

May 4, 2023
121 Evergreen Rd
New Egypt, NJ 08533

The Plumsted Township Committee meeting of May 4, 2023 was called to order by Mayor Bowen.

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

THOSE OFFICIALS PRESENT:

COMMITTEEMAN CUOZZO COMMITTEEMAN GRILLETTO COMMITTEEMAN HAMMERSTONE
DEPUTY MAYOR MARINARI MAYOR BOWEN ATTORNEY CIPRIANI CLERK WITHAM

ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY DEPUTY MAYOR MARINARI, RESOLUTION NO. 2023-174 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 at 7:10 pm. A second roll call vote was taken. Mayor Bowen asked everyone to rise for the flag salute followed by the invocation led by Reverend Jim Gutacker.

Plumsted Branch Manager and Librarian Renee Bowe came forward to talk about all of the services the library has to offer including homeschool art program, adult crafts, senior services, diversity help, technology, and a place for students to come. They have hundreds of hot spots for the community. Her staff interacts with the community in many aspects. She had surveys for anyone to complete if they'd like to help out Ocean County with a survey they are distributing throughout the county to improve their services. She spoke about a national award they were nominated for, along with hundreds of other institutions. She also complimented the Friends of the Library volunteers.

The following proclamation was read by the mayor: National Nurses Month, May 2023. Marinari spoke about the importance of nurses and all that they do for this community and throughout the country.

Bowen thanked the Deputy Mayor for stepping in last month for him at the last minute. Congrats on the opening of the new laundromat on Main Street. Congrats to the Environmental Committee for being selected for a traveling HLAB science program thru Montclair University in partnerships with the New Egypt High School and Americorps. \$75,000 was awarded to the township for Stormwater assistance, in addition to the Local Recreation Improvement Grant to pave the basketball court. The Memorial Day parade is coming up on May 29th. And finally the Primary Election will be this Tuesday, 6 am to 8 pm.

Counsel provided a resolution to the committee this past Tuesday. We wanted to handle this on a timely basis although some of the committee haven't had a chance to review the video so he would like to pull the resolution until next month's meeting.

Committeeman Cuzzo doesn't believe it should be delayed. He said it's been put out to the community so he would like it voted upon tonight. Cuzzo made a motion to vote on RESOLUTION NO. 2023-190 - CENSURING COMMITTEE MEMBER DOMINICK CUOZZO. Mayor Bowen said he doesn't think it's appropriate, it is appropriate to pull it based on members saying they aren't prepared. Cuzzo said that there should be a second to the motion first before discussion.

Attorney Cipriani said that a motion would be allowed but not at this time since it's the non-consent agenda. It should be after that. Cuzzo retracts his motion.

Mayor Bowen asked for any comments from the committee. Deputy Mayor Marinari thanked the branch manager of the library; he is impressed with her service to the community.

Committeeman Grilletto spoke about the vandalism at the Oakford Lake Gazebo, Paradise Park and recreation fields, a possible ATV ordinance revision, the SOS grant, the Historical Society bake sale and art sale Saturday. Also, he talked about cleanups planned on May 13th in town, the Memorial Day Parade, 21-Gun Salute and a plaque being donated to Zoar Cemetery for a Revolution War soldier.

Committeeman Cuzzo talked about the Thunder in the Pines air show at the military base, problems with the MUA including missed trash pickups, SOS, speeding in town (including trucks), and finally, the budget. They worked to keep the tax rate from increasing.

Committeeman Hammerstone publicly thanked first responders for their assistance with his ill mother. He said that recreation is progressing, games have started and the building is being improved upon by Elegant Exteriors. Hammerstone spoke with the chief and lieutenant about the investigation into the body that was found. He also touched on the traffic officer we are looking to hire.

RESOLUTION NON-CONSENT AGENDA:

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN GRILLETTO, RESOLUTION NO. 2023-175 - AMENDING RESOLUTION NO. 2023-156 ADOPTING A TEMPORARY BUDGET FOR THE YEAR 2023 WAS APPROVED. ROLL CALL VOTE: ALL AYES.

ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY COMMITTEEMAN CUOZZO, RESOLUTION NO. 2022-157 - TO INTRODUCE THE 2023 MUNICIPAL BUDGET OF PLUMSTED TOWNSHIP WAS APPROVED. ROLL CALL VOTE: ALL AYES.

Four committee members haven't had a chance to review the video so would like to postpone it until the next meeting so everyone is prepared to discuss it in full. Committeeman Cuzzo said that no one knew anything about this resolution, it wasn't spoken to the committee. He was present and the quotes were taken out of context and the discussion we were having not about anything but the First Amendment definition of what it means to solicit. It was a very cordial meeting. The fact that one committee member can unilaterally make a decision about something and then promote it as if it's already happened to the community, it grieves his soul. He doesn't think this is how the committee should operate. He doesn't think the committee should treat each other this way. When Marinari calls for peace in the committee, he agrees with that. Things like this are egregious. He never had an opportunity to speak about this before an accusation goes out. He doesn't take it lightly. In an effort to actually get a message out to the community since it's already out there, he thinks they should vote on this tonight. If there is a censure that can be brought up on the consensus of the committee, he is more than willing to humble himself and take any disciplinary action this committee can afford to him. Because it is the prerogative of this committee to censure. However, the way that this was handled and how it went out like this is not right. He wishes there was more of a policy. He almost feels like censuring the person that put the censure together but that would be small and petty and seem like retribution. He is going to force a vote on this because it is written wrong, sent out wrong and if another censure comes up, he knows what he meant and he believes wholeheartedly in First Amendment rights. Cipriani confirmed the motion that was made is to vote on the

resolution or not. Grilletto said that since it was put on the agenda, don't we have to vote? Cipriani said no, it is the privilege of the chair to remove it from the agenda.

Bowen said that the presentation is not accurate. We have said in many of our previous meetings to be sure these types of complaints or other things are handled independently, they go directly to counsel. This item went direct to counsel, it was reviewed. Cuozzo asked how it was brought to counsel. Bowen said there was a meeting with the deputy mayor, chief of police, counsel and the business administrator. Chief contacted labor counsel, as they have a right to do, and counsel sent their recommendation and findings. So by you saying it's political (Cuozzo said it is political), then you are saying counsel is political and Cuozzo said that is exactly what he is saying. Bowen said that you can make that statement but when we receive info that is out to the public, and there were many OPRA requests from the public, we wanted to address it since we didn't want the public having it out there, editing it and reposting or what have you. It was appropriate and fair to Cuozzo to do it in a timely and orderly basis. Cuozzo said that Bowen moved to remove it from the agenda. Bowen said that he is prepared to do it but his colleagues are not and they are entitled to due diligence to be prepared. Bowen received the recommendation from counsel, it deserved committee consideration. Cipriani said that the committee has the authority to censure. It would be helpful to have a vote as to whether or not it's going to be considered tonight. Right now, it is being considered through the conversation. The mayor is prepared although other committee members needed more time. It would be useful to know what the committee would like to do tonight.

ON MOTION OF COMMITTEEMAN CUOZZO, SECONDED BY COMMITTEEMAN HAMMERSTONE, TO KEEP RESOLUTION NO. 2023-190 CENSURING COMMITTEE MEMBER DOMINICK CUOZZO ON THE AGENDA TO BE VOTED UPON WAS NOT APPROVED. ROLL CALL VOTE: ALL NOS WITH COMMITTEEMAN CUOZZO VOTING YES.

MINUTES TO BE CONSIDERED FOR APPROVAL:

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN GRILLETTO, THE SPECIAL MEETING BUDGET WORKSHOP MINUTES OF 12/5/22 WERE APPROVED WITH COMMITTEEMAN HAMMERSTONE ABSTAINING.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN GRILLETTO, THE WORKSHOP/REGULAR SESSION MINUTES OF THE 2/2/23 MEETING WERE APPROVED WITH COMMITTEEMAN HAMMERSTONE ABSTAINING.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN GRILLETTO, THE MINUTES OF THE SPECIAL MEETING FOR MUNICIPAL VACANCY OF 2/9/23 WERE APPROVED WITH COMMITTEEMAN HAMMERSTONE ABSTAINING.

ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY DEPUTY MAYOR MARINARI, THE SPECIAL MEETING BUDGET WORKSHOP MINUTES OF 2/23/23 WERE APPROVED WITH DEPUTY MAYOR MARINARI ABSTAINING.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY MAYOR BOWEN, THE WORKSHOP/REGULAR SESSION MINUTES OF THE 3/2/23 MEETING WERE APPROVED. ROLL CALL VOTE: ALL AYES.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN HAMMERSTONE, THE SPECIAL MEETING BUDGET WORKSHOP MINUTES OF 3/17/23 WERE APPROVED WITH DEPUTY MAYOR MARINARI ABSTAINING.

ORDINANCE: Second Reading/Public Hearing – none

ORDINANCE: Introduction

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN CUOZZO, 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" WAS INTRODUCED. ROLL CALL VOTE: ALL AYES.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN HAMMERSTONE, 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" WAS NOT INTRODUCED. ROLL CALL VOTE: COMMITTEEMEN CUOZZO, GRILLETTO AND HAMMERSTONE VOTING NO AND DEPUTY MAYOR MARINARI AND MAYOR BOWEN VOTING YES.

Committeeman Grilletto would like to postpone it until the next meeting. He wanted to review it with the Construction Office.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY MAYOR BOWEN, 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" WAS INTRODUCED. ROLL CALL VOTE: ALL AYES.

The second reading for 2023-05 and 2023-07 will be on June 1st.

RESOLUTION 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. 2023-163 - AUTHORIZING THE RENEWAL OF A SHARED SERVICE AGREEMENT BETWEEN PLUMSTED TOWNSHIP AND THE PLUMSTED TOWNSHIP BOARD OF EDUCATION TO PROVIDE COURTESY BUSING FOR HAZARDOUS ROUTES FOR THE YEAR 2022-2023

RESOLUTION NO. 2023-176 – AUTHORIZING PAYMENT OF SEWER LOANS

RESOLUTION NO. 2023-177 – AUTHORIZING THE ISSUANCE OF CHECKS FOR THE REDEMPTION OF TAX SALE CERTIFICATES

RESOLUTION NO. 2023-178 – ACCEPTING THE TAX COLLECTOR'S STATEMENT OF UNCOLLECTABLE TAXES FOR THE 2023 TAX YEAR PURSUANT TO N.J.S.A. 54:4-91.1

RESOLUTION NO. 2023-179 ¥ AUTHORIZING THE PLUMSTED TOWNSHIP CONSTRUCTION OFFICIAL TO WAIVE THE COLLECTION OF DEMOLITION FEES (837-839 Monmouth Rd, Block 44, Lot 37.01) FOR FIRE DEPARTMENT TRAINING

RESOLUTION NO. 2023-180 - AUTHORIZING PAYMENT FOR 2022 UNUSED SICK LEAVE

RESOLUTION NO. 2023-181 - AUTHORIZING THE REFUND OF UNUSED ESCROWS TO NEW JERSEY AMERICAN WATER

RESOLUTION NO. 2023-182 - AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION FOR A BLUE LIGHT PERMIT

RESOLUTION NO. 2023-183 - AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISPOSE OF OR RECYCLE OBSOLETE ITEMS NO LONGER NEEDED FOR PUBLIC USE

RESOLUTION NO. 2023-184 - AUTHORIZING A MEDICAL LEAVE OF ABSENCE FOR NADENE CICERO

RESOLUTION NO. 2023-185 - AUTHORIZING THE MUNICIPAL TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, C. 72

RESOLUTION NO. 2023-186 - AUTHORIZING THE SUBMITTAL OF THE U.S. DEPARTMENT OF JUSTICE – FY-23 BULLETPROOF VEST PARTNERSHIP GRANT APPLICATION

RESOLUTION NO. 2023-187 - APPOINTING MATTHEW RACK AS THE ZONING OFFICER FOR THE TOWNSHIP OF PLUMSTED

RESOLUTION NO. 2023-188 - AUTHORIZING THE MAYOR TO EXECUTE THE NJ DEPARTMENT OF HUMAN SERVICES/DIVISION ON MENTAL HEALTH AND ADDICTION SERVICES (DMHAS) GRANT APPLICATION

RESOLUTION NO. 2023-189 - AWARDING A CONTRACT FOR THE OCEAN COUNTY CDBG PROJECT FY2022 – CT 1524-22 HANDICAPPED ACCESSIBILITY IMPROVEMENTS – VARIOUS FACILITIES

Grilletto asked to have resolution 23-163 removed from the consent agenda.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN GRILLETTO, RESOLUTIONS NO. 2023-176 THROUGH 2023-189, EXCLUDING RESOLUTION NO. 2023-163 BEING PULLED FROM THE AGENDA, WERE APPROVED. ROLL CALL VOTE: ALL AYES.

There were two add-on resolutions.

Committeeman Cuozzo wanted to explain his vote. He is going to abstain because he wasn't here when all of the promises and all the rest, he has nothing but positive remarks that have been given to him or anyone that has ever dealt with Tara. He does understand there is a negative report coming from the personnel committee so he is between two places. He wants to honor the personnel committee's decision but also having received zero negative reports about this employee, he cannot vote yes to terminate. He will have to abstain.

ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY COMMITTEEMAN CUOZZO, RESOLUTION 23-190 TERMINATING AN AT-WILL EMPLOYEE WAS APPROVED. ROLL CALL VOTE: ALL AYES WITH COMMITTEEMAN CUOZZO AND COMMITTEEMAN HAMMERSTONE ABSTAINING.

Grilletto said that we have increased courtesy busing costs 40k. We are talking about within 2 miles. There are two streets as hazardous, Evergreen and North Main. They have sidewalks. If it is hazardous, he is for that. He thinks we need to look at this, build sidewalks, or something. Most townships, they charge people if they want to be bused. We don't want to keep throwing away money. He will vote because we are in the middle of the year but we have to look at it for next year. Consider walking or charging people. That is his objection. It's a 40k increase.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY MAYOR BOWEN, RESOLUTION 23-163 AUTHORIZING THE RENEWAL OF A SHARED SERVICE AGREEMENT BETWEEN PLUMSTED TOWNSHIP AND THE PLUMSTED TOWNSHIP BOARD OF EDUCATION TO PROVIDE COURTESY BUSING FOR HAZARDOUS ROUTES FOR THE YEAR 2022-2023 WAS APPROVED. ROLL CALL VOTE: ALL AYES.

Bowen asked for any comments on the bill list. There were none.

ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY COMMITTEEMAN CUOZZO, THE BILL LIST OF MAY 4, 2023 WAS APPROVED. ROLL CALL VOTE: ALL AYES.

The engineer's report of May 4, 2023 was submitted for review; there were no comments.

Bowen asked for any old business. Marinari asked for reconsideration of meetings

between the township and BOE, that we have regular meetings three times a year or four times a year at the most so the superintendent, mayor, etc. When those entities got together, a lot got accomplished. It only benefits the community. Cuozzo said there could be agenda meetings that rather than unilaterally putting things out there, maybe we could talk about it first. That would be a good policy change and would help them to be more deliberative. Bowen asked for any other old or new business; there was none. Bowen then asked for public comment.

Chief Earl Meroney came forward. He wanted to talk about the ordinance readings and why it wasn't on the agenda. This is why his officers and Committeeman Cuozzo had an issue. The ordinance is why there was a problem. He was the one that brought it to the committee and counsel. It's his duty to back his department. Cipriani said that the ordinance is being reviewed and will be on the agenda next month. Cuozzo said that if more time was spent on the ordinance than on the getting the censure out, maybe we would have solutions tonight. Meroney said this ordinance put his officers and Cuozzo in this situation. Meroney wished it was handled differently. Cuozzo said the initial complaint was politically motivated as well. Meroney said his job is to keep the community safe. He has worked in town for 22 years and responded to numerous calls with the similar situation and this has never happened.

Christopher Kissam of Browns Mills came forward. He said he is not a resident of the township but he is a member of the community. He is an ordained deacon and serves as an assistant pastor at Bible Baptist Church. At the personal request of the mayor, he has opened a number of these meetings in prayer and he is here tonight to advocate on behalf of his son who could not attend because he is heading off to graduate bible college in Tennessee. He is going to talk about the events of April 23rd. On that evening, his son, along with others from church, went into the community for the purpose of inviting people to church. For those of you who aren't aware of what we are talking about with case law, this is a constitutionally protected right by the Supreme court of the United States of 2002 that held that governments require religious organizations to register before engaging in door-to-door advocacy violates the First Amendment. The courts stated 'it is offensive not only to the values protected by the First Amendment but to the very notion of free society that in the context of everyday public discourse, a citizen must first inform the government of her decision to speak to her neighbors and to obtain a permit to do so.' This ruling upheld longstanding precedent *Murdoch v Pennsylvania* in 1943 where the court ruled, "this form of religious activity occupies the same high estate under the First Amendment as do worship in the churches and preaching from the pulpits." It has the same claim to protection as the more Orthodox and unconventional exercises of religion. It also has the same claim as the others to the guarantees of the freedom of speech and freedom of the press. This is well known legal precedent. It has been the law of the land for nearly 80 years. The average citizen might not be aware of that fact. That's not shocking at all. But that a law enforcement officer would be somehow ignorant to that is unconscionable to me yet on that night, my son, after being verbally accosted by a grown man who is also a township official, told my son to get the "F" off his property and also "tell your pastor to go f'ing kill himself". My son was then detained by law enforcement officers who, for allegedly soliciting without a permit. When my son calmly explained to the officer that they were not soliciting rather than apologizing for the misunderstanding and sending them on their way. And I don't want to say you lied, but he gave him a falsehood.

Chief Meroney said that he was not on scene. Chief watched the body cam and his son was understanding and the officer did not detain them. Cipriani asked the Chief to refrain, he will have an opportunity to respond.

"They accused my son of soliciting, violating an ordinance and then threatened to cite them with

violations if they continued to do what they were doing. That's what happened. Now listen....Cipriani asked him to address the committee. Kissam continued. He hates saying this because he loves law enforcement, it's an impossible job and often thankless. My brother is a cop, he works with several good law enforcement officers right now on the base, that's what I do. He is a 22 year retired military veteran and comes from a long line of public servants. He took an oath to support and defend, not dissimilar to the officers' oath to protect and serve. That is why I am appalled by the way my son was treated and the way that situation was handled. He heard all kinds of apologies tonight but I'm telling you right now, not, as of this moment, his son has yet to receive so much as a phone call explaining the actions or making any apologies for what happened that night. I've submitted OPRA requests to see the footage and to see the report himself but apparently that information is not yet available, yet somehow, is usable to make, take political actions against a sitting committeeman. You've seen the footage, you know what I'm saying is true. You know what happened to my son and it's appalling. So I am going to say what Pastor Cuzzo attempted to say that night, alright. Because this has been misconstrued. The people are your boss. When you take an oath to protect and serve, your job is to protect the rights of the community and not trample on them. This whole thing was inappropriately handled. The whole thing from start to finish. I think everyone involved should be ashamed of themselves and frankly, I honestly and my opinion is if you would stop the stupid political fighting and do your jobs and serve the people in the community, you would be a lot better off for it. You can start by protecting our most fundamental rights."

Chief Meroney commented. The part the gentlemen is talking about if you watched the video, there was no detaining. The officers spoke to them, advised them of the township ordinances that he talked about, how they were upholding the ordinance the setting committee has. They were doing their job, as per the ordinance, now that we are aware it is improper. But when they were on scene, the young gentleman was not detained. He was free to go. If you watch it, they were about to leave. They were done, the situation was over. And then a phone call happened and it spiraled out from there. The young man that he is talking about was not detained. He was polite towards the officers, they explained it to him. That Sundays from 12-2 you can go door-to-door. Again, now we are knowledgeable. That Monday morning, the officers are now aware of the case law. His guys were upholding the ordinance on that day and he will stick by them 100 percent. The young man was not detained. They were done. Then the phone call happened and it spiraled out of control. That is where we are. There was no detaining. He was about to leave. So when you do get a chance to watch the video, he actually isn't going to say what he heard yesterday. He has no political game in this. He is here to protect everybody. His officers were doing their job by upholding the ordinance in place. His guys won't be put in this place again. Meroney said that he didn't get the case law, he goes by the ordinance.

Grilletto asked for some clarification. Cipriani said that this wasn't the time to ask; it can be investigated after.

Nicole Macallister of 72 Hopkins Rd came forward. She said that with regard to 23-163, she walked to school growing up but there were crossing guards, is that a possibility? Bowen said that would be a requirement. We will be looking at it.

Dominic Griffo, 18 Emerald, addressed the committee. His statement is attached. There was discussion among the committee. Bowen said that the best solution is for the residents to be eligible for these state programs after the 5-year reduced fee window. Griffo would like to see a freeze where they are or those programs. Bowen said that we are in discussions with different departments at the state to see what their response is as far as state tax programs. In addition,

an ideal situation would be to provide tax relief community-wide in the future, including Lennar but not exclusively Lennar. The opportunity to do property tax relief, would be for the entire town. Cuzzo said that the PILOT program excluding Senior Freeze and Anchor is not fair since all others taxpayers get that except those that live in Lennar. We have had residents come and talk about the PILOT program and what it means for them without those programs. Cuzzo wants to make it fair. Cuzzo said that Lennar is looking for a reduction in the percentage over the long term. 55% to another percent, not 100%. That is what was proposed. He has been requesting numbers from the financial adviser. Griffo said that Bowen invited him to the office to review the spreadsheet he had back in March. Bowen at that time, explained the estimated debt service. Griffo said these are real numbers. He said that he would rather use this savings to plan a vacation, then have the town make a decision where it goes.

Michael Silvestro, 1032 Myrtle Ave, Monroe Twp. In the beginning of the meeting, it was said to please stand for the Pledge of Allegiance and please remain standing for the invocation. In the care of Galloway v Greece, they ruled it is unconstitutional for the person to ask the people to remain standing for the invocation so he is requesting that part be stopped. Also, in Galloway v Greece, the principal audience for these invocations is not the public but lawmakers themselves. It is unconstitutional to have the pastor or clergy face the audience. It is supposed to be for the committee, not audience. He also asked if there was an update to the chaplain; it's been over a year and a half. Cipriani said that she did tell him it was going to be ready for this month. It will be done for next time.

Silvestro said that he adores First Amendment rights. The one case that was cited, Watchtower v Village of Stratton Ohio, stated permits are not required, limits should be a reasonable restriction. Time, place or manner restrictions. Cipriani said the ordinance change on the solicitation ordinance and the chaplaincy will be addressed next meeting.

Pat Ahearn, 8 Lawrence Drive, wanted to talk a little about the PILOT program. He is somewhat sympathetic with what their stances are but he had a chance to read through their proposal. They are proposing to be frozen at the 55% mark where it is now in the first 5 years. He is a recipient of the Senior Freeze program and when his taxes were frozen, it wasn't at 55%, it was at 100%. He can see they would want it frozen but it should be looked at the 100%, not the 55%. As a taxpayer in the township, it would be fair and equitable to him to have everyone paying whatever their portion is supporting the township.

Cuzzo said that if someone in that township would have qualified for 35% discount, that is what we are trying to make equitable. If we let it go up too much and people are selling and buying, there would be no incentive to buy in there since they wouldn't qualified for the discount. The properties would be unsellable. He wants it to be fair and an incentive for those in Lennar. Ahearn said that he is happy if we are considering all aspects. He is hoping to have the same care from the township.

Kevin Quattroch, 19 Belmont in Lennar was asking about the numbers that Neil Grossman is running, would they have access to them and if so, when? Bowen said that they have been requested. Quattroch was asking for definitive date and will they have access to them. Bowen said that he asked for them last week. He then asked when Bowen's term is up. He is new to Plumsted and wanted to know his term. Bowen said 2025. Cuzzo said his term is up in January, then there is the reorganization and Bowen would be a committeeman. Then a mayor is selected in January. He then went and asked the deputy mayor and all committeemen. He said that they are his voting public and the committee is not working with us. They are

stonewalling them. They were brought in by Lennar under a misconception which the township is taking no responsibility because the township told them this is the PILOT program and what you have to introduce to the public. Lennar hasn't done so. As of today, the sign still says 5 year tax abatement. It's misinterpretation and misleading them. Is the township going to step in and adjust it? Honestly, he would not have bought into that program and a lot of other neighbors would have done so. Even if they were not in office when this was established, they are asking the township to fix the problem. Please get us those numbers and let's fix this. Otherwise, you don't have a chance of anyone moving into the development. People are now being told by the residents it's not a 5 year tax abatement, it's a 30 year PILOT program. They got sucked into. He hopes the committee does their due diligence.

Lisa Wilner, 9 Emerald Road, said that she has been speaking with the committee since the beginning. She understands they inherited it but at one point, didn't it look like a big red flag when you are building a senior community that doesn't allow senior benefits? She had to sit and explain how Corelogic didn't know how to pay the township because it wasn't in her closing paperwork. She went in with her husband's cousin last week to get information about the community. They talked all about tax benefits, nothing about the PILOT program. Does the township want them to have signs in their windows that say "Beware of PILOT Program"? It's a scam, you're a senior. The township is saying they are going to put it through the state, that person. Can't we sit down with the right people, representatives from their community, legal and the township to figure this out? They will start talking to the governor, Cory Booker, etc. That won't help us, let's figure out how to fix this. She doesn't want to threaten that she won't vote for you. She said that Lennar and the township didn't do their due diligence. The township inherited the problem, let's sit down and have a meeting and figure it out to make it happen. Let's just fix it already. They can't sell their places. She is asking for a date to sit and figure it out and the township has the numbers? Bowen said that he cannot yet. She said that the township is not doing their jobs. She said to get the state down here for a meeting.

John Lombardo of 6 Gulfstream Rd said he was one of the first persons that brought this to the township. He opened the can of worms. It's a serious problem. They knew it from the start. He has been here for one year and has been talking about this for six months he's been coming here, along with the sewer issues. He feels they are wasting their time and breath. He understands the township keeps saying they are trying and trying. His suggestion is that if the township doesn't have the power to change things, then let's get state representatives here along with Lennar, meet somewhere to hammer this out. The situation will also affect that their terms will be up and before we know it, the five years will be up and they will be faced with the possibility of their property taxes will be doubled. The people in the township that were here before us look at it like they are getting a discount with the 55% to pay, not realizing they aren't getting the senior benefits. He was under the interpretation that the rate when they came here, that rate was going to be frozen for 5 years and then after that, they will pay 100% the rate when they came here. Since he has been here, the township has raised the tax rate on them. The biggest issue and problem is that this is a unique situation. It's the only PILOT program in the state that deals with a 55 and over development. Also, understand that they were never told this when they first came here and one of the reasons they were in this program was basically to support the new sewer system plant in the town and help the revitalization of the town, their tax money. They never disclosed us that the township would be receiving from Lennar, 95% of the tax money as opposed to 10%. So then, as Dominick has mentioned, the township is taking our money and deciding how we want to spend it. If it wasn't for us money and us coming here, we wouldn't have all of this excess money and decide where to spend it. When we came here, his understanding was if the township didn't put this program together, they wouldn't be able to

complete the sewer system. What he wants the township and state to understand, it feels like Lennar is the one supporting of having the gains of the sewer system plant and to revitalize the township. And they will constantly be paying the township while the township will receive the goal of receiving for 30 years of 95% of the money that they normally would only be receiving 10%. What does he get for it? Their money is helping the township grow and helping decide whether you want to give each other raises, do situations in the parks or basketball courts, but we get grants. What are they getting as a senior over 55 development that is self-sufficient. They pay for sewers and all of these costs are going up. They are on a fixed income as retirees and now they are faced with an issue four years from now for him, that his taxes will pretty much double. But his income is not going to double. If he knew this from the start, he would have never bought here. He is afraid they cannot sell their homes. The main reason Lennar got them here is the 55%, it was enticing. They figured they would spend the rest of their lives here and now they are looking at problems down the road. Not to put it on the township, they need to get some state officials here along with Lennar, the township and iron this out because in five years, this is going to be a disaster. They won't be able to sell, there will be foreclosures. The township keeps taking and everything will keep increasing. Just when you think life will be easier and you enjoy your retirement for all of your work. There are a lot of different roads to take. This is just one road and one road only and they are being negatively affected by it. Everyone else is not feeling the pain they are feeling. This is a serious matter that will only get worse if the township doesn't take care of it now. The township says they will try and make it 75%, no, people are in town and Lennar. Let everyone share in this equally. There is so much money the township will be seeing. It has to be done now. It needs to be fixed so they know if they are going to stay or leave. They all love it here, it's not anyone's fault but something was put together years ago. The world has changed. Financially it has changed. People are struggling. Life is hard for 55 and over. If we are expected to pay 5k more, where is it going to come from.

Kiyomi Locker, 5 Inman Road, she wanted to talk about 23-163 for busing. She said that she knows it was approved but her thought was if we were going to hire another officer because people are speeding and then you said that it wasn't a hazardous route but the township is hiring an officer for trucks and speeding, so it is hazardous. Perhaps it would be a good idea to have a no truck zone downtown. Cuozzo said thank you and he has been speaking with the engineer and talking about signage, etc.

Kevin Quattrochio again said that how he said that Lennar is misleading them.

Bowen asked for any other comments. Grilletto spoke of the cleanups, the parade, and 21 gun salute.

ON MOTION OF COMMITTEEMAN CUOZZO, SECONDED BY COMMITTEEMAN HAMMERSTONE, THE MAY 4, 2023 MEETING WAS ADJOURNED. ROLL CALL VOTE: ALL AYES.

Respectfully Submitted,



Jennifer Witham, RMC, CMR
Municipal Clerk

****Please- be advised that these minutes are adopted pursuant to the Open Public Meetings Act N.J.S.A.***

10:4-14. They are not intended to be a verbatim record of the meeting. There is a verbatim recording of the meeting a copy of which may be requested through the Plumsted Township Clerk's Office.

017110 2
D. Griffo

Good evening, Mayor Bowen, and Plumsted Township Committee Members. This evening I find myself before you once again in the presence of my neighbors and friends to discuss the challenges created by the PILOT Program. As we all have come to know, this was a program established to fund the wastewater treatment facility for Plumsted Township. This program will also provide significant financial benefits for the township creating a new revenue stream whereby 95% of the revenue generated for the next 30 years stayed in the possession and control of the township. We've come to recognize the need for such a program; however, the long-term costs are at the expense of the Venue at Longview community. Our 55+ age restricted community that you leveraged to fund your wastewater treatment facility necessary to revitalize your downtown, should not be penalized, taken advantage of or blinded sided into losing significant benefits that would otherwise be available to us or new prospective homeowners.

Earlier this year, at the February Township meeting many members of the Lennar Community expressed to you and this committee, the deceptive tactics used and the misrepresentation of the 5-year tax abatement. For your information, that sign is still in place today as you enter the community, continuing to misrepresent new potential buyers. Members of our community expressed their frustration trying to get resolution and reconciliation for their tax payments, which we all know now are not tax payments, between their mortgage companies and your finance office. A lot of additional stress when we're at a stage of our lives looking to scale back the stress. At that time, we also brought to your attention the financial impact of losing benefits and privileges because of your PILOT Program which we would otherwise be entitled to. Not only does your program negatively affect current members of the Venue at Longview Community, but it acts as a deterrent for new and resale residents, and I am sure that you understand the negative impact that this will have on our home values. If you don't, please let me know and I will be happy to explain it to you.

At the March 2nd, meeting I again prepared and presented information to you and this committee. I shared with you the picture of the sign advertising a tax abatement as you enter the community. Guess what it's still there misrepresenting new home buyers by luring them into the community under the premise of a "5 Year Tax Abatement". During this meeting I presented a proposal on behalf of the community showing you and the governing body how you can achieve the obligations of funding the wastewater treatment plant while offsetting the losses to the members of the

community caused by the PILOT Program. You further recognized the need for further discussion and called for a March 20, 2023, workshop meeting to specifically address the concerns of the PILOT Program. Prior to this workshop meeting, you emailed me directly and invited me to an in-person meeting with you, Committeeman Griletto, and Sharon Gower Twp CFO to review my spreadsheet and the basis of my proposals. Though complimentary about the document I presented, you were hesitant to acknowledge any course of action. At that time, you expressed your primary concern to meet the financial debt obligations of \$59.4 million dollars for which this PILOT was structured to support. On Monday March 20th, 2023, at the special PILOT workshop, I once again in the presence and with the support of our community presented to you and the township committee several proposals that addressed achieving then financial obligations of \$59.4 million dollars while offsetting the losses to members of our community. At the conclusion of that meeting it was recognized by Deputy Mayor Marinari, the respect demonstrated by our community and the need to correct the wrong that was created. I have followed up with you Mayor Bowen since that meeting only to learn that you have made additional contact with the New Jersey Department of Community Affairs (NJDCA), who according to your note, has jurisdiction over PILOT programs. Mayor Bowen, it's time for you and your team to stop hiding behind the State of New Jersey and come down off your cannabis cloud to fix the problem which you have created. What were you, committeeman Griletto, and now Deputy Mayor Marinari thinking when this program was orchestrated? What was your consideration for Veterans and Seniors knowing that they would forfeit entitlements and benefits as a result of the PILOT program? How could you not know of your duty and obligation to this group of citizens whom you were trying to welcome to your town? Not a very charming welcome. You sir have a duty and obligation that is both moral and legal to protect and create efficiencies for the citizens you represent. Let me share a statement that you may already be aware of; **"The Public Offering Statement shall disclose fully and accurately the characteristics of the subdivision and the lots, parcels, units or interests offered and shall make known to prospective purchasers all unusual and material circumstances and features affecting the subdivision. The Public Offering Statement shall be in clear and concise language and combine simplicity and accuracy to fully advise purchasers of their rights, privileges, obligations and RESTRICTIONS"**. The Public Offering Statement and the disclosures should have been clear, but as we all know, now, they are not. We believe that the Township had a moral and legal obligation to ensure

that it addressed all known risks including the **Restrictions** of our rights, that are, have been and will be taken away from us in the future as a result of this PILOT program.

We believe as a group we have shared accurate information and solutions that are fair and equitable, and easy to implement. We are here once again to address this committee on the same topic we have presented over the past 120 days.

Due to the possibility that you may not understand what it is that we are requesting, I'd like to spell it out, again, with clear and concise language. All we want is what you took away as a result of the PILOT program. This includes the following:

1. Senior Freeze,
2. ANCHOR,
3. Homestead Rebate
4. Disabled Veteran & Veteran Benefits

We as a community have been respectful of your time and ask the same of you, our leaders that should be representing us and our interests. We can continue to express our concerns and have additional community members take the mike after I am finished but we are not going to do that. We are uniform in our position, as we have been since we first discovered the mess you got us into and made for us. At a minimum, the committee owes us a response and a proposal on how the Township is going to correct the negative situation that it created. We have been patient, supplied you with all the information that you need, and feel that you are just not listening or worse, that you just do not care. We respectfully request your response and a plan of action to correct this issue within the next 30 days.

Thank you for the opportunity to address this committee tonight.

Respectfully,

Dominic Griffo