

August 3, 2023  
121 Evergreen Rd  
New Egypt, NJ 08533

The Plumsted Township Committee meeting of August 3, 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 posted on the Bulletin Board.

**THOSE OFFICIALS PRESENT:**

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

Committeeman Cuozzo will be joining the meeting later.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN GRILLETTO, RESOLUTION NO. 2023-241 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 Bowen called the Workshop/Regular Session to order. A second roll call vote was taken. Committeeman Cuozzo will be late. Mayor Bowen asked everyone to rise for the flag salute followed by the invocation led by Reverend James Gutacker. Bowen said there is a short agenda, but it will be a full evening. Committeeman Cuozzo arrived at 7:10 pm.

Bowen spoke about National Night Out held on Tuesday night, 8/1/23. He thanked Officer Goldfluss and Officer Talty for their excellent work. He spoke about the Wellness Program. Assemblyman Alex Sauickie will be here tonight and the committee will be expressing appreciation to a member of the MUA who has finished her term. Dave Roberts, the Township Planner who wrote New Egypt's redevelopment plan, will be making a presentation about what is next as far as revitalizing the downtown.

Deputy Mayor Marinari spoke about the Special Meeting he attended for the Board of Education on Monday and the selection of an interim superintendent until December and the selection of a permanent superintendent. He thanked School Board President Potter for her excellent work.

Bowen spoke about the Provinceline Road sign installation and the order for a brighter light at the intersection of 537. There was pothole repair on Provinceline Road. Two PSE&G pipelines are being installed in town and residents will be able to connect if they choose to.

Committeeman Grilletto talked about the gas line being installed on Jacobstown Road, vendors needed for the Ocean County Department of Human Services the Youth Prevention Suicide Program, the Historical Society car show on 9/16/23, and utilization of the Ocean County Library to cool off in the hot weather.

Committeeman Cuozzo said he and Marinari met with the MUA. They also made a site visit to the sewer plant. There are always problems with a new system and getting everyone hooked up. He is very thankful for the members of the MUA and the committee members who are solving problems. He spoke about a MUA problem solved by Committeeman Hammerstone and a trash pickup problem with Waste Management solved by Marinari. He is excited about the gas line coming

down Jacobstown Road. He had a great time at National Night Out. He thanked Officer Goldfluss for managing everything very well.

Committeeman Hammerstone thanked the police for putting together a great National Night Out. He thanked William Joseph Plumbing for the repair work they did on Oakford Lake.

## **PRESENTATIONS**

Bowen introduced Assemblyman Alex Sauickie to the audience. Sauickie replaced the late Ron Dancer. He said this is Sauickie's first appearance at a Township Committee meeting. Bowen said he is grateful that Sauickie kept the district office in Plumsted and for his availability to the Township and its residents. Bowen thanked him for his recent help with the PILOT program and the StayNJ program. He spoke about how Sauickie met with township representatives about inserting the PILOT program into the StayNJ legislation in order to help residents at Lennar. Sauickie has been a tremendous champion for Plumsted. Bowen said he is pleased that Sauickie lobbied to keep Dancer's committee assignments.

Sauickie thanked Bowen for his comments. He spoke about the things he has been able to accomplish with Lennar which started with residents coming out and asking their elected officials for help. He said there have been multiple meetings with residents from Lennar and with Mayor Bowen. The end result is exactly how this should work. Residents have concerns and their elected officials are there to help. Personally, this is the greatest honor in his life to represent District 12 – Plumsted and the other 13 municipalities that he represents. It is not about him. It is about representing the residents and standing up for them when he needs to. Trenton is a lot different than he thought. It is not as polarized as you might think. He spoke about how the solution for Lennar came about. He said it really is possible to find common sense in Trenton across the aisle. When you find it, it is great to see things move. He spoke about the bills he has submitted. Helping veterans; helping farmers preserve land; thinking twice about where warehouses are built. Constituents are welcome to call and make an appointment at any time. He loves Plumsted and thinks it is a great town.

Cuozzo called De'Jon Farrell-Francis and Coach Ramirez of the Ramirez Boys Fight House to the front. Cuozzo presented a certificate of appreciation to Farrell-Francis for his dedication to athletic combat sports and in representing the township. Cuozzo said that Farrell-Francis wears a New Egypt flag on his back after his victories. Cuozzo went through some of his accomplishments and thanked him for representing the township.

Farrell-Francis said he represents the people of New Egypt/Plumsted and thanked everyone for the presentation.

Coach Jennie and Coach Rogers spoke a few words about Farrell-Francis and how much he means to them at the fight house.

Bowen asked Nancy Lawrence to come forward and accept a certificate of appreciation for her six years as a member of the Plumsted Township Municipal Utilities Authority. He thanked her for the work she has done on the MUA with the sewer wastewater treatment system, the energy aggregation program, and the trash pickup program. He spoke about her professional background and the time and effort she has contributed to the community through her work on the MUA board. The certificate is a small token of the township's appreciation in recognition of her volunteerism on

the MUA. The township is grateful for the time and effort she put into her work on the MUA. Lawrence said it was time well spent.

Committeeman Cuzzo left the meeting at 7:50 pm.

Bowen introduced Township Planner Dave Roberts. Bowen said Roberts wrote most of the documents on the redevelopment page on the township's website. Many of them, if they talk about the future of Plumsted, say first, a wastewater treatment system has to be built. The township started looking at options for the wastewater treatment system in 1995. The township is nearing the end of Phase 1 of the rollout of the wastewater treatment system. Second on the list was an active 55 community, Lennar, which is well on its way.

Bowen said the township plans to redevelop 31 Main Street to revitalize downtown. The Land Use Board is talking about looking at the Master Plan early. The PMUA is interested in what their next phase will be. The Environmental Committee is actively involved in the lake and the creek, which is part of the downtown. A lot of different elements of the township have been looking at what the next step will be.

Now that the sewer system is in, the township can do some of the things it has been wanting to do, particularly along Main Street. The township is looking to find ways to encourage property owners to invest in their properties and revitalize them. What is the township's vision for the downtown? The last thing that was done was 2017 implementation plan; a lot has changed since then. The township has to ask if it is still relevant or are there going to be updates to that as well.

Bowen said the goals of the New Egypt Redevelopment Plan are to transform underutilized buildings and properties in the New Egypt Downtown Redevelopment area into fully productive uses to serve as a guide documenting for the township and planning board and a smart growth vision that channels residential and commercial development in the designated areas in order to preserve open space and surrounding sections of Plumsted.

Due to the progress that has been made, now is the time to revisit the plan and to decide what is next. The township needs to make sure that the land use board, the MUA, the environmental committee, etc., are all headed in the same direction. There are many new faces since 2017. Part of the process is getting the new people up to speed.

Roberts thanked the Mayor. He said the legal infrastructure is in place and the physical infrastructure is catching up to it. The most important part is that the wastewater treatment plant has been built. Roberts said he prepared informational handouts for the committee. He also provided the most recent edition of the Redevelopment Handbook to the mayor and the clerk.

Roberts gave a summary of where the township started and where it is now. He spoke about the township's designation as a "Town Center," the five-year tax abatement exemption, the Town Center boundaries...the infrastructure of the wastewater system would not extend beyond the Town Center boundaries in order to put a curb on sprawl...to keep it in the confines of the New Egypt core and surrounding neighbors.

Roberts spoke about the "area in need of rehabilitation," which was done first and coincided with the Town Center boundaries, and the C-4 Commercial Zone which has shallow septic systems and are in a flood zone. Getting the infrastructure in place would allow existing buildings downtown to rehabilitate so they could be fully utilized.

Roberts said the second component was a number of properties with large acreage that could only be improved with single family homes because they had to be on septic. He explained how the properties could be developed and how the township had to go to sub-surface disposal. He also spoke about the obstacles to the development of the Lennar property and how they were overcome.

Roberts spoke about the redevelopment tools that are available to be used by municipalities in New Jersey and the tools that have been used by Plumsted, including making zoning changes. He spoke about SIDS and bids, which are financed through a surcharge on the taxes of a critical mass of businesses. He suggested updating ordinances that may have been adopted prior to the five-year tax abatement law.

Roberts talked about the history of the five-year tax abatement law. He said the Town Center Area designation can expire. The "area in need of rehabilitation" does not expire, which was done by block and lot, so those properties within the boundary would still be in the rehab area. Any commercial property in that area would qualify for a tax exemption, but they have to invest in the building by improving a major system in the building, such as the roof, etc.. New construction is also included. The installation of the sewer system is another incentive for property owners to improve their buildings.

Right now, the goal is economic development. Use organizations in town to let property owners know that incentives are available. Roberts spoke about the five-year exemption and abatement law. Exemption is on improvements. The abatement would be on the existing taxes.

He said he wanted to explain how the township got to this point and some of the tools the township has in place that they can use. The township has used most of the tools. It is more proactive than other towns in the State, especially for a rural town. Credit goes to the vision in the late 1990s and early 2000s. Take advantage of what the township already has in place.

He spoke about the possibility of making changes to the Master Plan. The whole idea was to keep the character of downtown New Egypt. The next idea is what the township can do to nudge the property owners to improve their property. Property owners are not going to make an investment unless they know they can get that investment back. One incentive is seeing more people on Main Street because there are more residents.

Bowen asked about waiving permit fees. Roberts said the township would have to be careful with that because it would have to be done within the context of other statutes. The building department would have to answer to DCA. They do not have a lot of leeway in terms of how they charge their fees. There may be fees under the auspices of the municipality where the township may be able to do some of that. That is usually done in redevelopment agreements. In this situation, the township is not going to do a redevelopment agreement. The township is just trying to get property owners to invest in their property. It is not technically a redevelopment project.

Bowen said the township has given property owners the opportunity to invest, but they do not have to. The township can do all this work, spend millions of dollars, and nothing happens. The township can create a window of opportunity with whatever incentives it is able use. A lot of people on a lot of different boards are doing parts of it. You want to make sure you are working on the same pieces of the same puzzle and they will ultimately fit together. The township worked a long time to get where it is and now that it is here, it is really up to the township to figure out the next steps. Roberts provided some suggestions to the township.

Grilletto described how he provided incentives to his tenants during COVID and suggested that the township provide tax incentives to landlords and small businesses. Roberts said that may work with an abatement. That would be something to go over with legal counsel. The township needs residents to support local businesses.

Marinari thanked Roberts for everything he has done, and said Main Street and the Plumsted Business and Merchants Association are no longer here. He said what is needed is to have all of the entities come together and form some type of a relationship with the public and the businesses and with downtown and Main Street. He feels that is a priority. You need an association and investment by businesses. There are businesses that have advanced this community. We have to try and get them into a room and find out what is best for everyone in this community...business...non-business...residents...non-residents that are coming in. Especially since there is a pool of new residents in Lennar. For them to come downtown and have a nice evening...that is an ideal that may come to the township in five years or so.

Rogers said Plumsted is a unique municipality in Ocean County. New Egypt's charm is one of the best-kept secrets in Ocean County. He thinks people from outside of Plumsted would enjoy it too. Marinari said it was Ron Dancer's dream to keep this a community that has its agricultural basis, but still has the openness to welcome anybody from wherever you come from, to come here and enjoy this community.

Committeeman Hammerstone said he wants to see the downtown redone and wants to be a part of it.

Bowen said part of the plan is the reality of critical mass. If you have a store or restaurant downtown, you need a certain number of customers to make that work. Obviously, it cannot just be Main Street. There are not enough residents on Main Street to keep those businesses in business. Residents around Main Street need to be part of the downtown so that is all feeding into the local businesses. In talking to other Mayors, a lot of towns reinvented their downtowns during COVID.

Hammerstone spoke about bicycle/pedestrian connection with the Lennar development area and the downtown to pull Lennar residents into downtown. There was a discussion about completion of the UTT and the use of grants to construct bike paths and about contacts who could help at Ocean County. The committee thanked Rogers for his presentation.

#### **CORRESPONDENCE:**

Mayor Bowen read the Letter of Resignation from Plumsted Police Officer Picinic effective 7/19/2023.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN GRILLETTO, THE RESIGNATION OF OFFICER PICINIC WAS ACCEPTED WITH REGRETS. ROLL CALL VOTE: ALL AYES.

#### **ORDINANCE: Second Reading/Public Hearing**

Bowen asked if there was any public comment on Ordinance 2023-06. There was no public comment. Bowen asked for a motion to close public comment.



ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY COMMITTEEMAN HAMMERSTONE, THE PUBLIC HEARING ON 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 CLOSED. ROLL CALL VOTE: ALL AYES.

Bowen said he has been talking to property owners, one of whom tracked down a version of an ordinance from Mt. Laurel. He said he is hesitant about the committee creating standards. What he liked about the Mt. Laurel ordinance is that they simply adopted existing standards in the 2018 International Property Maintenance Code. For their inspections, they authorize their “construction official, his or her designee and the county board of health.” Grilletto had mentioned that in his documents.

Bowen thinks there might be a better way to do this. He does not know if the committee wants to vote on the ordinance or table it and look at what other towns have done. He compared the two township ordinances discussed last month with what the Mt. Laurel ordinance says about a mechanism for the certificate of continued occupancy.

Marinari said he talked to people as well. He said there are a lot of questions about what the committee is trying to do. His response is that the committee is trying to improve the overall operation of all businesses downtown. At this point, he would like to table the ordinance and look at it in more depth.

Cipriani said that if you make a motion to table the ordinance without a date certain, the ordinance will die. This is the first she has heard about the Mt. Laurel ordinance. She has some concerns about that ordinance. It seems that the committee could put together something that would be more workable. It seems that the committee is not ready to go forward with this ordinance in this form. She suggests that it be tabled. If a date certain is not given, then the ordinance will die and the committee can take a look at a simplified version.

Grilletto said he would like to table it with a date certain, for a month or two months, so the committee can look at it and make a decision on it. He does not believe in letting it die. He spoke about changing the name “mercantile application” in construction.

There was a discussion about tabling the ordinance to the November 2023 township committee meeting and reviewing the International Property Maintenance Code.

Bowen asked for motion to table Ordinance 2023-06 to November 2023 meeting.

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 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 TABLED UNTIL THE NOVEMBER 2023 TOWNSHIP COMMITTEE MEETING. ROLL CALL VOTE: ALL AYES.

## **ORDINANCE: Introduction**

Grilletto and Hammerstone spoke about their objections to the ordinance.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY MAYOR BOWEN ORDINANCE NO. 2023-11 – AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 62 OF THE CODE BOOK ENTITLED “VEHICLES, UNLICENSED” TO ALLOW FOR THE

FORFEITURE OF AN ALL-TERRAIN VEHICLE OR DIRT BIKE IN VIOLATION OF N.J.S.A. 39:3C-17, DECLARING THE OPERATION OF ALL-TERRAIN VEHICLES AND DIRT BIKES IN VIOLATION OF CHAPTER 62 OF THE CODE BOOK AN IMMEDIATE THREAT TO PUBLIC SAFETY HEALTH AND WELFARE AND DESIGNATING SUCH VEHICLES AS CONTRABAND SUBJECT TO FORFEITURE WAS NOT APPROVED; ALL COMMITTEEMEN VOTED NO.

The ordinance does not pass and will be reworked.

## **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. 2023-242** – APPRECIATION TO ASSEMBLYMAN ALEX SAUICKIE FOR THE ADDITION OF PILOT PROGRAM RESIDENTS IN THE “STAY NJ ACT”

**RESOLUTION NO. 2023-243** – AUTHORIZING TOWNSHIP ENGINEER ENVIRONMENTAL RESOLUTIONS, INC. AS PROJECT ENGINEER FOR THE STORMWATER POLLUTION PREVENTION PLAN

**RESOLUTION NO. 2023-244** – AUTHORIZING THE REFUND OF UNUSED ESCROWS TO CHIP JOBES

**RESOLUTION NO. 2023-245** – AUTHORIZING THE SUBMITTAL OF THE STATE OF NEW JERSEY, DEPARTMENT OF LAW AND PUBLIC SAFETY DIVISION OF CRIMINAL JUSTICE, 2023 STATE BODY ARMOR REPLACEMENT FUND GRANT APPLICATION

Two add-on resolutions:

**RESOLUTION 2023-246** – AMENDING RESOLUTION 2023-82 APPOINTING MEMBERS TO THE SENIOR OUTREACH SERVICES PROGRAM

**RESOLUTION 2023-247** – APPOINTING MICHAEL KEMP AS A PART-TIME CLERK FOR THE TOWNSHIP OF PLUMSTED

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY MAYOR BOWEN, RESOLUTIONS NO. 2023-242 THROUGH 2023-247 WERE APPROVED. ROLL CALL VOTE: ALL AYES.

## **MOTION TO CONSIDER: Permit for Use of Public Grounds/Parks**

- New Egypt Historical Society Car Show – September 16, 2023 11 am to 3 pm, municipal building lot use for spectator parking

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN GRILLETTO, ONE PERMIT FOR USE OF PUBLIC GROUNDS/PARKS WAS APPROVED. ROLL CALL VOTE: ALL AYES.

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

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY MAYOR BOWEN THE BILL LIST OF AUGUST 3, 2023 WAS APPROVED. ROLL CALL VOTE: ALL AYES.

The engineer's report of August 3, 2023 and the report from the police department were submitted for review; there were no comments.

Bowen asked for any old business. Attorney Cipriani spoke about the memo she prepared regarding the No-Knock ordinance and the version that was provided at the last meeting that did

not pass. There were concerns brought up by Committeeman Cuzzo about including the definitional section. Cipriani is not sure if the committee wants to prepare a new ordinance with those definitions carried over and with some of the changes that have been suggested. She thinks it is very important that the township address the issue. Not doing so leaves the township in a vulnerable position.

Grilletto said he mentioned at the last meeting that he would like the township to do a whole new ordinance, with detailed definitions so there is no misunderstanding. Cipriani said that the definitions in the existing ordinance did carry over. Cipriani said that changes were made to the "canvassing" and "solicitation" definitions. She will prepare a document with the full ordinance and the existing definitions and will show in a red line the suggested changes.

There was a discussion about revisions to the No-Knock ordinance, whether or not a permit is required for some organizations, time limitations and the possibility of exposing the township to a challenge of the ordinance. The question is what happens when it is challenged. There is a time limitation for most solicitations. There is a Constitutional exemption for political and religious groups. The township can ask, but not require, that these groups adhere to time limitations. Cipriani said that is a decision for the committee to make. She will draft a new ordinance and send it to committee members for review.

Bowen asked for any new business. There was none. Bowen asked for public comment.

Chief Earl Meroney, 2 Cedar Street, New Egypt, NJ, said he has a statement he would like to read. "I wasn't able to attend the last month's meeting in reference to the solicitation ordinance. You are talking about 'No-Knock' but there are two different chapters in the ordinance that my officers have to uphold. If you've been listening to the meetings since May, you know this has been an ongoing issue that we have been having multiple debates about. Again, I was unable to attend the meeting held in July. Lt. Reilly was present and advised me the township ordinance for solicitation that my officers responded to on April 23rd was determined to be unconstitutional.

We have had discussions regarding this ordinance and issues that have come from this incident. I have shared my concerns that the outdated ordinance did not move forward to be corrected, which leads me to stand here and question why. I would be remiss if I did not speak on this issue again and remind you that this committee puts into place all township ordinances that my department is responsible for upholding and enforcing.

If I am correct, because it did not change at the previous meeting, it will take another two readings to make whatever changes are agreed upon and needed. Due to this lack of change in the current ordinance and it being declared unconstitutional, I am and have advised my officers not to enforce this ordinance as it reads. Because as Committeeman Grilletto just said, it's a No-Knock ordinance, it's midnight, how are my guys and gals going to know if it is political or not. I'm not putting them in that position.

Because this ordinance was deemed unconstitutional by the committee we've had multiple debates about it. The town attorney knows that my interpretation of the Supreme Court ruling says the hours were upheld. We've had multiple conversations about it. Again, I am going by what the township attorney says. My interpretation of the Supreme Court from 2017 from Ohio...everything was upheld...the hours were upheld...the only thing that was not upheld was applying for the permits. What the Jehovah Witnesses in Ohio fought about is that they had to pay fees and permits to go door to door. The hours were upheld. That's just my interpretation of the Supreme Court



ruling. I am not a lawyer. I'm just here to ensure that my men and women are safe, as I've mentioned numerous times.

Like I said, I was unable to be here...when the Lieutenant told me nothing was done to make this change...until this change is done, I've directed my officers that we are not going to respond because I'm not putting them on the spot for an unconstitutional solicitation permit...No-Knock...whatever it is...to the residents, I apologize...but the two officers were put in a bad spot, as everybody knows, on April 23rd for something that could have been handled totally differently. It spiraled out of control.

I want to bring up the incident on April 23rd. I had Lt. Reilly conduct an internal investigation because it was brought to my attention that some of the committee felt that my department leaked some body cam footage from that incident early and it was put on social media. Me, personally, if you know me, I am very, very pro-Plumsted, pro-police, especially our police department. I have some of the best men and women in Ocean County and the State of New Jersey, if you ask me.

When I got the information that some of our own committee felt that body cam footage was released and put on social media prior to being reviewed by myself and the town attorney, to be blunt, it kind of (excuse my language) pissed me off. The fact that you think my department and myself would release body cam footage prior to being reviewed makes me very angry. Very angry. I had a committeeman request the State Police handle a call of service within our township. That kind of makes me mad too. What kind of support does that show my guys and gals when a committeeman calls 9-1-1 and requests an outside agency to cover a call. And then on top of that, that happened before the body cam leakage supposedly came out.

It was determined, through the Prosecutor's Office and through Lt. Reilly as being in charge of internal affairs, that it *was not* released early. It was released *after* it was reviewed by myself and the township attorney. I just want to put that on the record. I'm tired of this whole situation. It should never have happened. It should have been handled differently, as I've mentioned numerous times at township meetings. It spiraled out of control because a phone call was made. It shouldn't have been handled the way it was.

We are moving forward from it but, again, in reference to the ordinance that was not passed in July...or was not corrected...it's my order to my officers, solicitation calls for service are going to be put on hold to see what it is because I am not putting them in that spot. Thank you."

Bernard Bahnam, 370 East Millstream Road, Cream Ridge, NJ, said he is not here fighting for any side. He actually has multiple questions to ask. He was also not here for last month's meeting, but the month prior he had asked what is being done to help the homeowners from stopping anyone from coming on their property. Like he stated two months ago, he does not want anybody on his property, period. He does not find it right that he has to constantly put up stickers and no trespassing signs and then he has to deal with his deliveries...it is not right that homeowners are forgotten about.

As far as stickers being put on front doors, some of these driveways are 300 feet long. When we say we do not want someone on our property, I do not want them 20 feet onto my property, never mind 300 feet onto the property to see a sticker on the door. It is just nonsense. It really is.

Maybe we should stop following the status quo and try to think outside the box. Instead of a sign-out, maybe this community can do a sign-in. If people are okay with others walking onto their

property, maybe they can call into the town, “hey, I’m okay with people on my property,” and get a list going. So the people that get the permits have that list, instead of constantly having to put things up to stop people from coming on our property.

We just want to be left alone. A lot of us just want to be left alone. This whole idea to fix one thing is messing up other things. Really, the whole big picture is a mess. With half the people satisfied and half the people not satisfied. He said he is one of the people who are not satisfied because he does not want to keep putting no trespassing signs on his property...he does not want to keep putting stickers on his door...for not wanting people at his place. He was always raised, it is not your property, stay the hell off of it. It is the way it should be, plain and simple...

Cipriani said she understands that Bahnman is frustrated, but she does not want him to leave here thinking that is something that the governing body is not choosing to act on. An ordinance such as he is describing would not be constitutional. So, she does not want Bahnman to think the governing body is not listening. They just cannot do it.

Bahnman said he has no trespassing signs all over his property. He had asked at his last public comment whether no trespassing signs superseded. Cipriani said it does. Bahnman said because he has no trespassing signs all over his property, he looks like the Grinch. He tries to beautify his house and he has to put all these signs up. His acreage is covered. It is not the look he wants to give. It is not the look of the town. People just want to be left alone. If he has to put no trespassing signs every twelve inches on his property to make sure no one steps on his property, he will do it. If that is the look we have to give the town that is the look the town is going to get.

Bahnman said next are the ATVs. He understands why the township is doing the ordinance. But he is a huge advocate for ATVs. First, dirt bikes can be bought for on- or off-road. The difference is they have turn signals, horns and others do not.

The ones that are on-road...he is not sure if it would be legal for the township to confiscate them, especially if they are registered and insured. Just like someone is doing careless driving in a vehicle, you write them a ticket, you do not take their vehicle.

Off-road dirt bikes are another thing. They are probably more like ATVs where they have to be transported to the site. They do not have turn signals, they do not have horns, etc. But the thing is, constantly hearing taking away these things from these kids bothers him so much because he would rather his children were out on an ATV or a dirt bike instead of watching TV any day of the week. You take these things away from these kids and the parents are responsible. Before we keep punishing for ATVs and stuff, he is urging...he is begging the committee to give them a place to ride. If they have a place to ride, these ATVs will not be on the road.

It is not the ATVs and the dirt bikes that are really causing the problems. It is the kids on the pedal bikes causing problems going in and out between cars. People are being punished for the wrong reasons. We should put more safety regulations on and give us a place to ride. This way, you know the ATVs are not stolen. They are registered. They are insured. It takes less police time off of chasing these people in the woods for enjoying the time out. It could create a revenue if the town implements a pass or something for that area. Taking away the ATVs is not the right thing.

Personally, he is never going to change his mind on that because the people that ride dirt bikes and ATVs are very passionate about it. It is a hobby. We are constantly caught in this legal battle. He had a talk with Mayor Bowen at National Night Out. He thought it was a great conversation, but he

thinks we really need to do something big for ATVs, especially being how hard it is in New Jersey to ride. We do pay taxes on them when we buy them. They take money from us, but then we cannot ride. That is government for you.

Bahnman continued...at the end of East Millstream, where the Plumsted Grill is, are there any plans to put a traffic light there? There is always confusion at the end of East Millstream because there are two lanes and you can go straight in either lane. There is no direction or signage. A simple sign could really help that corner out.

Lastly, he understands that the township gets money from the Lennar project. He is not sure how much the township gets. From his understanding, the township committee is responsible for allocating that money when it comes in. He is wondering if we know how much money is coming in and if there is any money or percentage being allocated for our schools.

Karen Lamphere, 6 Hyacinth Court, Cream Ridge, NJ, asked about any ordinance that covers abandoned homes and safety issues associated with them, as well as any homes that are in bad shape and not being maintained. She is asking because of the impact on people who are trying to sell their homes. It is a value thing for those in the neighborhood. Is there an ordinance that covers those two things? If so, what are our options in getting the ordinance enforced?

Cipriani said there is an ordinance for abandoned properties and there is also a separate property maintenance ordinance. The township has those ordinances on the books. If you identify the properties to the clerk, then the township can look into the enforcement of those ordinances for that property. Witham said we have an abandoned property secretary and code enforcement officer who would help with the property maintenance issue.

Thomas Potter, 94 Sanders Lane, Cream Ridge, NJ, said he does not want to put no trespassing signs up or put stickers on his door. If somebody comes up to his property, how does he ask them to leave politely, and do they have to leave? Cipriani said there are many ways to ask someone to leave politely. You could simply say "Please leave, I don't want to speak with you. I don't want you to be on my property." Then, yes, they do have to leave. Potter asked, what is his recourse if they do not want to leave? Cipriani said if you tell someone that you do not want them on your property and they are trespassing...you do not have to have it posted...you can say "I don't want you to be here. I want you to leave." That is how you enforce it.

Michael Silvestro, 1032 Myrtle Avenue, Monroe Township, NJ asked if there is any update about the invocation resolution. Cipriani said they have completed their review and they are still pursuing it. Silvestro said he has shown it to attorneys and they have said it is very well written because it came from the source; it came from the people who brought the case up to SCOTUS. Cipriani said that is who they are in contact with. Silvestro said that Cuozzo reached out to them when the resolution was originally written and they provided guidance. Cipriani said they have the contact from Cuozzo and are pursuing that.

Silvestro told Marinari, as township liaison to the MUA, about concerns regarding sewer bills from the MUA. Silvestro said he has had a few people in town come to him with complaints about their bill. He said there is no way for their water to be metered so they are getting a straight across the board sewer bill. The bill is not based on bathroom fixtures, residence size, the amount of bedrooms or anything like that, which is how it is supposed to be. They are concerned about that.

Marinari said that has been brought to the MUA's attention numerous times. There have been discussions between the MUA and residents. The MUA is trying to work on a resolution. It is a process. The MUA's explanation is that once the build-out is done, especially in Lennar, they will have a better idea of what the number is and how to calculate the actual bill itself. They would be more than happy to listen to you at public comment at a MUA meeting. It is not something that has not been discussed and they are working on a resolution to it.

Bowen said it is a flat rate. They can only do metered or flat, but they cannot do both. Not everybody has water, not everybody is metered.

Silvestro spoke about a way to spread the cost fairly by basing the cost on the number of bathroom fixtures, residence size, etc., which is what is recommended by the State in these situations. Marinari suggested he discuss it at an MUA meeting.

Claire Catalano, 22 Chepstow, New Egypt, NJ, said she is here to talk about the veterans in Lennar who lost their benefits. There are only 8 or 9 veterans in Lennar. At the last board meeting someone said it is only \$250, like it does not mean anything. But, it is for their service for our freedom. She does not think it is right that they are getting no benefit. Nothing. It is not really about the money. It is the idea of the benefit. Catalano said she does not know why it is not included in the PILOT program. How could you forget the vets? Can you reconsider?

Grilletto said that Sauickie and Clifton are working on getting the vets included in the StayNJ program. Catalano asked if the township is going to give them anything. It is only \$250. Cipriani said that the statute that makes people under the PILOT program ineligible for the veteran's benefits is a State law. That is not a township law. As far as the town, it is not able to write them a check for \$250. Legally, the township is not allowed to do that. Catalano asked if they would have to go to the State. Cipriani said that is correct.

Elizabeth Erwin, 6 Lepky Avenue, Cream Ridge, NJ, said she put a petition together from every resident on her block. Lepky Avenue had gotten temporary pavement in three sections. When they came, the biggest entry to our road was never fixed, so we are always constantly calling the township and complaining. A little boy down the street fell off his bike, broke his glasses...very sad situation...the road is dangerous. She has lived there for nineteen years, going on twenty years...she raised her children through the New Egypt School system. They all graduated here and her road was never this way...never this shape or form.

Two houses at the corner of Lepky started pumping their sump pumps into our road. It started draining down to the end of the block, creating floods. This is hearsay...this is what I was told...that they were told by the township to bury them so that they are no longer draining into our road. There has been no flooding down the road anymore.

When it rains now, we are Lake Lepky. It is an embarrassment. We have these holes on our street...she has pictures in her phone and she would like to know where she can email them. Our road is not huge. Our road is only a certain size...when a car is coming in one direction and a car is coming in the other direction someone has to drive into a hole.

Her daughter's car parked by the road is all muddied up. There is nothing but holes right there. When they did the temporary pavement the last time she was dealing with Dave Leutwyler. He was taking care of it all the time. She is just trying to find out what is being done. If nothing is going to



be done, can she put stones in the front...can she repave her driveway? She needs a resolution for that and for the holes that are there.

People have called the township and no one is coming to fill the holes. They are deep. It is not right for these boys...they are going down the road riding their bikes...we have a handicapped adult on the street...he is nervous and does not even want to come out of the house...is that fair? He still goes to the school system because of his mental capacity. He cannot even enjoy a walk on our block...that is not fair.

Erwin said she is here fighting for her street...she is trying to get something answered...even if the township says they cannot tear it up...they cannot put the drains in...we were promised drains all the way down to the end because there is a center drain that is buried...if the township does not have the funds to do that, can the township come back and put in temporary pavement...the temporary pavement that was put in by the township lasted six years...if the township could pave the holes temporarily that we keep calling about...the holes are reappearing...where the patches stop is where the holes are dangerous.

Bowen said the good news is that in December 2021 the committee approved a drainage/ repaving project for Lepky Road...the engineer was assigned...the bad news is that there is one resident that we are waiting for an easement approval from so the township can start the job. It is a \$325,000 project. In the meantime, it can be put back on the list to fill potholes. The issue is because of the water, the potholes are filled and the water pops them right back out.

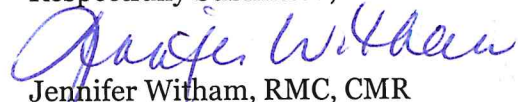
Erwin said only when it rains because there is no flooding from sump pumps anymore. Bowen said the township was hoping to have the project done by now, but we are working with the homeowner. The township is very aware of the condition that the road is in. Witham said she tries to be responsive. When she gets a phone call she has maintenance go out and fill them. If it needs to be done again, she will add it to the list. Erwin was told she could email her pictures to Witham.

John Belasco, 167 Horshire, said it was lovely seeing everyone at National Night Out. He said thank you on behalf of the Satanic Temple New Jersey. He specifically thanked Officer Goldfluss. He ran a wonderful event...the music...the DJ...the food trucks...phenomenal. He thanked the fire department for using their fire truck to fill their dunk tank.

There were no other public comments and public comment was closed. The committee went into a second executive session. No official action will be taken upon return. The committee returned from executive session. Bowen asked for a motion to adjourn.

ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY MAYOR BOWEN, THE AUGUST 3, 2023 MEETING WAS ADJOURNED. VOICE 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.***