

AS AMENDED

August 2, 2017
Municipal Building
121 Evergreen Road
New Egypt, NJ 08533

The Workshop Session of the meeting of the Plumsted Township Committee was called to order by Mayor Trotta.

STATEMENT: "This meeting is being held in compliance with the Open Public Meetings Act. It was advertised for publication in the Asbury Park Press and posted on the bulletin board."

THOSE OFFICIALS PRESENT WERE:

COMMITTEEMAN LOTITO	COMMITTEEMAN JONES	MAYOR TROTTA
COMMITTEEMAN MARINARI	DAVID LEUTWYLER, CDC	ATTORNEY KELLY
BUS. ADM. SCOTT PEZARRAS	MUNICIPAL CLERK HENDRICKSON	

Deputy Mayor Sorchik attended via phone.

Mayor Trotta asked everyone to rise for the flag salute. The invocation was led by Pastor Bethany.

Mayor Trotta reviewed the evening's agenda. Trotta said there are several ordinances for second reading and adoption. Other than that, there is general business.

Trotta said there are a couple of items for the workshop session. The first one is energy aggregation. He introduced Steve Gabel and Brian Rubio and asked them to come up to the microphone. Trotta said this is our 4th round energy aggregation. He asked Mr. Gabel and Mr. Rubio of Gabel Associates to describe the process and the result of today's decision.

Mr. Gabel said the process for the 4th round was very similar to processes used in the past. There was a competitive solicitation. Stage 1 of the process designated qualified suppliers into the program. Five suppliers submitted their qualifications. All five were found to be qualified. Three were excellent and one is "good minus," but they are all acceptable and capable of handling the work. They have adequate customer service and other elements to make the plan work.

Gabel said the second round of the process occurred today in the acceptance of the bids for review and approval by the Committee. Gabel said they have a result that they believe will be reasonable and acceptable to the Committee.

A couple of different considerations were taken into account. One was having a supply contract that would begin December 2017, right after the end of the township's current contract. It was a priority that the contracts line up so that residents would have continuity in the provision of the program and, more importantly, the provision of its benefits.

Gabel said the other option starts in March 2018. Because of fluctuations in the supply market we thought there would be an opportunity for some savings if we drifted back. There is a disadvantage to that option, however, because there would be a four month gap in the provision of service. Trotta said the township experienced that last time and it was not fun. Gabel said it was put out as an option for the suppliers to bid on and they did bid on it.

Gabel said they also put it out with several different terms because the power markets move quite a bit and they wanted to put some other certain contract terms out.

The other consideration, in addition to the start date of the contract, was a desire to potentially marry into the Manchester energy aggregation program. The goal was to line up the township's contract award term with end date of the Manchester term. They included some contract durations that would have lined up the terms.

Gabel said their recommendation is that the township take a contract term that commences with December so there is continuity. Number two, best price. We want to make sure we deliver the greatest amount of benefits to residents as possible. Based on those two criteria, our

recommendation is the 24 month contract with Constellation New Energy (CNE) with a price of .08586, providing savings relative to JCP&L's comparative rate of 9.5%. It's also 4.8% below the township's current contract. We believe there will be proven savings over the term of the contract.

There are two considerations that go along with this recommendation. The first is that it doesn't directly line up the contract end date with Manchester. It actually runs beyond it by 5 or 6 months. We do not think it means there can be no aggregation with Manchester. We think there is a way to design the bid process with Manchester where the load from Plumsted would be included in their RFP. It would show up six months later and the suppliers could bid on that. It hasn't been done that way before, but we don't see any reason why it can't happen.

The second consideration is that we put the RFP out with two types of contract mechanisms. One, which we called Option A, is the way it's been done by the township in each of the previous bid periods. It has a pass-through provision for the suppliers. While the federal government cannot raise JCP&L's local rates, it is allowed to raise rates for transmission over the high voltage lines. That decision comes out of the Federal Energy Regulatory Commission. Option A, the standard contract, would allow the supplier to pass those costs through to the customer.

In fact, JCP&L is looking for a transmission rate increase at FERC only if the utility's other standard default rate is also increased. The township's rate will never get raised any higher than JCP&L's standard rate. The township maintains parity. There is an opportunity to review the numbers to make sure they are done correctly. A notice goes out to all of the customers. If they don't like the changes they can opt out of the program.

The other form of contract that was put out to bid imposes more risk on the supplier. With this form of contract, cost increases cannot be passed through by the supplier, even if they are approved by the federal government. It was put out to test it. It does result in higher prices.

Gabel recommends an award to Constellation New Energy for the 24 month term lining up with the end of the current contract. Constellation is a subsidiary of the Exelon companies which owns utilities like Philadelphia Electric, Atlantic City Electric, Baltimore Gas & Electric and a lot of power generation throughout the grid. They have a sizeable retail shop that's well equipped to handle customer relations. They are fully staffed. We are satisfied that they are able to do this job.

Trotta thanked Mr. Gabel and said there was a conference call today with Walt Bronson, Bob Minter, Peter Ylvisaker, the Mayor and Brian and Bob Chilton of Gabel Associates. He said the MUA agrees that this is the best plan for the township. It is still up to the committee to decide which plan to go with. Trotta asked if any committee member had any questions. There were none. Trotta said that the committee will be considering the resolution after executive session.

Trotta said another item in the workshop portion is invasive plants. It was discussed briefly last month. It was sent to the Environmental Commission for their comments. Trotta asked Committeeman Marinari if there were any comments from the environmental commission. Marinari said the commission is reviewing it. Trotta said the ordinance can be introduced tonight. He said that Denis Kelly gave us additional information on invasive plants. He asked for comments from the committee.

Marinari said there is a certain group in New Jersey that takes care of invasive plants. They have around 500 plants listed. Probably 300 of those plants are planted in the township. He asked who is going to be the inspector who will define if the plant is invasive. The Mayor said it would be code enforcement. Marinari asked if code enforcement knows every species that is invasive. He then asked if code enforcement could request assistance from the State in identifying an invasive plant. Marinari made some general comments about invasive plants vs hybrids.

Marinari asked if the township will go to the planning board and the zoning board regarding builders planting invasive plants. Marinari said there are always going to be questions about invasive plants. If we are only talking about invasive bamboo, he agrees it should be limited. If the ordinance is passed the township has to be cognizant of what takes place with it and who is going to do the inspections. The township also has to be aware that someone might report a person who has planted invasive bamboo and that person says it has a sheath around it and it is not going to spread.

Trotta asked if there are any other comments. Committeeman Lotito said one of the concerns he has is when he sees things like poison ivy and oak, etc. He doesn't know anyone who is planting those. He just found out yesterday he has poison ivy in his yard. Most people don't even know what poison ivy looks like. What does that turn into for the township? What do we do when someone says they can't afford to get rid of the poison ivy on their property?

Trotta said that is one of his big concerns. There is an invasive vine on his property line. Neither he nor his neighbor planted it. Animals brought it there. It's killing his trees so he's trying to get rid of it. What if the roots are actually on the neighbor's property? He is concerned about who is responsible to get rid of it when neither of them planted it. It happened naturally. That was exactly his concern.

Marinari said the fine is arbitrary up to and inclusive of \$2,000. Does that mean that if someone has an invasive stand of bamboo they are fined \$2,000 and if someone else has poison ivy, they are fined \$50? Trotta said that is up to the judge.

Lotito said he hired a tree company to come and do some work. Part of it was to get rid of the vines in his trees. The company billed him by the hour. \$1500 later, it's still not done.

Marinari said that the person who is going to be doing the inspections has to have knowledge of invasive plants. Will the township have to go out and hire someone who knows about invasive plants in New Jersey? That will cost the township more money. There are a lot of questions involved.

Trotta asked Deputy Mayor Sorchik if he had any questions. Sorchik asked Herb if he said that we really have no way of enforcing the ordinance. Marinari said it is going to be left up to one individual who is going to say, yes you have an invasive species growing on your property and you're going to have to take it out. He doesn't know if the township has a person who is qualified to do that. He also doesn't know if we had such a person whether they would really want to do that. Is the township going to take a person to court because they don't get rid of their poison ivy?

Marinari said he understands about bamboo. It is a major factor in all communities. He agrees that bamboo is extremely invasive. It runs underground. You can't get to it. You can't see it. It's something we need to do. If we go through the list of 300-500 plants, there are many people in this town who currently have them on their property. That would be grandfathered I would think.

There are also people who would like to plant invasive plants. Such as Chinese dogwood. It's the most beautiful dogwood there is. Marinari said that he has never read anything in any horticultural literature where it is an invasive plant. Somewhere along the line it had to be because it's on the list.

Trotta asked Committeeman Jones if he wanted to add anything. Jones said he does not like the ordinance. He doesn't want to tell someone that they have to get rid of invasive plants on their property.

Trotta suggested that Attorney Kelly rewrite the ordinance to specifically address the bamboo issue. It sounds like it is one of the worst invasive plants there are.

Kelly said he looked at the website that was being referred to. There is quite an extensive list of species on there. Marinari said he will give Kelly his list where he has marked off which invasive plants are located within the township. Maybe the list can be reduced.

Kelly said that the Mayor brought up liability, which is a legitimate concern. This is a relatively new issue, especially with the bamboo. That's what starts it in a lot of towns. There are not a lot of cases that specifically address the issue.

Kelly said that enforcement will be a challenge. Many times it's a dispute between private property owners. The township doesn't get in the middle of it. He said will he take a look at the ordinance.

Trotta said that since Kelly is going look at it, the committee won't do anything tonight. We will see what we will do in the coming months. Trotta told Kelly there is no deadline on this.

Mayor Trotta asked if anyone else had anything for workshop. Jones said he has some questions about the ordinances that are up for second reading. Some of them cite block and lots. He doesn't know which properties those are.

Trotta said that Ordinance 2017-16 is the flea market. Ordinance 2017-17 is behind the township parking lot on Evergreen Road. Mr. Challender owns the property behind the parking lot.

Jones asked if the property is being condemned. Trotta said no, this is a boilerplate ordinance. The township has an agreement with all three property owners. In the case of the flea market it is an agreement to purchase the property. The other two agreements are for easements on those properties. The township has the agreements. Some of them are signed already. An ordinance has to be passed for each agreement. The ordinance gives the township the right to move forward in case we don't have an agreement.

Trotta said 53 & 55 Main Street are the Subway and the Marketplace. Jones asked which ones we have agreements on. Trotta said we have a signed agreement for the parking lot area with Challender and we have verbal agreements with the other two. They are really finished. It's just a matter of getting through attorney review.

Lotito said the idea of eminent domain gives him pause. He wants to make sure when the township is doing something along those lines that it is not being done in the wrong spirit. Trotta said no, this is for the sewer system and it's been approved already by the landowners. This is the paperwork part of it. If any of the deals fall through, the township has the right to go through eminent domain. But they're not going to fall through. They've already been agreed to.

There was a question about the process for eminent domain. Attorney Kelly said a notice would need to be filed. A complaint would have to be filed. The property owner gets notice of both. There has to be an appraisal of the property. It has to be fair market value. It has to be a legitimate offer to purchase. If the property owner does not accept the offer, it goes to condemnation commissioners for review. The commissioners come up with an alternative. If the alternative isn't agreed to between the parties, then it will go to a judge. The judge can determine what the fair market value is. Eminent domain is a process that is triggered and required by ordinance.

Trotta said the appraisals have already been done and the property owners have agreed to the prices. Lotito said eminent domain is a long process. How would the process affect the project? Kelly said when there is a notice of taking the government authority gets the property right away. At that point, the only argument in the court is the fair market value of the price. The government has the ability to use the property for the easement, utility, etc. There are only a limited amount of entities that have the right to take property by eminent domain for public purpose.

Lotito asked if the ordinance could be impugned. If we made a self-serving ordinance, does this come under review by a court to see if this is a good test for eminent domain? Kelly said what would come under review is if you failed to do this step. You have stated at a public meeting that the township is either going to negotiate for the property and/or go through the condemnation process. Without an ordinance, the township can't go forward with those steps.

Lotito said let's assume we're relying on the agreement. It will be done by negotiation. Can we come back at a future time and go through the eminent domain process? Kelly said the entire process is triggered by the ordinance. The township is going to negotiate for the property and/or take the property through eminent domain.

Lotito asked if it can be done in two steps. Kelly said no, it is all one process. It wouldn't be separated. All of the mechanisms are under the same umbrella. All of those mechanisms are available to you at once.

Lotito asked if negotiation of the agreement could happen apart from the ordinance. Scott Pezarras said that if the township goes the other route it would have to offer a price for the property that is determined by an appraiser. The appraiser would tell you this is the fair market value. You would have to offer that. Then, the money for the fair market value is deposited with the court. The only thing that's left to be determined is the amount of the purchase price. Kelly said the process encourages the parties to agree upfront.

Trotta said he wants to state publicly again that the township has agreements for all three of the properties. The eminent domain issue is moot for these properties.

Trotta asked if there was anything else for workshop. There were no other comments.

Attorney Kelly read Resolution No. 2017-243 for Executive Session. The following matters will be discussed: under contractual: PBA contract update, the municipal court contract; under potential litigation: code enforcement land use and police K-9 dog issue.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, RESOLUTION NO. 2017-243, AUTHORIZING THE CONVENING OF AN EXECUTIVE SESSION IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT WAS ADOPTED. ROLL CALL VOTE: ALL AYES

Mayor Trotta called the regular session of the meeting to order.

RESOLUTION:

Mayor Trotta introduced Resolution 2017-255. He explained that this is the energy aggregation contract that was discussed earlier with the gentlemen from Gabel Associates. The township's current aggregation contract ends in November of this year. The new program will start in December 2017 for two years at a lower rate. The current rate is .09023 per kilowatt. The new rate will be .08586 per kilowatt. Both rates are lower than JCP&L. With this fourth award of an energy aggregation contract, Township residents will have saved in excess of \$1 million in energy costs.

Trotta asked if there was any discussion. Marinari commented that the committee needs to inform the public that there is going to be a different name on their bills. He asked if everything else is going to be the same and the answer was yes.

Brian Rubio with Gabel Associates said they will work with the township to provide information on the township's website, newsletter, email messages, etc. Emails will go out a few days before the letters arrive in the mailboxes. It lets people know that the letter is not trash and that they should not throw it away. Gabel also encourages people to call the supplier, rather than Gabel Associates. That way, they can establish their account and receive immediate confirmation from the supplier.

Rubio said that Gabel has also set up its own online platform so residents can go online to set up their account without calling the supplier or Gabel Associates. They can also send emails. Rubio said he is always there to answer questions.

Marinari asked that the public be informed of the change within a reasonable amount of time. Rubio said that Gabel will provide updates that explain the program in greater detail. They will be on the website. Gabel will also utilize any other resources that the township has available. Marinari said he appreciates that.

Trotta asked if there was any other discussion. There was none.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, RESOLUTION NO. 2017-255 AUTHORIZING THE AWARD OF A CONTRACT TO A THIRD PARTY POWER SUPPLIER TO PROVIDE ELECTRIC GENERATION SERVICE TO THE PLUMSTED COMMUNITY ENERGY AGGREGATION PROGRAM PARTICIPANTS AND TO PROVIDE GOVERNMENT ENERGY AGGREGATION SERVICES IN CONJUNCTION WITH THE PCEA PROGRAM PURSUANT TO N.J.A.C. 14:4-6, WAS ADOPTED. ROLL CALL VOTE: ALL AYES.

PRESENTATION:

Mayor Trotta called Kathy McCaughey up the dais. She was the winner of the Community Service Survey Drawing. Trotta said that the township had a Community Service Survey about the downtown. Almost 500 surveys were completed. Approximately 250 people registered for the prize. A random drawing was held. Kathy McCaughey was the winner. The prize is a basket of items from businesses in Plumsted. Trotta congratulated McCaughey and thanked her for participating in the survey. He said that the results of the survey have not been received by the township yet. The state was impressed by the number of responses we received. They had to

open up three different sites for the survey. We did very well with the responses. Kathy McCaughey thanked the committee for the prize basket.

ORDINANCE: SECOND READING AND PUBLIC HEARING

Mayor Trotta opened the public hearing on Ordinance No. 2017-13. Trotta said it has to do with the maintenance of Provinceline Road. He asked for public comment.

Dennis King, 54 Provinceline Road, Wrightstown, New Jersey, asked when Provinceline Road will be paved. Trotta said that currently, Provinceline Road is under the control of North Hanover Township. Plumsted Township will be taking over maintenance of the road over the next 30 years. Lennar will repair and maintain the road while they are building. He said he can't say when the road will be paved and repairs will be done. King said that he was under the impression that when he came to the meeting on June 20th that North Hanover gave the rights to the road over to Plumsted Township. The Mayor said this is a process. The township needs to do an ordinance to accept it, etc. It's being worked on now. King asked when it will be official. Trotta said it will be official tonight. King asked about the plans for getting the road fixed. Trotta said the builder is going to do repairs. He suggested that Mr. King call Peter Ylvisaker for more specific information.

Aimee Smith, 12 Provinceline Road, New Egypt, New Jersey, said she has been talking back and forth with Peter Ylvisaker to keep her in the loop. She has a couple of concerns about Provinceline Road. She has been away so she wants to confirm and have a better understanding of some of the things that are going to take place. She started to ask about the adult community. Mayor Trotta said the committee can only hear comments about Provinceline Road right now. She can ask her question during the public comment portion near the end of the meeting. She said okay and sat down.

Trotta asked if there was any other public comment. There was no further public comment.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES THE PUBLIC HEARING ON ORDINANCE NO. 2017-13 AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 57, SECTION 15(C) OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED "MAINTENANCE OF STREETS" WAS CLOSED. ROLL CALL VOTE: ALL AYES

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, ORDINANCE NO. 2017-13 WAS ADOPTED ON SECOND AND FINAL READING. ROLL CALL VOTE: ALL AYES

Mayor Trotta opened the public hearing on Ordinance No. 2017-14. He said this ordinance concerns fees that are paid to the Mayor to perform weddings. It changes payment to before the wedding rather than on the date of the wedding.

Trotta asked if there was any public comment. There was no public comment.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES THE PUBLIC HEARING ON ORDINANCE NO. 2017-14 AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 59, OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED ENTITLED "TOWNSHIP COMMITTEE" WAS CLOSED. ROLL CALL VOTE: ALL AYES

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, ORDINANCE NO. 2017-14 WAS ADOPTED ON SECOND AND FINAL READING. ROLL CALL VOTE: ALL AYES

Mayor Trotta opened the public hearing on Ordinance No. 2017-15. Trotta pointed out that upon review of the ordinance on page 4, Section 6(d), the fifth sentence has the word "County" and it should actually be "Township." This was a boilerplate ordinance and the one word was not changed. It was discussed with counsel. The ordinance is still valid.

Trotta asked if there was any public comment. There was no public comment.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES THE PUBLIC HEARING ON ORDINANCE NO. 2017-15 AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE TOWNSHIP OF PLUMSTED AND APPROPRIATING \$150,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$150,000 IN BONDS OR NOTES OF THE TOWNSHIP OF PLUMSTED TO FINANCE THE SAME WAS CLOSED. ROLL CALL VOTE: ALL AYES

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, ORDINANCE NO. 2017-15 WAS ADOPTED AS AMENDED ON SECOND AND FINAL READING. ROLL CALL VOTE: ALL AYES

Mayor Trotta opened the public hearing on Ordinance No. 2017-16. He said that even though the public might hear the words “condemnation” and “eminent domain,” the township has an agreement with the property owner to purchase the property. This is just a boilerplate ordinance. We will have two more ordinances that are similar. We have agreements with all of the property owners.

Trotta asked if there was any public comment. There was no public comment.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES THE PUBLIC HEARING ON ORDINANCE NO. 2017-16 AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY AND INTERESTS IN REAL PROPERTIES BY NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT DOMAIN, SAID PROPERTIES BEING IDENTIFIED ON THE TAX MAPS OF THE TOWNSHIP OF PLUMSTED AS BLOCK 40, PROPOSED LOT 4.02, A 7 FT. WIDE RIGHT-OF-WAY TAKING FROM PROPOSED LOT 4.01 AND A SANITARY AND UTILITY EASEMENT CONSISTING OF 27,265 SQUARE FEET, PLUMSTED TOWNSHIP, NEW JERSEY WAS CLOSED. ROLL CALL VOTE: ALL AYES

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN JONES, ORDINANCE NO. 2017-16 WAS ADOPTED ON SECOND AND FINAL READING. ROLL CALL VOTE: ALL AYES

Mayor Trotta opened the public hearing on Ordinance No. 2017-17.

Trotta asked if there was any public comment. There was no public comment.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES THE PUBLIC HEARING ON ORDINANCE NO. 2017-17 16 AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY AND INTERESTS IN REAL PROPERTIES BY NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT DOMAIN, SAID PROPERTIES BEING IDENTIFIED ON THE TAX MAPS OF THE TOWNSHIP OF PLUMSTED AS BLOCK 19, LOT 8, A/K/A 12 EVERGREEN ROAD, NEW EGYPT, NEW JERSEY WAS CLOSED. ROLL CALL VOTE: ALL AYES

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, ORDINANCE NO. 2017-17 WAS ADOPTED AS AMENDED ON SECOND AND FINAL READING. ROLL CALL VOTE: ALL AYES

Mayor Trotta opened the public hearing on Ordinance No. 2017-18.

Trotta asked if there was any public comment. There was no public comment.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES THE PUBLIC HEARING ON ORDINANCE NO. 2017-18 16 AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY AND INTERESTS IN REAL PROPERTIES BY NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT DOMAIN, SAID PROPERTIES BEING IDENTIFIED ON THE TAX MAPS OF THE TOWNSHIP OF PLUMSTED AS BLOCK 19, LOTS 16 AND 28 A/K/A 53 AND 55 MAIN STREET, NEW EGYPT, NEW JERSEY WAS CLOSED. ROLL CALL VOTE: ALL AYES

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, ORDINANCE NO. 2017-18 WAS ADOPTED ON SECOND AND FINAL READING. ROLL CALL VOTE: ALL AYES

Mayor Trotta opened the public hearing on Ordinance No. 2017-19.

Trotta asked if there was any public comment. There was no public comment.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES THE PUBLIC HEARING ON ORDINANCE NO. 2017-19 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, STATE OF NEW JERSEY REGULATING THE MANNER OF PAYMENT OF SAME" WAS CLOSED. ROLL CALL VOTE: ALL AYES

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY DEPUTY MAYOR SORCHIK, ORDINANCE NO. 2017-19 WAS ADOPTED ON SECOND AND FINAL READING. ROLL CALL VOTE: ALL AYES

ORDINANCE INTRODUCTION:

Mayor Trotta said the committee will table Ordinance No. 2017-20.

ORDINANCE NO. 2017-20, AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 5 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED "BRUSH, GRASS AND WEEDS, REMOVAL OF" WAS TABLED.

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. 2017-244 – AUTHORIZING PAYMENT OF UNUSED VACATION DAYS FOR MATTHEW S. PETRECCA

RESOLUTION NO. 2017-245 – AMENDING RESOLUTION NO. 2017-161 OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY, DESIGNATING EMPLOYEE SALARIES FOR VARIOUS POSITIONS IN ACCORDANCE WITH THE SALARY ORDINANCE FOR THE YEAR 2017

RESOLUTION NO. 2017-246 – AUTHORIZING THE ISSUANCE OF CHECKS FOR THE REDEMPTION OF TAX SALE CERTIFICATES

RESOLUTION NO. 2017-247 – AUTHORIZING THE SUBMISSION OF THE FY2018 MUNICIPAL ALLIANCE AGREEMENT AGAINST ALCOHOLISM AND DRUG ABUSE GRANT

RESOLUTION NO. 2017-248 – AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISPOSE OF OR RECYCLE OBSOLETE ITEMS NO LONGER NEEDED FOR PUBLIC USE

RESOLUTION NO. 2017-249 – PROVIDING A SALARY FOR SCOTT M. PEZARRAS, THE PART-TIME BUSINESS ADMINISTRATOR

RESOLUTION NO. 2017-250 – AUTHORIZING A CONTRACT BETWEEN PLUMSTED TOWNSHIP AND ADVANCED INFRASTRUCTURE DESIGN FOR IRI TESTING (RIDABILITY) OF HOPKINS ROAD

RESOLUTION NO. 2017-251 – AUTHORIZING MUNICIPAL ENDORSEMENT FOR THE OCEAN COUNTY NATURAL LANDS PRESERVATION PROGRAM

RESOLUTION NO. 2017-252 – APPROVING THE CERTIFICATION OF THE CODE ENFORCEMENT OFFICER CONCERNING COSTS INCURRED FOR MOWING, EDGING, WEED WHACKING AND CLEAN UP ON BLOCK 85, LOT 9.03, AND AUTHORIZING THE PLACEMENT OF A LIEN AGAINST SAID PROPERTY FOR COSTS (JULY, 2016 TO JULY, 2017)

RESOLUTION NO. 2017-253 – APPROVING THE CERTIFICATION OF THE CODE ENFORCEMENT OFFICER CONCERNING COST INCURRED FOR MOWING, EDGING, WEEK WHACKING AND CLEAN UP ON BLOCK 8, LOT 3, AND AUTHORIZING THE PLACEMENT OF A LIEN AGAINST SAID PROPERTY FOR COST (JULY, 2016 TO JULY, 2017)

RESOLUTION NO. 2017-254 – APPROVING THE PUBLIC DISPLAY OF FIREWORKS AT LAURITA WINERY AUGUST 19, 2017 (RAIN DATE AUGUST 20, 2017)

ON MOTION OF DEPUTY MAYOR SORCHIK, SECONDED BY COMMITTEEMAN LOTITO, THE AFOREMENTIONED RESOLUTIONS (RESOLUTION NO. 2017-244 THROUGH 2017-254) ON PAGE 3 OF THE CONSENT AGENDA WERE ADOPTED. ROLL CALL VOTE: ALL AYES.

RESOLUTIONS:

Mayor Trotta introduced Resolution 2017-256.

Trotta asked if there was any discussion. There was none.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, RESOLUTION NO. 2017-256 AUTHORIZING THE MAYOR TO EXECUTE A HOLD HARMLESS AGREEMENT WITH THE PLUMSTED TOWNSHIP MUNICIPAL UTILITIES AUTHORITY FOR THE OCEAN COUNTY MUNICIPAL STORM SEWER SYSTEM, WAS ADOPTED. ROLL CALL VOTE: ALL AYES.

Mayor Trotta introduced Resolution 2017-257.

Trotta asked if there was any discussion. There was none.

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, RESOLUTION NO. 2017-257 AUTHORIZING A CONTRACT BETWEEN THE TOWNSHIP OF PLUMSTED AND MOODY'S INVESTOR SERVICE FOR PRIVATE MONITORED RATING, WAS ADOPTED. ROLL CALL VOTE: ALL AYES.

Mayor Trotta commented that since the committee tabled the ordinance concerning invasive plant species that Resolution 2017-258 should also be tabled.

RESOLUTION NO. 2017-258 SUPPORTING ASSEMBLY BILL NO. 1264 (Sponsored by Assemblywoman Marlene Caride, District 36; Assemblyman Tim Eustace, District 38; Assemblyman Sean T. Kean, District 30; and Assemblyman Ronald S. Dancer, District 12), WAS TABLED.

MOTION TO CONSIDER:

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, THE FOLLOWING RAFFLES LICENSE WAS APPROVED: RAFFLES LICENSE NO. 2017-12 – RAFFLE WARRIOR FOOTBALL CLUB. ROLL CALL VOTE: ALL AYES

REPORTS OF DEPARTMENTS AND PROFESSIONALS:

ON MOTION OF COMMITTEEMAN MARINARI, SECONDED BY COMMITTEEMAN JONES, THE BILL LIST OF AUGUST 2, 2017 WAS APPROVED. ROLL CALL VOTE: ALL AYES WITH DEPUTY MAYOR SORCHIK ABSTAINING.

REPORTS SUBMITTED FOR COMMITTEE REVIEW: CONSTRUCTION REPORT – June, 2017; FINANCIAL REPORTS - Revenue Summary by Month – June, 2017; Abbreviated Summary Budget Account Status – June, 2017; TAX COLLECTORS REPORT – June 2017

Mayor Trotta asked for any old business from the committee. There was no old business.

Mayor Trotta asked for any new business from the committee. There was no none.

Mayor Trotta asked for public comment. He said that comments will be directed to the committee and not to the public. Comments are limited to 5 minutes.

Aimee Smith, 12 Provinceline Road, New Egypt, New Jersey said she and some of her neighbors have stopped in to talk to Peter Ylvisaker regarding the project with Lennar. He's been very helpful. She's been away. Instead of hearing rumors, she wanted to get some straightforward information. The last she knew, it was going to be an adult community with no children. It will not affect our school system. Mayor Trotta said that is still a fact. It is a retirement community commonly known as 55 and older.

Smith said she has a young child and is new in the community. They have been living here 3 years. The school was a big concern for them because they have found great pleasure with the district.

Smith said the other question she has is about taxes. How is the adult community going to affect her taxes? Trotta said there will be no children living in the community, so no money will be going to the school district. The township is entering into a PILOT program. The township will be receiving PILOT program tax money which will pay for the sewer system and give the township additional revenue to do things that are necessary in the town. It will also stabilize the township's taxes over a 30 year period. It is expected to keep all tax increases to a minimum.

Smith said another concern for her is the traffic that is going to be coming down Provinceline Road. There are no street lights or speed limit signs at this time. It is already a thruway for traffic. Vehicles travel at a high rate of speed through there. Has the township thought about ways to handle the increase in traffic?

Trotta said the developer conducted two traffic studies. A traffic study is always part of the approval process for a new development. One study was conducted in the summer. Both traffic studies show that there will be no increase in traffic on any roads in the area. There is a mechanism in place for the developer to do more traffic studies as development progresses.

Provinceline Road intersections with 537 and 528 are county roads. If anything comes up, the county will get involved. The traffic studies indicate that all of the vehicles from the development will not be on the road at the same time. Traffic will continue to be studied as time goes on and the county will get involved if necessary.

Trotta also suggested Smith take a copy of the handout for the PILOT program. It will help her to understand it better.

Dennis King, 54 Provinceline Road, Wrightstown, New Jersey, asked how many homes are in the first phase. Trotta said the first phase is about 165 homes. King said people 55 and over will be working, so they will be coming out on Provinceline Road to 537 or 528, and the traffic studies say there will be no increase in traffic across 537?

Trotta said that according to the engineer studies and the formulas they use, that it is not an issue. He is not an engineer, so he cannot attest to the validity of the studies. The traffic will continue to be studied throughout the building process. Trotta said that not everyone will be working. There will be people who are retired. Just because it is a 55 and over community, does not mean everyone is going to be age 55. There could be 65-70 year olds buying and they may not have to work. Also, not everybody works 9 to 5. People work all different shifts. He understands that the traffic studies take that into consideration.

King says right now, he leaves for work at 7:00 and sometimes he can't get across 537 because there is so much traffic. He said if you have 150 homes, and you have 2 people in a home that is 300 or more cars coming out of that road. Where are they going?

Trotta said he understands what he is saying. The township can only go by what is shown on the traffic studies. They indicate that it's not an issue. Traffic will be monitored and corrected as necessary. Trotta said he is not sure when, but a traffic study will be done after so many homes are built. If the township sees something that needs to be done before that, we will ask for a traffic study to be done right away. The township will be monitoring it as well.

King said he almost got hit on his motorcycle at that intersection. Does someone need to get killed before something is done? Trotta said the township does not want to see that happen. The township will monitor the situation and if we see that traffic seems to increase more than anticipated, we will be telling them to study the traffic now and get it solved.

King said when he was at the meeting on 5/20, they said they were going to fix the road. They were going to put fences up for the farmers. No one had a date when anything was going to happen. Trotta said the project hasn't started yet, so no dates have been scheduled. He said that King would have to check with Peter Ylvisaker to see if he's gotten any updates. Peter is working with Lennar both for the MUA and the redevelopment portion, so he is in constant contact with them.

King said they are starting with the heavy equipment now on Provinceline Road. The road is a mess. Trotta said he is aware of the condition of the road. That King also has to consider that the builder is trying to sell homes, so they want it to look nice in that area. They are not going to want a pothole ridden road for people to come to their new development. It will be take care of. It has to be or they're not going to sell any homes. King said he's lived on Provinceline Road for 15 years and it hasn't been paved in 15 years. Trotta said he understands that because there are roads in Plumsted that haven't been paved in 30 years.

Monica Sempervive, 7 Oak Leaf Drive, New Egypt, New Jersey. She has a question about fire hydrants. She was told that the township rents them from American Water. The Lennar development will have to have new hydrants. What will that cost? Who will pay for them?

Trotta said that the roads and infrastructure in the Lennar development are the sole responsibility of the homeowners association. That includes the fire hydrants. The homeowners association will be paying the rental fee for the hydrants within their development. That's part of their agreement with the township. They are paying for everything. Taxpayers will pay for nothing. Everything has been covered in the agreement. The township does not want the taxpayers to have to pay for anything related to the new development.

Trotta said that the PILOT program will be providing funds to the township. First, the debt will be paid off. After that, there will be a lot of extra dollars available to the township. The township has requested, but has not received, a date from the fire district to sit down with them to discuss their needs and how the township can help them. Trotta spoke to one of the commissioners at National Night Out about setting a date. He will follow up with them so the township can do something for them.

Sempervive is concerned about the township maintaining Provinceline Road. She said that the bushes haven't been trimmed on the path down to Oakford Lake in a long time. She knows that because she planted them. If we are not maintaining what we already have, what is going to change so that Provinceline Road is maintained?

Trotta said that is a two-fold issue. First, the township has a very limited staff. We need to be told that you see something and then we can work on it. A lot of times it's the homeowner's responsibility to take care of something. Dave Leutwyler goes out there and then he sends a letter to the homeowner. If the township is responsible for it, then we need to know about it. Then our two part-time people will be scheduled to go out there and take care of the issue. If it's a county issue, then we will tell the county.

The township also has limited funds. We have roads that have not been paved for 30 years. We don't have the money to do it. The township gets grants from the state to pave the roads that do get paved. The county paves their roads according to a schedule. The township is trying to develop a schedule. We will be using the PILOT money to be proactive and get things done.

The township gets state grants to pave roads, but the state won't do all of the roads. That's why roads haven't been paved in 30 years. There's not enough traffic for them. When the township applies for a grant from the state, we have to pick something that the state will approve. Because the township doesn't want to lose that money. The PILOT money will allow the township to create a list of the roads that the state will not pave so that we can develop a schedule too.

Sempervive said at the last township meeting she attended, people were upset because they have to tie into the sewer at a cost of around \$4,000. At that meeting, we were told that those individuals would have to take a loan. It started a big uproar. What I have heard since then is

yes, they have to take a loan, but it's not like they're paying a monthly payment. Would you explain that?

Trotta said the township is going to give a no-interest loan to those homeowners. Peter will work on the exact amount. No interest. No need to pay it back. If you still own the property after 30 years, the loan is forgiven. If the property is sold before 30 years, the township needs to be paid the full amount.

The homeowner gains from that. The value of the home goes up as soon as it is hooked to the sewer system. If there is a fire in the house and the house is not rebuilt and the homeowner receives an insurance check, the township needs to be paid at that point. It is a no-interest, no-payment loan, unless it is triggered for one of those reasons. The township is doing everything it can to keep all costs as low as possible.

Coleen Carpentier, 1A Brown Lane, New Egypt, New Jersey, asked how the sewer project benefits the residents of New Egypt. Trotta said the development will be bringing a lot of money into the township to do projects that we can't do right now. Carpentier said she is not comfortable with the committee having control of that amount of money. Trotta said he is working with officials in the township to set up trusts so the money can only be used for certain things. That way, the money will be there for 30 years and hopefully beyond, so roads get repaired, etc. Carpentier said the roads have been repaired before without having a community being built. She asked wouldn't you have a developer to come in and build in a town that is already successful? You're asking people to come to a town that has nothing. How is a sewer system an economic driver to bring economy, businesses and people to this town and spend their money here? Again, downtown, Snoopers Coop just closed. She used to go in there. She liked the store. She asked the owner why she's closing. It's not because she needs sewers. She said can't afford the rent. Economic driver or not, the problem is the landlords. The rents in this little town...I guess the landlords think they have gold here. People cannot afford to open up a business and have a store here, no matter what it is. That's been a major problem...how many little places open up and close? I wish those people luck who are opening up some sort of package place. They don't need sewers. What would you need sewers for that for?

Trotta said the sewers are needed in this town because the septic systems and cesspools are failing. The state will at some point mandate that the sewers be put in at a cost that every township resident will be paying. We have made an arrangement where the taxpayers will not be paying for it. The builder and the homes in that development will be generating more than sufficient money to pay off the entire sewer project.

As far as businesses failing in the downtown area, Trotta said he has seen them too. He has been in some of them. When he walked in one store, he could see that they started their business on a shoestring. They had no real business plan. They had 2 displays to sell things. They didn't go into a business to really try to make money. They went in as a hobby and they didn't know what they were doing. There are many reasons that businesses fail. He can't explain why any one business failed in the town. Carpentier said it seems to be a regular occurrence, though. Trotta said the township has no control over the rent.

Lotito said that three out of four businesses fail. That's a fact. Carpentier said starting a business anywhere is hard enough without being in this town. Everyone goes to BJ's and to Sam's Club out on Route 130 and Home Depot and everywhere else on the weekend. So there is nothing downtown. Trotta said he shops in the downtown all the time. Carpentier said that's why she moved here for this little town. She's not going to want to shop here anymore because, like everyone says, the traffic. You do the math. It's 55 and up. One person has to be 55. So if the husband is 55, the wife could be 40. They could have babies. Trotta said they would have to move out. It happened recently at Jensen's.

Carpentier said that being said, only one person has to be 55. The other person can be whatever...and you can have adult children...your daughter-in-law, your son-in-law, anybody else can live there. So it's not just a husband and wife. It's other adult people in those homes. Trotta said there are strict laws that they have to follow. Censuses are taken of people who live there. There is a flyer about the 55 and over and I suggest you take it and look it over.

Carpentier said she worked for a builder and did their first 55 and up community and built 164 homes. She has probably "co'd" over 5,000 homes, so she knows the business that Lennar is in. That's from her past experience. Needless to say, she is very unhappy.

An historic house that is on her street is not maintained, the grass is high, a tree fell down out in the middle of the street. A police officer was nice enough to pick it up and move it off the road and onto the property. Three or four months later, it is still there. Carpentier said that house is a disgrace and a mess and is bringing down her property value. This person is going to hook up to a sewer? They can't even cut their grass. That's the ironic thing of putting in sewers.

This is a blue collar town. At the end of the month sometimes, she doesn't have \$20 to put gas in her car. Now, not only is she going to have a sewer bill...you say it will raise the value of my home now that it has sewer...yippee...sewers that she doesn't want. Then her taxes go up because the value goes up. And now she has to pay taxes on that too? When she abandons her septic, does she also get stuck with the bill? When you abandon your septic, does it have to be demolished, filled, or whatever? Trotta said that is part of the money that the township is giving homeowners for the 30 year period. He suggested that she talk to Peter. He can explain that part better than Trotta can.

Carpentier said that sewers are not an economic driver to a town. There are thousands of towns all across this country...in the Midwest...Ohio, everywhere, that do not have a sewer system. Trotta responded that he has never said that is the only thing that needs to be done to fix this town. If you were here earlier, we gave out an award for the survey about the revitalization of downtown. We will get the results of those surveys and see what can be done to revitalize the downtown. Carpentier said that would be only 500 responses out of a town of 8,000+ people.

Trotta said we can't make people take the survey. Carpentier says she gets that. It goes to the point of what she is saying about the town. People are not interested in what you got going on downtown, so it's not going to change anything. Just like New Egypt Day. What was it, 2 blocks long and it was absolutely horrid. Things aren't the way they used to be. She understands that things change. Everything changes. Maybe it's time to sell.

Ron Tabor, 1 Holly Hill Drive, New Egypt, New Jersey, asked if the houses that are being built can be rented. Trotta said the builder is not renting anything out. They will be selling the homes. He doesn't know if an individual can rent them. Trotta said that is a good question. He will ask Lennar that question. Renters would still have to be within the age guidelines.

Tabor wants to commend Bill Lewis for what he did downtown with the park he built by himself with no funds from the township. He doesn't get the recognition he deserves. There are a lot of people who do a lot of things in this town that people are overlooking. That's one thing of many that Lewis has done for this town. He doesn't get recognition for it. He says that it's terrible that this town doesn't do something for him. To tell him thanks. Trotta said he is not going to go into the issue with Mr. Lewis.

Tabor said that this town has nothing. If he had the opportunity to hook up, he'd hook up in a heartbeat because his septic is terrible. It would make his house worth more money. He thinks it's a great thing for this town. It's a start and you have to start somewhere. He commends the committee for the way they handled themselves at the last meeting. It was tough. There was a lot of tension in the room. The committee did a great job. You're talking about 55 houses being built in this development per year. In his development alone, there were at least 10 to 12 houses that went up for sale. Two sold in 6 months. Now you're talking 55 houses in a year. You're going to tell me that they're going to sell?

Trotta said the houses are not being built speculatively. They will be built as they are sold. Lennar is a huge company throughout the country. They know what they need to market. They will market these homes and they will be building what they need to build for someone who wants to move in. So they are not going to build 165 homes and hope to put people in them.

Tabor said it's called a "retirement place." He doesn't know how people are going to afford the taxes. Trotta said that there are homes in retirement communities in the area that are worth a lot more than these houses. They are able to pay their taxes in their town.

Tabor said Provinceline Road is in bad shape. There is no way the road is going to survive all of the heavy equipment that will be brought in. Trotta said the road will be fixed and maintained. The builder wants to have a nice appearance as people come into the development. Otherwise, they are not going to sell anything.

Tabor said, also, he thought New Egypt Day was great. He takes offense to the comments that were made because he actually helped to set it up. He's part of this town and he thought it was a

great thing for the town to do. He would like to have them continue to do it. This town needs stuff like that to happen all the time to bring people in. The fireworks display...people who come from out of town tell him that the fireworks display was great. We need people to come to our town. The only thing I disagree with on the sewers is mandating people to hook up. Give them an option. If they don't take their option, it will cost them a fortune to hook up. That's what the town should have done. There are people in this town who can't afford that. They want to move 5 years from now, how are they going to pay the township? That's terrible for them. Things change. What if they get kicked out, lose their job, what is the township going to do for them? Nothing. If you give them an option and they don't take it that's their problem. I don't agree with the township forcing them to do it. That's the only thing I disagree with about the sewers.

Margaret Neuman, 324 Lakewood Road, New Egypt, New Jersey, asked when the traffic study was done, did it include Route 539? Trotta said he will have to check with Lennar because he doesn't know that answer. Neuman said she lives on Route 528 and she uses 539 to go to Hamilton. The traffic on 539 is unbelievable. The dump trucks that go by her house on 528 is constant. She's thinking that there will be more dump trucks when construction starts on the development. She wants to make sure that 539 was included in the traffic study.

Pat Ahearn, 8 Lawrence Drive, New Egypt, New Jersey, said this development is right in his back yard. Is there a restriction on the construction hours? Will they be hearing construction vehicles, all day, every day, on the weekend? Do they have to stop at a certain time in the evening? Trotta asked Attorney Kelly if he has anything to say about that. Kelly said that he will check the code. There are construction ordinances that dictate how early they can work and whether or not they can work on weekends. There are restrictions and parameters that they have to work with. Kelly will look up the ordinance and provide the information to Ahearn.

Heidi Spencer, 25 Oak Lane, New Egypt, New Jersey, said she grew up in Jackson and moved to Plumsted 20 years ago. Her parents still live in Jackson. There are a lot of these developments in Jackson and they are all single story, single family homes, so she doesn't understand why they are building duplexes and triplexes and two story houses in the development. Trotta said that the duplexes and triplexes that are being built are next to each other. They are all one story. There are many retirement homes throughout the area that have a second floor. Some people want a second floor. That is not up to the township. If someone wants to buy a two-story home, that's their decision. Spencer asked if the age restrictions can ever be changed. Trotta said there are 7 layers of government involved, so it's never changing. There will be no children there, ever.

Monica Sempervive, 7 Oak Leaf Drive, New Egypt, New Jersey. Going back to the age restriction. At the last meeting, we were told that it first would go to the condominium association and if the condominium association approved it, it would then go to the Land Use Board. Trotta said that the federal government mandates the Fair Housing laws. It is also governed by state and county government, as well as the township, the Land Use Board and the homeowners association. The homeowners association cannot make a change without approvals by the federal government. If the township doesn't allow them to make a change, they will not be making a change. The laws governing adult communities are in place nationally.

There was a time many years ago when the economy was bad that New Jersey enacted a law that gave the builders a right to make a change. They had to get approvals locally. That law is no longer in effect. The age requirement is not going to be changed. Sempervive said that was her concern. We are bringing the adult community into an area where we don't have anything. Most of us came here because of the space, the land, to get away from houses that are close to each other, etc. Then these people are going to come here. The houses are close. It's not like they're coming here for the land. The flip side of that is if they are not coming here for the land, what do we have to offer them? New things will have to come in. So now we'll have this community. If we have this community, the next thing on the agenda is we need some type of medical facilities. You see these spring up wherever you see a retirement community. These are all concerns. We know everything changes. When you think about that the whole structure of what New Egypt is will change.

Trotta said that things are changing all of the time. He wants to point out two things. First, New Hanover is already building some things in that general area. They have a commercial zone that they are trying to develop to take care of some of those things. There's a building on 537 that has already been built for doctor's offices, etc. As far as things being built up. That's not necessarily true. Upper Freehold has less amenities than we have in our town. They have a 450 home senior development on the road behind Allentown High School. They don't have doctor

parks over there. Sempervive said the center of Allentown is beautiful. We don't have that. Trotta said the township is going to work on that. Sempervive said that people have to go through Allentown to get to other places. For us, we're off the beaten path. That's definitely a concern of hers.

Sempervive said another thing is the culture of downtown. The culture of the landlords and the type of individuals, and the rentals, etc. She thinks that is one of our biggest concerns. How do we change that? She doesn't think that bringing in an adult community will change that.

Trotta told her that she can reach out to him if she has any questions. She can call Dave Leutwyler or Dorothy Hendrickson and we will answer any question you have. Sempervive said it's sad. She knows we need ratables, but she doesn't know if our town can sustain something like this. What happens if they don't sell?

Trotta said 150 homes is the break-even point. They don't have to continue on. They build 150 homes and we will have enough revenue coming into the town through their taxes and permits, etc. that will pay for the sewer system. Sempervive said what happens if the builder does not want to continue building? Trotta said the township has mechanisms in place in the agreement in case the builder should fail. If that happens, we have the right to look for a different builder. The project may change a little bit, but it will still be an adult community.

Dennis King, 54 Provinceline Road, Wrightstown, New Jersey, asked when the new sewer plant will be built. Trotta said he believes they are going to be breaking ground for the sewer plant in November/December of this year. It will be 12-15 months build out time. King asked about the sewer being trucked out of the township. Trotta said the "honey-dip" option has always been a temporary part of the plan in case the homes are ready before the sewer plant, which is always a possibility. They are trying to build both of them simultaneously, so that the first home is sold when the plant is ready to go online, or is already online. If it doesn't, the monies are in place for the sewer to be trucked out. The houses won't have septic, so there has to be a plan. It will go through the development's system.

King asked if the sewer plant will be built before the homes are sold. Trotta said it is supposed to be built before the first home is sold. Then we have the "honey-dip" option if the first few homes are built before the sewer plant. King asked if there is a plan in place if the first 150 homes don't sell. Trotta said that is the option he just spoke about. If the builder does not perform, the township can find a new builder. Lennar is going to make certain payments anyway. King asked about the people who are being forced to hook into the sewer plant. When will they start paying for it? Will they be hooked into it the day it starts? Trotta said the plan is for them to hook up when the plant goes live. The schools and the municipal building will also be going on it. King asked if the 150 houses don't sell, who will pay for the sewer plant. Trotta said there is a guarantee that the builder has to make. If the township needs money to make certain payments, they have to send us a check for it. King doesn't want the township to be stuck paying the whole bill. Trotta said there are mechanisms in place in the agreement that the builder will send the township money in advance if necessary.

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

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

Respectfully submitted,

Dorothy J. Hendrickson, RMC
Municipal Clerk