

**ACTION MAY BE TAKEN BY THE TOWNSHIP COMMITTEE**

**December 18, 2012**

**AGENDA**

**Regular Meeting** of the Hazlet Township Committee held at 8:03 p.m.

**Salute** to the flag and moment of silent prayer called by Mayor.

**Mayor’s Statement** – Open Public Meetings Act & Emergency Fire Exits.

In Compliance with the “Open Public Meetings Act” of the State of New Jersey, adequate notice of this meeting of the Township Committee was provided in the following manner:

- A. On January 3, 2012, advance written notice of this meeting was posted at:  
1766 Union Avenue, Hazlet, New Jersey.
- B. On January 3, 2012, advance written notice of this meeting was forwarded to  
the Independent and published in the Asbury Park Press on January 6, 2012.
- C. On January 3, 2012 copies of advance written notice of this meeting were  
mailed to all persons who requested and paid for such notices on or before January  
1, 2012.

FIRE EXITS are located in the directions I am indicating:

Farther down at the end of the room, through the doors and down the stairs, directly out the front door.

To my right is the door, make a right down the hallway which leads to the stairs and directly out the rear of the building.

If you are alerted for fire, please move in a calm and orderly manner to the nearest exit. Finally, let the record reflect that the minutes of this meeting will accurately reflect the topics addressed during this meeting but will not be a verbatim transcript of tonight’s proceedings. Thank you. I direct the Municipal Clerk to enter into the minutes of this meeting these announcements.

<u>ROLL CALL</u>	<u>PRESENT</u>	<u>ABSENT</u>
Committeeman Aagre	<u>  X  </u>	<u>      </u>
Committeeman Belasco	<u>  X  </u>	<u>      </u>
Committeeman Brady	<u>  X  </u>	<u>      </u>
Deputy Mayor Sachs	<u>      </u>	<u>  X  </u>
Mayor Tinker	<u>  X  </u>	<u>      </u>

HURRICANE SANDY RECOGNITION

Resolutions, Motions and Appointments:

Resolutions #274 through #276 are by Consent Agenda. All matters listed under Consent Agenda are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussions of these items. If discussion is desired by the Mayor or any member of the Township Committee, that item will be removed and will be considered separately. Advance copies of each resolution have been given to each Committee Member. The original resolutions are with the Municipal Clerk for inspection as listed below.

274. Authorizing the Mayor and Clerk to execute the 2013 Special Citizens Area Transportation System Agreement (SCAT).

275. Authorizing T&M Associates to perform additional Construction and Improvements Costs for the Beers Street Project.

276. Authorizing the signing of a Developers Agreement for Pelican Court, LLC.

Offered Committeeman Brady 2<sup>nd</sup> Mayor Tinker

Roll Call: Committeeman Aagre Yes Committeeman Belasco Yes

Committeeman Brady Yes Deputy Mayor Sachs Absent

Mayor Tinker Yes

277. Appointment of Linda Courtney as a full time Technical Assistant to the Construction Official.

Offered Committeeman Aagre 2<sup>nd</sup> Committeeman Brady

Roll Call: Committeeman Aagre Yes Committeeman Belasco Abstain

Committeeman Brady Yes Deputy Mayor Sachs Absent

Mayor Tinker Yes

278. Transfer of Funds.

Offered Committeeman Belasco 2<sup>nd</sup> Committeeman Aagre

Roll Call: Committeeman Aagre Yes Committeeman Belasco Yes

Committeeman Brady Yes Deputy Mayor Sachs Absent

Mayor Tinker Yes

279. Authorizing additional vacation time for Non-Contractual Employees due to Superstorm-Sandy.

Offered Committeeman Aagre 2<sup>nd</sup> Committeeman Brady

Roll Call: Committeeman Aagre Yes Committeeman Belasco Yes

Committeeman Brady Yes Deputy Mayor Sachs Absent

Mayor Tinker Yes

280. Appointment of Cody Sachs and Patrick Zebo as full time permanent Laborers in the Department of Public works.

Offered Committeeman Aagre

2<sup>nd</sup> Mayor Tinker

Roll Call: Committeeman Aagre Yes

Committeeman Belasco Yes

Committeeman Brady Yes

Deputy Mayor Sachs Absent

Mayor Tinker Yes

281. Authorizing the Mayor and Clerk to sign the Bayshore Regional Sewerage Authority Agreement.

Offered Committeeman Aagre

2<sup>nd</sup> Committeeman Brady

Roll Call: Committeeman Aagre Yes

Committeeman Belasco Yes

Committeeman Brady Yes

Deputy Mayor Sachs Absent

Mayor Tinker Yes

#### **Motion for payment of bills:**

Advance bill lists having been supplied to each Committee Member.

Offered Committeeman Belasco

2<sup>nd</sup> Mayor Tinker

Roll Call: Committeeman Aagre Yes

Committeeman Belasco Yes

Committeeman Brady Yes

Deputy Mayor Sachs Absent

Mayor Tinker Yes

#### **Citizens Hearing:**

Phil Januale – Come before you today as a lifetime resident of Hazlet. A local businessman of Hazlet and a loyal member of this community for over a decade and a half. Does anyone see anything wrong with the document I have given to you?

Attorney Gorman- There was an application made to the zoning board and the zoning board denied it. I don't know whether or not this is in litigation. You are not the property owner are you?

Mr. Januale- I am the owner of everything the township has a problem with.

Attorney Gorman- The owner of the property is your parents. The zoning board denied the relief and I do not know because I am not the zoning board attorney but is this in litigation now?

Mr. Januale- No it is not. Now we have to pay a \$1,250.00 a day fine that started back in March.

Attorney Gorman- You went through the process and the answer you got from the zoning board was no.

Mr. Ianuale- I don't believe they have the experience on this application because they are wrong.

Attorney Gorman- There is a process you have to follow and as to the zoning board matter it has been concluded. You should consider filing another application to the zoning board.

Mr. Ianuale- If I have to take down my whole property why can't you people guide me.

Attorney Gorman- Here is my advice to the Committee. You can listen to what Mr. Ianuale wants to say but there is really nothing you can do.

Mr. Ianuale- This all started after I put a lawsuit out against your police department.

Attorney Gorman- Did you file a lawsuit?

Mr. Ianuale- My lawyer is.

Attorney Gorman- I saw a Tort Claim filed. Was a lawsuit filed?

Administrator Valentino- To the best of my recollection, yes.

Attorney Gorman- We now have mixed two things. We have a zoning board matter with no further litigation pending. We have an active pending tort claim notice against the municipality. I advise the Committee strongly that we do not enter into a debate. Mr. Ianuale can say whatever he wants but it is not a debate. You filed a lawsuit and this matter should not be discussed publicly.

Charles Hoffman- What is the Pelican Court Development?

Mayor Tinker- Pelican Court is a previously approved application that is actually in Holmdel but it accesses Middle Road in Hazlet.

Mr. Hoffman-The agreement with the BRSA how long is it?

Attorney Gorman- It is 30 Years.

**Motion to close hearing:**

Offered Committeeman Belasco

2<sup>nd</sup> Mayor Tinker

Voice vote: Yes

Committeeman Brady- I would like to say it has been a pleasure to serve the people of Hazlet for the last three years. I think we accomplished a lot in that amount of time.

Committeeman Belasco- Mayor Tinker and Committeeman Brady it has been an honor to serve with you. I would like to thank you for all your help and support through the year. I hope you are not going to fade away and that you will continue because there will always be something for you to do within the next year, we can keep you busy. Thank you.

Mayor Tinker- Again I would like to mirror Committeeman Brady's thoughts. It has been an pleasure and an honor to serve the last three years. It seems like it has gone by quickly but then again it seems like it has had its moments. We have had three 100 year storms in the last three years. We have had Sandy,

Irene and we had a blizzard. I sit here tonight especially after the Hazlet residents response to Sandy and I am proud to say that I am a resident of Hazlet Township. It was a little over a year ago that Committeeman Belasco was sworn in and Vic Scuderi said I really hope you guys will work together for the benefit of the town. Joe I hope you know we did what we thought was good for the town.

Committeeman Belasco- Absolutely.

Mayor Tinker- I would like to thank all these gentlemen. Thank you all for the honor and privilege of allowing me to sit here. I wish you all a very Merry Christmas and Happy New Year.

Motion to adjourn:

Offered Committeeman Belasco

2<sup>nd</sup> Mayor Tinker

Voice vote: Yes

Time: 8:40 PM