed by a moment of silence.

Marinari reviewed the agenda. There is one ordinance up for introduction tonight. It is the capital bond ordinance. The resolutions on the agenda include: the renewal of two liquor licenses – the deadline was extended to September 30th so the remainder of the renewals have not come in yet; a resolution requesting the federal government to provide a new veterans clinic in Brick; one urging the Governor to reinstate the Homestead Benefit program; urging revisions to the senior tax freeze program; a few resolutions to refund peddlers application fees as events have been canceled due to COVID; resolutions for the receipt of grants (Clean Communities and Alcohol Education, Rehab & Enforcement Fund); there is a resolution to recycle vehicles in the tow yard; a resolution to recognize a name change for our auditor; and resolutions to apply for the 2021 DOT roadway improvement grant. Finally, there is a resolution to consider extending the grace period for taxes from 5 to 10 days as permissible by law so, if approved, taxes would be due on August 10th without penalty. This is similar to the resolution in May for the second quarter.

Resolution 2020-225 is being pulled from the agenda at the request of the CFO for the purpose of determining an actual date for the auction and additional vehicle information.

Marinari asked for discussion or comments from the township committee.

Committeeman Bowen requested that two resolutions previously adopted by the committee be posted on the website under News and Announcements. One is resolution 2020-210, in opposition of Assembly Bill No. 4175 and the other is Resolution 2020-196 supporting the preservation of the Second Amendment.

Committeeman Grilletto said that it is a fitting time to bring up the invocation that was last discussed in March. It was on July 2, 1776, that the Second Continental Congress made its formal disconnect from Great Britain. On July 9th, George Washington had the Declaration of Independence read to his troops which included the phrase that these rights are endowed by our creator. Our heritage, our customs and our traditions are based on honoring and praying to god for assistance. It is done in the government, the oath of office for the presidency, it is on money, the Pledge of Allegiance, and the State Assembly. Grilletto named several governmental entities that hold prayer and invocation. He said that Amazing Grace and God Bless America were sung at a celebration of the Marine Corps Heritage Foundation on February 19th. He asked the committee to pass a resolution that there be an invocation at the beginning of every meeting by a pastor or deacon who represents the community. He asked the committee members to express their opinion on this matter.

Marinari asked if Committeeman Trotta or Deputy Mayor Sorchik would like to make a general comment.

Trotta said he has a problem with the capital bond ordinance up for introduction tonight. It was discussed last month that the township has \$125,000 in the budget and that therefore allows us to borrow \$2.5M because 5% of the \$2.5M is \$125,000. However, that is not what this budget document says. This ordinance says we are borrowing only up to \$2,375,000. The \$125,000 has been deducted

from it and that is not correct. Trotta said that is not what was agreed to. Trotta further stated that the township is permitted to go to \$2.5M and that is what should be done for various reasons. He said he thinks the document needs to be updated.

Marinari asked if it was Trotta's opinion to remove the ordinance and relook at it. Trotta said that we can introduce it, as long as counsel says so, and get it fixed with those changes and then next month, we would vote on the correct ordinance. Trotta wants to make sure the township is doing what was agreed upon. He does not know why that number was changed and he is curious as to why that was changed.

Marinari asked Deputy Mayor Sorchik for comment. Sorchik said he agrees with Trotta. The ordinance can be introduced but the appropriate numbers have to be put in.

There was no other discussion about the ordinance among the committee.

Sorchik said he has two things for the committee to consider. He said a requisition for protective equipment for the police department was submitted two weeks ago. There was discussion and confusion about it. The mayor has already signed the requisition. Sorchik said he would like to go ahead with the purchase of the equipment. The police chief will take \$1,000 out of the donated funds, \$1,000 out of grant funds, and the remainder of approximately \$1,800 from the O&E regular budget. It is documented that safety equipment is part of their original budget. It is important for the department to get the equipment at this time. There is going to be a demand on equipment in the near future and he does not want it to be out of stock when they order it. He asked that the township go ahead and make the purchase.

Sorchik asked the committee for permission to submit a save harmless agreement from the Municipal Excess Liability Fund Safety Institute to the township attorney for review. The agreement provides protective actions that are necessary for group sports and recreation to utilize the playground. All participants/parents would have to sign the agreement. He would like township counsel to review the agreement before the township takes action to implement the program in accordance with MEL. The MEL attorneys sent it to the township and Sorchik asked that it be forwarded to the township's legal counsel.

Marinari said he would like a response to Grilletto's comment about the invocation.

Committeeman Bowen said he would like to wait until next month. He has reached out to different people, such as the Chaplain of the U.S. House of Representatives, for feedback. He said it will take a couple of more weeks before he receives all of their responses.

Marinari told Grilletto that the other committee members will probably give the same answer. Grilletto said he would like the committee to consider the resolution. Marinari asked the other committeemen for their comments.

Trotta said he has no comment on this subject. Sorchik said he has made comments previously and has not changed his mind. Marinari requested that the invocation be discussed at the August meeting and the committee come to a resolution at that time. There was a discussion among the committee members about speaking about the invocation next month.

Grilletto said he is not aware what the position is of other committee members. He would like a resolution to be passed. Sorchik said he is not going to pass a law that people have to pray at the beginning of township meetings. It was decided that the committee would address the topic at the August meeting.

Sorchik asked Chief Meroney to speak about ongoing circumstances with the Governor's Executive Order No. 157. He said it is confusing and has put the police department and the clerk under undue pressure because of its lack of clarity. The chief has followed up with the Attorney General's Office, the Ocean County Prosecutor's office, and residents and businesses in town about compliance with the order. Sorchik asked Meroney where things are and what is going on.

Meroney said that the winery event scheduled for the upcoming weekend has been cancelled because of misinformation they received from ABC that they could have unlimited outdoor dining. They still have to meet the 250 person limit. He spoke about the upcoming race event for this weekend at the Speedway. He said the Speedway was advised this afternoon that they can open and have spectators with a 500 person limit, including employees.

There was a discussion about the difference in the number of people allowed at the winery and the speedway and the executive orders issued by the governor for high school graduations.

Sorchik said with the dynamics changing so much it is hard to inform the public as to what the rules are. It is frustrating for business owners. They were prepared to have dining and were shut down. They bought food and paid money to have plastic put up. They look to the township for guidance. Sorchik said the clerk and the chief have been on the phone all day trying to get answers. The township is trying to do the best it can.

Meroney said when people call the governor's office, they are referred to the municipalities.

Marinari said the township has enough issues with the virus itself, trying to maintain safety and keeping totals of disease and deaths down in our community. The township is being told something and a day later, it changes. It just does not work. Laurita Winery is going to say they know it is the governor, but is it the mayor and committee too? The township is only following what we are being told what we have to follow. It is a sad situation.

Grilletto said it makes it difficult to enforce the regulations. It is a heavy burden. Sorchik said it has been a nightmare. The committee thanked the chief for his comments.

Marinari asked Walter Bronson for the engineer's report. Bronson spoke about Lepky Avenue, the police department culvert, the Venue at Crosswicks project, Meadowbrook Lane erosion, construction of the Loveman Road project, resurfacing of Hopkins Road, drainage and sidewalk issues at Lakeview Drive and Oakford Avenue, and P&A permanent repair of pipe they had damaged in the area. He spoke about a clog where a sewer lateral is installed that the county cannot fix. P&A claims the damage was already there when they installed the lateral. There will be a meeting next week with the MUA engineer to find out what exactly happened and to go over the engineer's records and photos. The pipes are in bad shape. Things are deteriorating. A temporary repair needs to be done on Lakeview Drive to reopen the drainage pipe. The area will continue to have drainage issues due to the location and condition of the pipe. The township will be getting estimates to replace the blocked pipe. Under the local aid program, the state will pay for drainage and resurfacing. He also mentioned that the bond ordinance can be used to pay for repair.

He spoke about issues the township had this year with the Tier B stormwater program with educational materials and the stormwater ordinance. The clerk is working with DEP to resolve the issues. The clerk spoke about what she is doing concerning stormwater. The current stormwater plan is from 2007 and needs to be updated. She has made a page on the website under the environmental page with information that will help put the township into compliance. She will be putting the 2007 stormwater plan on the page. DEP notified her today that if the township adopts a stormwater ordinance based on the 2020 template our ordinance will be up to date. We are hoping to introduce it in August or September.

Witham said another thing is training for Land Use Board members and the governing body, which can be done online. The township will eventually be in compliance. It will take a little time.

Marinari said the Environmental Committee met last week and reviewed the requirements. They will be a good asset to help the township move through the DEP requirements. He said he hopes that the state will take the COVID situation into consideration.

Marinari is concerned that the township is finding out about the drainage problems after the work has been done. He asked if someone is on-site making sure the work is being done according to the specifications. If P&A is closing over work that is damaged, are they notifying anyone that it is damaged? Bronson said that will be discussed at the meeting next week. He will also find out next week how many of these crossings there are.

Marinari asked if there were any questions regarding the engineering report. There were none. The committee thanked Bronson for the report.

There was a discussion about the appointment of an alternate to the MUA tonight. Trotta said there is also a vacancy as the mayor's designee on the Land Use Board. The person is chosen by the mayor and the committee has to approve it.

Marinari asked if there were any other comments. There were none.

Attorney Stieber read Resolution No. 2020-212, authorizing the convening of an executive session. The following matters will be discussed: personnel; contractual with regard to redevelopment, IT Cybersecurity; litigation with regard to Block 58, Lot 13 and Block 19, Lot 13.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN BOWEN, RESOLUTION NO. 2020-212, AUTHORIZING THE CONVENING OF AN EXECUTIVE SESSION IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT WAS ADOPTED. ROLL CALL VOTE: ALL AYES.

The committee returned from Executive Session. Mayor Marinari called the Regular Session to order.

MINUTES TO BE CONSIDERED FOR APPROVAL:

There is one set of minutes up for approval tonight.

ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY COMMITTEEMAN BOWEN, THE WORKSHOP/EXECUTIVE/REGULAR SESSION MINUTES OF 6/3/20 WERE APPROVED. ROLL CALL VOTE: ALL AYES WITH COMMITTEEMAN TROTTA AND MAYOR MARINARI ABSTAINING.

There are no correspondence, proclamations or presentations at this time. And there are no ordinances for second reading/public hearing.

ORDINANCE- INTRODUCTION:

Marinari said that Committeeman Trotta has brought up a valid and important point regarding this ordinance. Trotta said that we discussed \$2.5M as the actual bond amount and that is the change we are going to make to this ordinance. Marinari asked for any other comment or discussion; there was none.

Marinari said that we will introduce Ordinance 2020-07 with the number to be \$2.5M for the bond. This will be looked at prior to the second reading. Deputy Mayor Sorchik made a motion to introduce as amended to \$2.5M.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN TROTTA, ORDINANCE NO. 2020-07 - BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$2,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,375,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF PLUMSTED, IN THE COUNTY OF OCEAN, NEW JERSEY WAS INTRODUCED, AS AMENDED. ROLL CALL VOTE: ALL AYES.

Clerk Witham advised the second reading will be August 5, 2020.

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. 2020-213- AUTHORIZING THE ISSUANCE OF A CHECK FOR THE REDEMPTION OF A TAX SALE CERTIFICATES

RESOLUTION NO. 2020-214 - AUTHORIZING THE RENEWAL OF CERTAIN CLUB LICENSES, PLENARY RETAIL CONSUMPTION AND PLENARY RETAIL DISTRIBUTION LICENSES WITHIN THE TOWNSHIP OF PLUMSTED

RESOLUTION NO. 2020-215 – REQUESTING THE FEDERAL GOVERNMENT TO PROVIDE A NEW VETERANS ADMINISTRATION CLINIC IN OCEAN COUNTY

RESOLUTION NO. 2020-216 – EXTENDING THE GRACE PERIOD FOR 3rd QUARTER PROPERTY TAXES DUE ON AUGUST 1, 2020 TO AUGUST 10, 2020 DUE TO COVID-19

RESOLUTION NO. 2020-217 – URGING GOVERNOR MURPHY TO REINSTATE THE HOMESTEAD BENEFIT PROGRAM

RESOLUTION NO. 2020-218 – URGING STATE LEGISLATORS TO MAKE NECESSARY REVISIONS TO THE SENIOR TAX FREEZE PROGRAM

RESOLUTION NO. 2020-219 - AUTHORIZING THE PERFORMANCE OF AN APPRAISAL BY REME AND ASSOCIATES LLC

RESOLUTION NO. 2020-220 - AUTHORIZING THE REFUND OF A PEDDLERS APPLICATION FEE TO DEL TORO TAPAS, LLC

RESOLUTION NO. 2020-221 - AUTHORIZING THE REFUND OF A PEDDLERS APPLICATION FEE TO THE EMPANADA TRUCK

RESOLUTION NO. 2020-222 - AUTHORIZING PAYMENT TO JERRY’S TOWING FOR TOWING SERVICES FOR AN ABANDONED VEHICLE

RESOLUTION NO. 2020-223 - 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 \$17,370.66)

RESOLUTION NO. 2020-224 - REQUESTING APPROVAL FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A.40A:4-87 (MUNICIPAL COURT ALCOHOL EDUCATION, REHABILITATION AND ENFORCEMENT FUND GRANT (\$1,583.72)

RESOLUTION NO. 2020-225 – AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE PURSUANT TO PUBLIC LAW 2001, CHAPTER 30

RESOLUTION NO. 2020-226 – AMENDING RESOLUTION NO. 2020-04 AWARDED A PROFESSIONAL SERVICES CONTRACT TO HOLMAN FRENIA ALLISON, P.C. AS TOWNSHIP AUDITORS

RESOLUTION NO. 2020-227 – AUTHORIZING PAYMENT OF UNUSED FLOATING HOLIDAYS FOR MICHAEL MOELLER

RESOLUTION NO. 2020-228 – APPROVING THE PUBLIC DISPLAY OF FIREWORKS AT LAURITA WINERY FOR DATES IN JULY 2020

RESOLUTION NO. 2020-229 – AUTHORIZING THE MAYOR TO EXECUTE THE PSE&G ENERGY EFFICIENT UPGRADE AGREEMENT

RESOLUTION NO. 2020-230 – REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE LEPKY AVENUE ROADWAY RECONSTRUCTION PROJECT

RESOLUTION NO. 2020-231 – REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE HOPKINS ROAD ROADWAY RECONSTRUCTION PROJECT

RESOLUTION NO. 2020-232 - APPOINTING A MEMBER TO THE PLUMSTED TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION NO. 2020-233 - AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISPOSE OF OR RECYCLE OBSOLETE ITEMS NO LONGER NEEDED FOR PUBLIC USE

RESOLUTION NO. 2020-234 – AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT AGREEMENT WITH JERSEY CENTRAL POWER & LIGHT FOR BLOCK 40, LOT 4.02

RESOLUTION NO. 2020-235 - ADOPTING AN INFORMATION TECHNOLOGY PLAN AND SECURITY RESPONSE PLAN FOR CYBERSECURITY INCIDENTS

ON MOTION OF COMMITTEEMAN TROTTA, SECONDED BY COMMITTEEMAN BOWEN THE AFOREMENTIONED RESOLUTIONS 2020-213 THROUGH 2020-235 ON PAGES 2 AND 3 OF THE CONSENT AGENDA, WITH RESOLUTION 2020-225 BEING PULLED, WERE APPROVED. ROLL CALL VOTE: ALL AYES.

Marinari said there are three add-on resolutions.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN TROTTA, RESOLUTION NO. 2020-236 - APPOINTING DENA KAISER AS A PART-TIME CLERK TYPIST FOR THE TOWNSHIP OF PLUMSTED WAS ADOPTED. ROLL CALL VOTE: ALL AYES.

ON MOTION OF COMMITTEEMAN BOWEN, SECONDED BY DEPUTY MAYOR SORCHIK, RESOLUTION NO. 2020-237 – AUTHORIZING MUNICIPAL ENDORSEMENT FOR THE OCEAN COUNTY NATURAL LANDS PRESERVATION PROGRAM WAS ADOPTED. ROLL CALL VOTE: ALL AYES.

Marinari said there is one more add-on resolution for the New Egypt Speedway fireworks on July 4. It was approved at the June 3, 2020 meeting but is being amended tonight as the fireworks company is changing to a sister company to provide the fireworks. It is just being amended for the company name change.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN TROTTA, RESOLUTION NO. 2020-238 – AMENDING RESOLUTION 2020-211 APPROVING THE PUBLIC DISPLAY OF FIREWORKS AT THE NEW EGYPT SPEEDWAY FOR JULY 4, 2020 WAS ADOPTED. ROLL CALL VOTE: ALL AYES

REPORTS OF DEPARTMENTS AND PROFESSIONALS:

Mayor Marinari asked if there were any comments on the Bill List; there were none.

ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY DEPUTY MAYOR SORCHIK, THE BILL LIST OF JULY 1, 2020 WAS APPROVED. ROLL CALL VOTE: ALL AYES.

REPORTS SUBMITTED FOR COMMITTEE REVIEW: TOWNSHIP ENGINEER REPORT – July 1, 2020; CONSTRUCTION REPORT – May 2020, March 2020 (Amended); TAX COLLECTOR REPORT – May 2020; FINANCIAL REPORTS –Revenue Summary by Month May 2020; Abbreviated Summary Budget Account Status May 2020; Treasurer’s Report April & May 2020; POLICE DEPARTMENT REPORT – May 2020; PLUMSTED BOARD OF FIRE COMMISSIONERS DISTRICT #1 MEETING MINUTES – May 4, 2020; PLUMSTED TOWNSHIP MUA MINUTES –none

Marinari asked if there were any questions about the reports; there were none.

Marinari asked if there was any old business from the committee. Sorchik spoke about COVID testing for employees. Marinari asked if there was any other old business. There was none.

Marinari asked if there was any new business from the committee. Sorchik said playgrounds are eligible to be opened tomorrow under the governor’s order. He spoke about MEL Safety Institute suggestions on what the township needs to do to open the playgrounds. It was decided that the playgrounds would not open due to lack of personnel or the budget necessary to maintain cleaning requirements.

Marinari asked if there was any other new business. Trotta thanked Chief Meroney and the entire police department for their professionalism with everything that is going on right now. Trotta wants them to know that he will always have their back.

Mayor Marinari opened up the meeting for public comment.

Dominick Cuzzo, 99 Lakewood Road, spoke about a petition that is being passed around by Barbara Diblin in favor of prayer before the committee meeting. He said committee meetings do well to have prayer at the beginning, just like congressional meetings do for federal government. The township should also do the same thing. He signed the petition. He believes there is quite a bit of public support for it.

Marinari thank Cuzzo for what he does for the community. Witham said Barbara Diblin dropped off the petition today.

Marinari asked if there were any other public comments. There were none. Public comments were closed.

Grilletto said he would like to make a statement. He said these have been rough times. A number of celebrations were missed due to COVID. He would like to pay tribute to the people who served our country to provide us with freedom. He read a quote from General Patton.

Marinari said we have all gone through a lot in the last four or five months. He thanked the committee members and township employees during this difficult time. He would especially like to thank Business Administrator Ellen Reilly and Municipal Clerk Jennifer Witham. The work that township employees do for the residents of Plumsted make it a better town to live in.

Marinari asked if there were any other comments. There were none. The committee will return to executive session as they weren’t able to complete their discussions. No further action will be taken when they return.

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN BOWEN, THE COMMITTEE RETURNED TO EXECUTIVE SESSION. ROLL CALL VOTE: ALL AYES.

The committee returned from the executive session. Marinari asked for any other discussion; there was brief discussion about the playgrounds, reiterating that they would remain closed.

ON MOTION OF COMMITTEEMAN BOWEN, SECONDED BY DEPUTY MAYOR SORCHIK, THE JULY 1, 2020 MEETING WAS ADJOURNED. ROLL CALL VOTE: ALL AYES.

Respectfully Submitted,

Jennifer Witham, RMC, CMR
Municipal Clerk