

December 7, 2023  
121 Evergreen Rd  
New Egypt, NJ 08533

The Plumsted Township Committee meeting of December 7, 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 GRILLETTO COMMITTEEMAN CUOZZO COMMITTEEMAN HAMMERSTONE  
DEPUTY MAYOR MARINARI MAYOR BOWEN ATTORNEY CIPRIANI CLERK WITHAM

ON MOTION OF MAYOR BOWEN, SECONDED BY DEPUTY MAYOR MARINARI, RESOLUTION NO. 2023-300 AUTHORIZING THE CONVENING OF AN EXECUTIVE SESSION IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT WAS ADOPTED. VOICE 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. Mayor Bowen asked everyone to rise for the flag salute followed by an invocation led by Pastor Vinsen.

#### **PROCLAMATIONS AND PRESENTATIONS**

Committeeman Grilletto introduced Greg Wilson, the public information officer and historian to the American Legion who is here to present a proclamation to two women veterans. Grilletto said that each year there is a ceremony at Southard Plaza for Veterans Day. Last year, Deputy Clerk Cicero brought to the attention that there are women who are also veterans.

Greg provided a proclamation to honor two employees, Deputy Clerk Nadene Cicero and Police Secretary Cyndi MacReynolds. Greg read the proclamation in full and presented it to Cicero and MacReynolds. A flag was presented to Cicero as well. Cicero stated that if you go to Arlington Cemetery, there is a museum for women in the military.

Deputy Mayor Marinari introduced a member of the Environmental Committee, Kate Tallon, to discuss the HLAB Results – Harmful Algal Bloom study. The water at Oakford Lake was tested and samples studied. This HLAB is affecting recreational bodies of water. One HLAB was reported in this study which was found further down the lake in an area that people take their hunting dogs. This HLAB is harmful to pets. Tallon said that this information is important so that we can be proactive. Tallon will be giving a presentation at the municipal building Friday night to go into more detail about the study and findings.

Bowen thanked the community and all those involved for the tree lighting last weekend including Big Woods, the Girl Scouts, Richie Damato and Anthony Creen. He also spoke about swearing in new members of the fire department. He spoke also about the holiday season, road projects from the Ocean County Road Department and the 85 year anniversary of EMS. There will be an add-on ordinance for introduction to allow for the increase in police salaries. Bowen also discussed some other agenda items.

Deputy Mayor Marinari wanted to explain why he was wearing his Christmas sweater. It was to honor the late Dr. Gerald H. Woehr. He said that many of you don't know him but speak to others in town about all of his accomplishments. He brought the elementary school to second in the state at one time in our district. Woehr was like a brother to him; he is wearing this in respect of him.

Grilletto thanked the community for voting for Mike and him. He then talked about offerings from the library this month. He also said he spoke to the Monmouth County Park system about a shared services agreement with them to help maintain Plumsted's portion of the UTT. He said that JIF asked that everyone call their

assemblyman and ask them to oppose A-5659 which is a bill that will increase worker's compensation rates. Finally he mentioned the house decorating contest being sponsored by the Historical Society again this year.

Deputy Mayor Marinari said that he wanted to thank Committeeman Grilletto for looking out for our military and the presentation tonight.

Committeeman Cuozzo wished everyone happy holidays. The MUA continues to make improvements with the sewers. He's thankful for everyone that participated in the tree lighting as well. Committeeman Hammerstone thanked Grilletto for the presentation tonight. He also promoted Marcus's, the new barbershop in town that had their grand opening after the Veterans Day ceremony. He said that one of the largest electrical supplier, USESI has offered to donate \$10,000 worth of Dewalt tools to the school district to use for their shop and STEM programs. Regarding Recreation, he has been working out the usage of the fields and they are pretty much done; he will continue to work on the agreement so the fields can be used.

Mayor Bowen then mentioned the roof is going to be replaced on the police department and then other upgrades will be addressed. Committeeman Cuozzo thanked Mayor Bowen, Clerk Witham and Commissioner Kelly's office for the Main Street parking lot paving project being completed.

#### **MINUTES TO BE CONSIDERED FOR APPROVAL**

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY MAYOR BOWEN, THE MINUTES OF THE EXECUTIVE AND REGULAR SESSION OF OCTOBER 24, 2023 SPECIAL MEETING WERE ADOPTED. ROLL CALL VOTE: ALL AYES.

#### **ORDINANCE: Introduction**

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN GRILLETTO, ORDINANCE NO. 2023-24 – AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AN ORDINANCE ENTITLED “AN ORDINANCE TO ESTABLISH SALARIES FOR VARIOUS OFFICIALS OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, NEW JERSEY REGULATING THE MANNER OF PAYMENT OF SAME” WAS INTRODUCED. ROLL CALL VOTE: ALL AYES.

The second reading and public hearing is scheduled for the meeting of December 28, 2023.

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

ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY DEPUTY MAYOR MARINARI, ORDINANCE NO. 2023-15 – AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 45, ARTICLE OF THE TOWNSHIP CODE, ENTITLED “CANVASSING AND ‘NO KNOCK’ REGISTRY” is being tabled until 2024 due to an issue with the permitting process. ROLL CALL VOTE: ALL AYES.

The mayor asked for any public comment on Ordinance No. 2023-17; there was none.

ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY COMMITTEEMAN CUOZZO, THE PUBLIC HEARING ON ORDINANCE NO. 2023-17 – AMENDING AND SUPPLEMENTING CHAPTER 5 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “BRUSH, GRASS AND WEEDS, REMOVAL OF” SO AS TO CREATE A NEW SECTION 8, ENTITLED “CONTAINERIZED YARD WASTE” WAS CLOSED. ROLL CALL VOTE: ALL AYES.

ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY COMMITTEEMAN HAMMERSTONE, ORDINANCE NO. 2023-17 – AMENDING AND SUPPLEMENTING CHAPTER 5 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “BRUSH, GRASS AND WEEDS, REMOVAL OF” SO AS TO CREATE A NEW SECTION 8, ENTITLED “CONTAINERIZED YARD WASTE” WAS ADOPTED. ROLL CALL VOTE: ALL AYES.

The mayor asked for any public comment on Ordinance No. 2023-18; there was none.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN HAMMERSTONE, THE PUBLIC HEARING ON ORDINANCE NO. 2023-18 – AMENDING AND SUPPLEMENTING CHAPTER 5 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “BRUSH, GRASS AND WEEDS, REMOVAL OF,” SO AS TO CREATE A NEW SUBSECTION 9, ENTITLED “YARD WASTE COLLECTION PROGRAM” WAS CLOSED. ROLL CALL VOTE: ALL AYES.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN HAMMERSTONE, ORDINANCE NO. 2023-18 – AMENDING AND SUPPLEMENTING CHAPTER 5 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “BRUSH, GRASS AND WEEDS, REMOVAL OF,” SO AS TO CREATE A NEW SUBSECTION 9, ENTITLED “YARD WASTE COLLECTION PROGRAM” WAS ADOPTED. ROLL CALL VOTE: ALL AYES.

The mayor asked for any public comment on Ordinance No. 2023-19; there was none.

ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY COMMITTEEMAN HAMMERSTONE, THE PUBLIC HEARING ON ORDINANCE NO. 2023-19- AMENDING AND SUPPLEMENTING CHAPTER 15 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “ZONING,” SECTION 5, ENTITLED “GENERAL REGULATIONS,” SO AS TO CREATE A NEW SUBSECTION 24, ENTITLED “PRIVATE STORM DRAIN INLET RETROFITTING” WAS CLOSED. ROLL CALL VOTE: ALL AYES.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN GRILLETTO, ORDINANCE NO. 2023-19- AMENDING AND SUPPLEMENTING CHAPTER 15 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “ZONING,” SECTION 5, ENTITLED “GENERAL REGULATIONS,” SO AS TO CREATE A NEW SUBSECTION 24, ENTITLED “PRIVATE STORM DRAIN INLET RETROFITTING” WAS ADOPTED. ROLL CALL VOTE: ALL AYES.

The mayor asked for any public comment on Ordinance No. 2023-20; there was none.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN GRILLETTO, THE PUBLIC HEARING OF ORDINANCE NO. 2023-20 - AMENDING AND SUPPLEMENTING CHAPTER 15 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “ZONING,” SECTION 5, ENTITLED “GENERAL REGULATIONS,” SO AS TO AMEND AND SUPPLEMENT SUBSECTION 17, ENTITLED “SOLID WASTE DISPOSAL” WAS CLOSED. ROLL CALL VOTE: ALL AYES.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN CUOZZO, ORDINANCE NO. 2023-20 - AMENDING AND SUPPLEMENTING CHAPTER 15 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “ZONING,” SECTION 5, ENTITLED “GENERAL REGULATIONS,” SO AS TO AMEND AND SUPPLEMENT SUBSECTION 17, ENTITLED “SOLID WASTE DISPOSAL” WAS ADOPTED. ROLL CALL VOTE: ALL AYES.

The mayor asked for any public comment on Ordinance No. 2023-21. Chief Earl Meroney came forward. He asked if this gave the animal control officers the ability to handle dogs running at large. Clerk Witham said this has to do with pet waste; there are no other changes to the existing ordinance at this time. There were no other public comments.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN CUOZZO, THE PUBLIC HEARING ON ORDINANCE NO. 2023-21 – AMENDING AND SUPPLEMENTING CHAPTER 4 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “ANIMAL CONTROL” WAS CLOSED. ROLL CALL VOTE: ALL AYES.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN GRILLETTO, ORDINANCE NO. 2023-21 – AMENDING AND SUPPLEMENTING CHAPTER 4 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “ANIMAL CONTROL” WAS ADOPTED. ROLL CALL VOTE: ALL AYES.

The mayor asked for any public comment on Ordinance No. 2023-22. Chief Meroney asked about what the ordinance covers. Is it by acreage? Cuzzo said it's trees of a certain size, unless they are dying or you have a forestry plan. Cipriani spoke to Grilletto's suggested changes to these ordinances. Counsel wrote to DEP asking for changes. All were accepted although in the tree ordinance, aside from the application that we could get rid of, the definition of tree removal should not be changed; it's not going to accomplish what you wanted to. The ordinance before them has the changes in it.

Susan Potters, Sanders Lane, came forward. She asked about JCPL trimming trees on her property; is that in the ordinance? They take down her trees on her property. Grilletto said that they took 30 trees off of his property. Cuzzo said there is a utility setback so they already own that with an easement. Potter spoke about a property on Sanders Lane. The county left a huge tree on the property but haven't taken care of anything else on the property.



James Hagelstein, Ivins Drive, said that the ordinance was not in the packet and they haven't had a chance to review it. He asked the board to table it until next month. Cipriani said this cannot be tabled until next month because an ordinance cannot cross years. There is the meeting on the 28<sup>th</sup>. Cipriani said we can't keep pushing these to next year because they were all required by the state and they had a deadline at the end of the year.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN CUOZZO, THE PUBLIC HEARING ON ORDINANCE NO. 2023-22 –AMENDING AND SUPPLEMENTING CHAPTER 15 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “ZONING,” SECTION 5, ENTITLED “GENERAL REGULATIONS,” SO AS TO CREATE A NEW SUBSECTION 25, ENTITLED “TREE REMOVAL-REPLACEMENT” WAS CLOSED. ROLL CALL VOTE: ALL AYES WITH DEPUTY MAYOR MARINARI ABSTAINING.

There is a recommendation to either table the ordinance to the 28<sup>th</sup> or we can proceed.

ON MOTION OF COMMITTEEMAN CUOZZO, SECONDED BY DEPUTY MAYOR MARINARI, ORDINANCE NO. 2023-22 –AMENDING AND SUPPLEMENTING CHAPTER 15 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “ZONING,” SECTION 5, ENTITLED “GENERAL REGULATIONS,” SO AS TO CREATE A NEW SUBSECTION 25, ENTITLED “TREE REMOVAL-REPLACEMENT” WAS ADOPTED. ROLL CALL VOTE: ALL AYES WITH DEPUTY MAYOR MARINARI ABSTAINING.

### **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. 2023-301**– AUTHORIZING THE QUALIFIED PURCHASING AGENT AND TOWNSHIP ENGINEER TO SOLICIT BIDS FOR ROAD SURFACE REPAIRS

**RESOLUTION NO. 2023-302** - AUTHORIZING THE REFUND OF 2023 DUPLICATE PAYMENT OF TAXES

**RESOLUTION NO. 2023-303** - AUTHORIZING THE ISSUANCE OF CHECKS FOR THE REDEMPTION OF TAX SALE CERTIFICATES

**RESOLUTION NO. 2023-304**- CANCELLING 2023 AND REFUNDING PROPERTY TAXES DUE TO TOTALLY DISABLED VETERAN STATUS EFFECTIVE 11/28/23 FOR THE OWNER OF 9 TONI DRIVE (BLOCK 77, LOT 97.05)

**RESOLUTION NO. 2023-305** - RECOGNIZING 85 YEARS FOR NEW EGYPT FIRST AID SQUAD AND ITS SUCCESSOR, PLUMSTED FIRE DISTRICT #1 EMERGENCY MEDICAL SERVICES

**RESOLUTION NO. 2023-306** - AUTHORIZING THE TOWNSHIP OF PLUMSTED TO CONTINUE AS A PARTICIPATING MEMBER OF A COOPERATIVE PURCHASING ARRANGEMENT WITH THE TOWNSHIP OF MANCHESTER AS LEAD AGENCY, FOR THE PURPOSE OF PURCHASING ELECTRIC GENERATION SERVICES AND ENERGY AGGREGATION SERVICES FOR RESIDENTS OF THE TOWNSHIP OF PLUMSTED VIA A GOVERNMENT ENERGY AGGREGATION PROGRAM

**RESOLUTION NO. 2023-307** - AUTHORIZING THE MAYOR TO EXECUTE THE RENEWAL OF THE CENTRAL JERSEY HEALTH INSURANCE FUND INDEMNITY AND TRUST AGREEMENT

**RESOLUTION NO. 2023-308** - AUTHORIZING THE EXECUTION OF AN INTER-LOCAL SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF PLUMSTED AND THE OCEAN COUNTY PROSECUTOR'S OFFICE FOR UTILIZATION OF THE PHOENIX AUTOMATED PROPERTY REPORTING SYSTEM (PAPR)

**RESOLUTION NO. 2023-309** - AUTHORIZING PAYMENT OF SEWER LOANS

**RESOLUTION NO. 2023-310** – AUTHORIZING THE EXECUTION OF A DISCHARGE OF MORTGAGE FOR RONALD HARRISON & CARRIN HARRISON, FOR 17 FORT AVE., BLOCK 14, LOT 9, IN THE TOWNSHIP OF PLUMSTED

**RESOLUTION NO. 2023-311** – AUTHORIZING THE EXECUTION OF A DISCHARGE OF MORTGAGE FOR COMPASS HOLDINGS, LLC, FOR 31 NORTH MAIN, BLOCK 10, LOT 22, IN THE TOWNSHIP OF PLUMSTED

**RESOLUTION NO. 2023-312** – AUTHORIZING THE EXECUTION OF A DISCHARGE OF MORTGAGE FOR JAMES CAMPOS FOR 21 BROWN LANE, BLOCK 13, LOT 36, IN THE TOWNSHIP OF PLUMSTED

**RESOLUTION NO. 2023-313** – AUTHORIZING THE EXECUTION OF A DISCHARGE OF MORTGAGE FOR RYAN WIG & KRISTY WIG, FOR 3 ALLEN TERRACE, BLOCK 38, LOT 20, IN THE TOWNSHIP OF PLUMSTED

**RESOLUTION NO. 2023-314** – AUTHORIZING PAYMENT OF ELECTION DAY FLEX TIME FOR THE MUNICIPAL CLERK'S OFFICE

**RESOLUTION NO. 2023-315 – OPPOSING AUTOMOBILE INSURANCE RATE HIKES**

**RESOLUTION NO. 2023-316 – AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISPOSE OF OR RECYCLE OBSOLETE ITEMS NO LONGER NEEDED FOR PUBLIC USE**

**RESOLUTION NO. 2023-317 – AUTHORIZING THE TOWNSHIP CLERK TO ADVERTISE FOR THE RECEIPT OF BIDS FOR PROFESSIONAL REAL ESTATE SERVICES TO AID IN THE SALE OF BLOCK 19, LOT 13 (ALSO KNOWN AS 31 MAIN STREET) IN THE TOWNSHIP OF PLUMSTED**

**RESOLUTION NO. 2023-318 – AMENDING RESOLUTION NO. 2021-271 AUTHORIZING TOWNSHIP ENGINEER DEWBERRY ENGINEERS INC., AS PROJECT ENGINEER FOR THE RECONSTRUCTION OF LEPKY AVENUE**

**RESOLUTION NO. 2023-319 – AUTHORIZING THE EXECUTION OF CHANGE ORDER #2 TO THE CONTRACT WITH C. STEVENSON & SON FOR THE SANITARY SEWER CONNECTIONS PROJECT**

**RESOLUTION NO. 2023-320 – AUTHORIZING A CONTRACT WITH ASSOCIATED HUMANE SOCIETIES/POPCORN PARK TO PROVIDE ANIMAL CONTROL SERVICES FOR PLUMSTED TOWNSHIP**

**RESOLUTION NO. 2023-321 – AUTHORIZING THE EXECUTION OF A LICENSE TO PARK VEHICLE ON LICENSOR'S LAND BETWEEN THE TOWNSHIP OF PLUMSTED AND THE AMERICAN NATIONAL RED CROSS**

**RESOLUTION NO. 2023-322 – ACKNOWLEDGING AND APPROVING THE PLUMSTED TOWNSHIP FIRE DISTRICT #1 TO FILE THE FY2024 AMERICAN RESCUE PLAN FIREFIGHTER GRANT (ARPPFG) APPLICATION**

**RESOLUTION NO. 2023-323 – AUTHORIZING THE REAPPOINTMENT OF KELLY CREIGHTON AS TAX COLLECTOR FOR THE TOWNSHIP OF PLUMSTED**

Grilletto wanted an explanation of 23-308 and 23-318. Chief Meroney explained 23-308. It's a replacement system for RAPID. It's for pawn brokers. Grilletto said the problem is stealing and breaking in, smash and grab. He's in favor of the resolution, just the issue with the problem. Grilletto asked about 23-318. Witham explained it's being amended since the project is being transferred to ERI. Cuozzo asked about the changes in the bid. Witham said Dewberry's was a higher proposal than ERI. However, Dewberry has already done work on it so that may affect the total amount. Grilletto asked about ERI doing Lepky and the other projects. Witham explained the delay in the others. We are awaiting DEP approval and will then move forward with going out to bid and completing the project. DEP approval takes a long time. As far as Lepky, we were having difficulty getting property owner certification. Grilletto then asked about 23-319. Bowen said the first change order for the rec sewer connection going to Pine Street. This is for going out the front of the municipal building. Grilletto asked about the school. Bowen said that the PMUA met with them last week and we are offering our expertise to the school for their connection. They are closer to connecting.

Resolution 23-320 is for animal control services; Cuozzo asked if there were any changes or is this a renewal. Witham advised the price has increased. He then asked about 23-322, is it time sensitive? Witham said that application is due soon and they need a resolution of support from us. The application is due tomorrow.

Marinari asked if 23-320 could be pulled.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN HAMMERSTONE, RESOLUTIONS NO. 2023-301 THROUGH 2023-323 WITH THE EXCEPTION OF 2023-320, WERE APPROVED. ROLL CALL VOTE: ALL AYES.

Marinari stated he believes we need more service from animal control. Witham said that she is setting up a meeting with them. Bowen asked if he wanted to pull the resolution. Marinari didn't think his thoughts would change so he'd rather vote on it. Bowen confirmed with Witham that if we don't approve this resolution, we will not have coverage for animal control in 2024. Cuozzo asked if we could do something else to be covered. Chief Meroney asked Marinari to reconsider renewal. A lot of the time, his officers are put at risk anytime from 40 minutes to 2 hours waiting for animal control. He feels the service is hit or miss. Cuozzo asked if we could handle this in house? Meroney said that an animal control officer has to be certified. Marinari said that he is going to meet with them. He would not want an increase in the cost of these services. Since there will be a meeting with them, it is suggested to table the resolution.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN CUOZZO, RESOLUTION NO. 2023-320 IS BEING TABLED UNTIL THE DECEMBER 28, 2023 MEETING. ROLL CALL VOTE: ALL AYES

## **REPORT OF DEPARTMENTS AND PROFESSIONALS**

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

ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY COMMITTEEMAN HAMMERSTONE THE BILL LIST OF DECEMBER 7,, 2023 WAS APPROVED. ROLL CALL VOTE: ALL AYES.

Bowen asked for any old or new business; there was none.

Bowen asked counsel and/or the Chief to talk about the event this Sunday in the building. Cipriani said that there is an organization that is scheduled to hold an event in the building this weekend. The governing body is aware and there have been a lot of impassioned communications regarding this event. Accordingly, the chief and police department have developed a safety plan to ensure everyone's safety.

She continued. The township is a municipality, a creature of statute and law. The township has had a long policy of opening up the municipal building to members of the community for all sorts of events and meetings. Historically, there have been religious events. Once the governing body opens up the ability for the public to use the building, it cannot under the Constitution make any view point discrimination. When citizens differ in their beliefs, emotions run high. She asks that all citizens respect the constitutional obligations of the municipality and the rights of all other citizens to express their views and beliefs in a manner permitted by law, without violence, and acknowledgement of those protections that extend to all citizens. On either side of any particular issue. This is the legal backdrop.

Chief Meroney came forward. He said that he is going to speak to the event coordinator and they have been tracking social media. It is every officer's job to make sure everyone is safe. Once they saw the traction on social media, they put a plan in place for everyone involved. He wants everyone to be safe.

Bowen opened up public comment.

Karen Lamphere, 6 Hyacinth Ct, came forward. She has been following the social media posts as well. She said the thing that's bothering the community is that there is not a set standard by which we use the facility. Are there insurance requirements? It would be helpful to have a standard as to what is required. Cipriani said there has been discussion and there are drafts. She would expect a policy be adopted. No policy can be viewpoint based.

Jared, resident on Millstream. He appreciates what counsel is saying but as a Catholic, it seems like a slap in the face. The Unbaptism is on a Sunday, a day for Christians. This Sunday is the Feast of the Immaculate Conception of the Virgin Mary so that seems coincidental. As a Catholic, they don't ask to have mass and baptisms at a municipality because they have a church for that. He would think that the Satanists have a temple they can have these sacrifices. He is not trying to be disrespectful, he just doesn't know these rituals. If that is going to go forward, he would expect to have a rosary rally at some point and expect to not be met with hostility in that regard.

Michael Silvestro, 1032 Myrtle Ave, Monroe Township, came forward and thanked the township for embracing pluralism and equality as a Constitutional value. That's something he deeply treasures. It's important everyone is treated with equality because we are all human and equal. With the event, there is a Q&A at 1:30. No one will be subject to any religious thing at all, just a Q&A. The event is about taking one's will back. It's about consenting adults. It's the last new moon of the year; revitalizing of yourself by taking your will back. It is our own religious ritual. Nothing political, nothing to shame against anyone else. He is doing a private one at his house tomorrow. It's a regular religious event that is held across the country as part of the religion. It is not a slap in the face. He understands how people would take it that way. If you have a religion that says there is no other God and there is a Hindu ritual in effect, it would be a slap in the face. We all have religions and have to put that aside and treat each other as humans with equality and decency. If people want to have a rosary

blessing, he welcomes that. If people are peaceful and don't cause commotion since it will be raining that day, they would be welcomed into the lobby so they are not in the rain. As long as they are peaceful. They want to treat everyone equal, everyone has a right. Just like we have a right to have an event. All they want is peace and equality, that is it.

Ellen Taylor, 29 Story Street, has a question. Are they community members? Second is that she understands the Constitution and she thanks God for her freedoms. She likes what he said that we can come into the vestibule and pray and do what we want. Her concern is about the rumors she has heard. Are they going to disrespect her Christianity or burn a bible or a sacrifice. If it's peaceful although using the name of Satan concerns her as a Christian. She doesn't want it to become a hate crime against one group. If you were to burn the Torah, it would be a big deal. As Christians, as long as it's not a hate against one group of people, if they want to observe their religion or whatever they want to call it, they do have the freedom to do that. But they do not have the freedom to segregate one group and do something. Since it's a public place, are they going to do anything hateful towards us or is it between them and their religion.

Cipriani said that no one is allowed to break any kind of criminal laws. If there is a criminal law involved, a hate crime, there is a difference between that and people expressing and acting in ways that one personally finds offensive. So nothing that we have heard about the application indicates there would be any activity that would rise to any sort of criminal hate. Mr. Silvestro spoke and indicated he would be willing to answer questions about the scope. The township can only get involved in things if they are in violation of the law, not just because they are offensive to other members of the community.

Ellen Taylor asked if it was public knowledge as to what's going to happen Sunday? Bowen stated that Silvestro has offered to be available after the meeting if you have specific questions about the service. If it's just a service, it's fine. Bowen said that nothing is going to be on fire in this building because there is no open flame. The menorah is electric. Taylor asked if they were from our community. Silvestro said that there are members that are from this towns. Cipriani reminded everyone that public comment is to be directed to the governing body. Taylor asked us as a committee if they are from New Egypt. Bowen said they do have members here.

Rogers Ramirez, the New Egypt Press, Main Street, thank you for the answers so far. He received a couple of messages during this recording and this one is specifically for you. Since the township is now opening up potentially offensive use of this building to residents of this town, religious offense, would the same usage also be allowed for un-bar mitzvahs of the Jewish community or other specific religious Jewish or other religious communities. This specific issue is the usage of the building for something deemed offensive by members of the committee. He understands free speech and he supports it greatly and he is a huge supporter of the Constitution. He fought for it overseas several times. But his specific question is about the offensive use of a building and the religious sensitivities for taxpayers.

Cipriani said this goes directly what she said earlier. That question of whether the municipal building should be open to members of the community under any standards, is something the governing body will have to consider because once it is open, then what you are describing it to be offensive to members of the community, then saying no to an event when the municipal building has been made open on the basis that the activity is offensive is almost the definition of viewpoint discrimination. It's almost the definition of the governing body saying we have a public facility that is only open to those that have the viewpoints we agree with. That is exactly what the governing body cannot do. If the facility is open, then it is open. Not open to only those individuals with whom members of the governing body share beliefs.

Ramirez understands. Since this township building has in fact been used by different organizations that includes residents of this town, is this organization utilizing the same packet guidelines and requests from the township, the same as in previous iterations. Clerk Witham said there are rules for using the room. She thinks that other groups have done their services here as well and we haven't had any issues. They leave the room the way they found it or in better condition. We haven't done something different. Ramirez said all the same requirements that were placed on other groups are also being placed on this group? Witham said that the requirements that we put on other groups when she gets a call to use the room are the same. Ramirez then asked if these



requirements are viewable through OPRA requests? Witham said we don't have a formal written policy, that is what the committee has been working on for the past several months.

Ramirez said his question was, in the past, have the requirements for previous usage, is it the same as the current usage requirements. Witham said that she doesn't believe we've had a formal written policy that he is referring to in the past and we are working on one now. Witham is not aware of one.

Cipriani said that goes to the first question asked. Before, it appears that the practice has been that it goes through the clerk or administrator's office, there are standards that apply. In many municipalities, there are guidelines adopted by resolution or ordinance, charges, requirements and that process would be a request brought to the governing body. If the governing body decides they want to approve it, one of the difficulties that may arise is that the governing body only meets once a month. So sometimes that may have to be considered. This is part of the policy that has to be discussed.

Ramirez also would like to add a comment for the town clerk. He appreciates her service and in the past, we have actually encouraged me to use the building for non-profit use for a group. He did not pursue it but he appreciates her earnestness in assisting me to make this usage. Thank you.

Marinari asked counsel, as part of many municipalities, how many in the state do not allow anything other than a township designated source to have a meeting. Cipriani didn't know but a vast majority do make the facility available. There are those that limit use to governmental functions or commissions.

Deanna Tedesco, 61 Maple Avenue, said that she is an active member of this community for a very long time. She has several children of her own and she has several children that stay with her here and there that are kind of lost from their parents and she helps a lot of children in the town and other towns that have no place to go. She doesn't know what the Satanic Temple is, she knows they are not Satanists, she has read up on it. She has educated herself. She thinks everyone should be able to believe what they want. She has a lot of children come to her that are lost, children that practice faiths that she's never heard of before, it's all positive and it's all beautiful and it gets them through the day and makes them want to live another day and if that is what people are looking for then that is amazing. She doesn't think it's anybody's right to tell someone what to believe in. We all wake up and if the sun is shining, we breathe the same air, that's all that matters. This feels like we are back in Salem witch trials and you have to believe in my religion or you have to get out of my town. She has a child that stays with her that lives with her and goes to school here but goes to church in another town because our town doesn't have that church. Why do we have to live in our town to go to a church here? And for the record, there have been baptisms held here many times so why can't there be an unbaptism? It's a public community, we all pay taxes and we all live here. Don't throw garbage on the floor, don't burn the house down, live your life and be happy.

Amy Rhode, Lakeview Drive, said that as most of us, reading things on social media and going through this, it is very easy for people to be very passionate and that's not what I believe and how can I let this happen, and while she does understand that because of the laws and because of our religious freedoms in this country, it is absolutely ok for anybody to believe whatever they like. And that is our right and our freedom. Where I think she is personally having a problem with it, it's because when she did look up, went to the websites and completely read it, she understands that the premise behind it and look for peace and acceptance. And she knows that all of us get our acceptance in different ways and whether that be in the Catholic church or whether that be in a Baptist church, or whether that be Judaism or something else, it is important that all of us have beliefs in something to keep us able to live with each other and not judging each other. The one area where she does have a problem with what she's read and with it, if she's wrong, please correct her. She believes in what she read and she did her research that they will be using burnt Bible ashes as part of their ceremony and in that respect, she has a problem with that. She feels while they are being peaceful, it is a very disrespectful thing to a lot of people and not only the people that are here but people around the world. That book has sold more than anything else and its God's work and whether you want to believe that or don't, that is on you. That is something that each of us have to answer for in our own way but to allow anybody to disrespect other people's religion by burning what they consider holy and sacred, is wrong. And that is a hate crime. Father, forgive them for they know not what they do.



Reverend Phyllis Zoon, 36 Meadow Lakes and pastor of the Plumsted Presbyterian Church came forward. She wanted to share her personal observations about Mike Silvestro and the Satanic Temple of NJ. She understands that some people are put off because of the name as she was initially. However, as Jesus says, he will know them by their fruits, grapes are gathered from thorns or figs from thistles from Matthew. Many other places in the scripture that tell us the same thing but this seems especially appropriate because of our shared experience in the Plumsted community garden. She has known Mike since late last winter when they first discussed a partnership between the Plumsted community garden and Satanic Temple of NJ. Plumsted community garden has several partners, including the Plumsted Presbyterian Church, Plumsted for Progress, Sabbath House and the Environmental Committee of Plumsted Township. They welcome as partners all who want to till and keep the earth and join us in care for those Jesus called the least of these, my brothers and sisters. As they look ahead to the summer of 2023, they knew that the Plumsted community garden was very short on volunteers. People who volunteered in other years were no longer able to help or had moved out of the area. They wondered whether they could continue their community garden and decided to accept TSTNJ's offer to be our partners in ministry. Mike and the TSTNJ members prepared the soil, planted seeds and seedlings, watered and weeded almost daily, harvested the vegetables, saw that the produce was delivered weekly to the food pantry and did a fall garden cleanup. Because of their efforts, hundreds of pounds of fresh, organic vegetables were shared with hungry people in our community. Not everyone realizes they are contributing to the community. She has spoken with Mike, she hopes he decides to apply for the chaplain's position; he understands interfaith ministry and would do everything he could to include other ministers who serve congregations in our township. He is trustworthy, honest, kind and has been a wonderful colleague in ministry. She hopes that, like her, you will look beyond the name to the fruits.

Lisa Neuman, 324 Lakewood Road. She has to admit a wrong. When she first saw the post about the Satanic Temple event, she jumped to conclusions. She thought it was evil, she thought it was disrespectful and offensive. She apologizes to the Satanic Temple. She is a Christian, a Presbyterian, advent is very important to her; however, the First Amendment of the Constitution is also very important to her. Because the First Amendment guarantees that she can practice her religion, her spirituality the way she wants and she would never, ever want anyone to tell her how to practice that. Not even another Christian. So to the Satanic Temple, she is very sorry for the comments she made on Facebook. She has since read the website, has read the things they stand for and she has to say there is a lot of common ground. She believes in social justice and civil rights and she believes, above all, protecting the First Amendment of the Constitution.

Deanna Tedesco, 61 Maple Ave, she said that hundreds of years ago, when the Christians came on their pilgrimages and came to show everyone their religion, they burned all of the Mayan bibles and we have all of their history that is gone because Christians didn't want it to be practiced so that's not fair to anyone like Lisa said; social justice. She wouldn't want anyone to take her religion from her.

Gene Trevino, 199 Maple Avenue, said that personally speaking as a Satanic Temple minister, thank you for honoring our First Amendment rights as we have held unbaptisms here before and they decided to do so again for Sunday. He has family and dear friends in this town and he loves this town. He also wanted to thank everyone on the board for allowing them to have their services. It's been a tense two weeks but he genuinely wishes everyone respect and happy holidays.

Pat Ahearn, 8 Lawrence Drive, of 1,072 subscribers to the MUA, 785 were delinquent and over 500 were eligible for tax sales. When it comes to tax sales, is this something the MUA would do directly? Or does it have to come through the town council? Cipriani said it would have to come through the township. Ahearn said is there an avenue to notify people for those going to tax sale. Cipriani said she apologizes and she doesn't know the procedure they are engaging in. Ahearn said it was something said by Brian of the MUA. Bowen said that he spoke with the MUA. They moved to a different billing system this year which was one mailing, four part billing like taxes. It was confusing to a lot of people. People misplaced it and it wasn't anything more than not being communicated well. It is Bowen's understanding that they are figuring out how to fix it. They would be delighted to collect the money and move on. He thinks they are looking at different systems and companies so to the best of his knowledge, there is no imminent tax sale. They are trying to recoup costs and introduce a better system and get the info out there. Ahearn asked if the MUA would be sending notices; Witham said that

delinquent notices would be by the MUA but tax sale notices will be through the tax office. Witham said that it's been a learning curve.

Mike Silvestro, 1032 Myrtle Ave, spoke about tax sales. Earlier this year there was a Supreme Court Case, *Tyler v Hennepin County*, if there is a tax sale, normally the one that does it takes the full profit but they ruled it was against the Fifth and Eighth Amendment to do that so if there is a tax sale, anything in excess has to go to the property owner. Cipriani confirmed they are aware of that and her firm does the tax appeals.

Marinari asked Silvestro about the Q&A, 1:30-2:30. Will there be any burning of bibles? Silvestro said that nothing will be burned on township property or anywhere near here. There will be ashes but nothing burnt here or candles, nothing. He is a firefighter so would never do that.

John Lombardo, 6 Gulfstream Road. Sitting here listening to various groups about their religious and political beliefs, he understands. His issue is that the committee should they permit or allow any religious or political group where the people don't reside in Plumsted Township. They should not use the building if they don't live in our township. Anyone can meet anywhere in what they believe in but why should they use a township committee and they don't live here. A resolution or ordinance should be put together that you must live in Plumsted Township if you are going to utilize the municipal building.

Barbara Diblin, Terrace Ave, said that the name of Satan is an enemy to Christianity. And Jesus Christ defeated him at the cross. And the bible says that Satan comes to steal, kill and destroy but Jesus came to give you life and give it to you abundantly. She does not feel that this is, well, first of all, she would like to see the paperwork that was submitted. She knows that other groups have used it and had to file paperwork like insurances and many other things so she would like to see that they were being treated the same and everything was on equal ground. She would like to see the paperwork when someone has to use the building like that. She understands groups may want to meet like senior citizens and things like that. Do they have to file paperwork as well? So that's her concern. She thinks there is something that is not being equal here and that she respects other people's beliefs and religion and there is also a lot of deceptions in these times. In these last days, there will be a lot of deceptions and lying. And perceiving and that's why you have to have the creator of heaven and earth, there is only one. God, the father and the holy spirit and the bible says that everything will pass away but the word of God will never pass away.

There was no further public comment. Bowen said that we will be going into another executive session with no anticipated action when they return.

Cuozzo said he is thankful that we live in a town that is historically implemented a policy that allows, first of all, governmental non-profits to meet in our municipal properties all over the town but also non-governmental local not-for-profits to meet in our town. He is thankful the Girl Scouts meet here and when the Church of the Assumption didn't have a building that they were allowed to meet here. That recreation can meet here. He's thankful we can have a lit menorah and the Christmas tree lighting and santa. There are folks that say shut it down and don't let anyone meet here except for governmental purposes but as Deputy Mayor Marinari inquired, it is split how different towns treat this. He took an oath to uphold the Constitution and Bill of Rights and he holds very close to the First Amendment. He thinks sometimes when we talk about protected speech, there is no reason to have protections on speech that is not offensive. It's offensive speech that actually needs to be protected. As far as burning things goes, there is a precedent that as our counsel knows, as much as he hates it, people burn flags. And that's a protected right, even though some of his dearest friends serve this country. He wants to encourage everyone for speaking up, including the Chief. Michael Silvestro knows this is the case and I don't know what you are talking about Mrs. Tedesco about anyone being against them. He thinks Michael can attest to the fact that this committee has upheld our oath. Tedesco replied but it was not audible. Cuozzo wants to protect First Amendment rights, it's important. No one has, as far as we know, that they are going to commit any crimes or anything like that.

There is a resolution that we are working on that would require these things to be more formalized. We want documentation of an organization and make sure it's a real entity, etc. All of these things are to protect the township.

Cuozzo has a history of using the building for the past 14 years he's lived here. He thought the procedures were already formalized because of the formal way that he was treated when he asked. One of the groups he meets with didn't have a place to meet and they asked to be able to use the school building and the school board voted and turned them down. He believes they were discriminated against because they had allowed the Church of the Assumption to use that facility and they wouldn't let the group he met with use the facility. And the mayor at the time, Mayor Dave Leutwyler, who said what is the difference between the church and the Girl Scouts? So he said these are the procedures, give us your certificate of insurance, letter of intent and he went through those hoops and it turned out to be a mutually beneficial thing for the community, for the township. When groups meet here, usually, they take care of things. When the AC broke, groups he has been involved in paid for it. When the toilets were clogged, plumbers were called at no cost to the township. There were many years the expense of cleaning this building, there was no company. 18k now to clean the building? For years, that didn't have to be paid for the township because of the groups meeting here took care of those things.

So as pastor Phyllis has described, he wants to go on the record to say there is a lot of hate toward him on the posts that are made. He would like to read one of them because he feels offended by it, maybe he's thin skinned but essentially this event is in response to the local Baptist leader becoming very involved in local politics. Publicly, that is not the intent. It does the township bad if motives are assigned to other people. He wanted to just say that. There has been a lot of hate on this.

Marinari asked what the legislation number was? #A-5659. There are a few small or medium size businesses out there. A small business that already has state fees, if you increase worker's compensation, it is going to end up being on the customers. He is asking to react to this. If fees increase in the future, this is why. Have a good holiday. And thank you for your politeness.

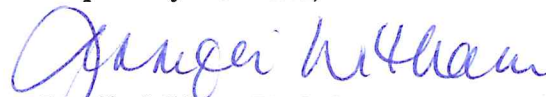
Bowen said that if the public isn't there when they return from public session, he wished everyone happy holidays and please visit local businesses.

ON MOTION OF DEPUTY MAYOR MARINARI, SECONDED BY COMMITTEEMAN GRILLETTO, ROLL CALL VOTE: ALL AYES to go back into executive session.

The committee returned from executive session, there was no action to be taken.

ON MOTION OF COMMITTEEMAN GRILLETTO, SECONDED BY COMMITTEEMAN HAMMERSTONE, THE DECEMBER 7, 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.*