

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

**February 19, 2013**

**AGENDA**

**Regular Meeting** of the Hazlet Township Committee held at 8:17 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 8, 2013, advance written notice of this meeting was posted at:  
1766 Union Avenue, Hazlet, New Jersey.
- B. On January 8, 2013, advance written notice of this meeting was forwarded to  
the Independent and published in the Asbury Park Press on January 10, 2013.
- C. On January 8, 2013 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, 2013.

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>
Committeewoman Ronchetti	<u>  X  </u>	_____
Committeeman Sachs	<u>  X  </u>	_____
Deputy Mayor DiNardo	<u>  X  </u>	_____
Mayor Belasco	<u>  X  </u>	_____

Approval of Minutes – Workshop meeting minutes: January 14, 2013  
January 22, 2013

Offered Committeewoman Ronchetti

2<sup>nd</sup> Committeeman Sachs

Roll Call: Committeeman Aagre Absent

Committeewoman Ronchetti Yes

Committeeman Sachs Yes  
(abstain 1/14/13)

Deputy Mayor DiNardo Yes

Mayor Belasco Yes

**Proclamation: Read Across America-NJ-Read by Mayor Belasco**

Correspondence:

Letter of Resignation was received from Linda Courtney resigning from her position as Technical Assistant & Zoning/Planning Board Secretary effective February 14, 2013.

Offered: Mayor Belasco

2<sup>nd</sup> Committeeman Sachs

Voice Vote: Yes

Ordinance Hearing:

1. HAZLET TOWNSHIP MONMOUTH COUNTY, NEW JERSEY ORDINANCE NUMBER 1513-2013 AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF THE TOWNSHIP OF HAZLET TO EXECUTE AN AGREEMENT WITH THE BAYSHORE REGIONAL SEWERAGE AUTHORITY

Introduced: February 5, 2013.

Published in The Asbury Park Press, issue of February 8, 2013. Proof on file.

Posted in Town Hall – February 6, 2013.

Hearing scheduled for February 19, 2013.

Hearing:

Charles Hoffman- What is the term of the agreement?

Deputy Mayor DiNardo- 30 Years sir.

Mr. Hoffman- Is there some reason why it is so long?

Deputy Mayor DiNardo- When you go out to bond it is usually a 25 year bond. The original contract was for 40 years.

Mr. Hoffman- Can you bond for less then that time wise?

Deputy Mayor DiNardo- I am sure they can if that is what they would like to do. I cannot answer for them.

Mr. Hoffman- The township is on record for being against the wind turbine.

Committeeman Sachs- We are off the topic here. We are talking about the BRSA not the wind turbine.

Mr. Hoffman- It all impacts on this. If you contract for 30 years you are committing the township to the BRSA's business decisions for 30 years. If your Commissioners, who you have assigned to the positions are not going to respond to what you the board wants how is the township protected. I do not quite understand.

Committeeman Sachs- I believe this contract, besides the fact that the old one has expired. I believe the superstorm damage supersedes the wind turbine. That is pretty much what the 30 years is all about. They substantial damage there and they are going to be bonding for a tremendous amount of money. Part of that damage was the infrastructure and what was in storage was also damaged. The main thing they are concentrating on now is getting that main plant up and running the way it is supposed to be running. When we appoint someone they are instructed to represent the Township of Hazlet. I cannot tell anyone nor can anyone sitting up here how to vote on something. They might know how the council feels but we cannot tell them how to vote.

Attorney Cucchiaro- Also, the appointments are for a certain time period.

Mr. Hoffman- Yes 5 years.

Attorney Cucchiaro- Right, if they haven't adequately represented the interests of the municipality you don't reappoint them. Also, there is some care taken by the Committee when they select the individuals to represent them on the authority.

Mr. Hoffman- You say the windturbine is not a problem.

Committeeman Sachs- I did not say it is not a problem I said it is not the main focus here.

Mr. Hoffman- I don't think you should go for thirty years until the wind turbine is settled.

Deputy Mayor DiNardo- BRSA has an estimate of \$20-\$24 million in damage. They got two incinerators that are totally destroyed. If we go to your idea of 5 years we have to borrow \$20 million dollars. BRSA has to pay that note back in five years. You borrow \$20 million and your sewer bill will be \$500.00 a month at that rate.

Mr. Hoffman- I think they will get enough money from FEMA that is not going to happen?

Deputy Mayor DiNardo- Right now it is 75 cents on the dollar. What I am saying is you still have to borrow money.

Mr. Hoffman- I am not saying you don't, do not get me wrong.

Deputy Mayor DiNardo- They want to structure it out so the rate payers are not getting hurt.

Bill Shewan- With regard to any contract the expiration of the previous one was June 17, 2012. What had to go on between then and now on negotiating with the sewer authority I would assume to benefit the Township of Hazlet. Has the current administration negotiated in good faith with regard to what had transpired before? What are the advantages other than the financing you brought up with regard to the Township of Hazlet?

Deputy Mayor DiNardo- I could tell you they were on a meter system now they are on an EDU System. They are going to go on a five year average so we don't have that up and down rockiness. That is a benefit to the town so you know what you are going to be paying.

Mr. Shewan- You say a five year average is that based on looking at it every year?

Deputy Mayor DiNardo- Yes sir you drop the last year off.

Mr. Shewan- Is there any cap going up or down or is it a set figure?

Deputy Mayor DiNardo- It is an average of five years. We are going to take a proactive approach on getting our lines tightened up even tighter so we are going to try and get our I&I down so we get lower flows.

Mr. Shewan- I think the cap should be clarified before you vote. Has anything been done with regard to the monies held in escrow? Since we are the largest user in all the towns.

Mayor Belasco- We have the money and we are negotiating on dropping the rates considerably in Hazlet. We did drop them and we hope to drop them again shortly. Also, we would like to send the bill out yearly with the four tickets on them so you can send your money in quarterly.

Mr. Shewan- I was talking about the monies BRSA holds approximately \$1.4 million dollars which is considerable money too which I think we received \$200,000.00 back last year. That is based on quarterly usage. I think as part of the contract we should get more money back based on monthly use and not quarterly use.

Deputy Mayor DiNardo- We will be getting back and I am can ball park it with overages it is about \$840,000.00 we will be receiving back from BRSA and that is our rent reserve that is due to the town.

Mr. Shewan- So they will hold only about \$400,000.00 good move. I have a technical question it is that the public notice is saying that this was read on the February 5, 2013. I do not recall that being read and I do not see it on the agenda.

Attorney Cucchiarro- It was definitely discussed at our last committee meeting and actually the public commented on it.

Mr. Shewan- I have the agenda and it is not listed on it.

Attorney Cucchiarro – I can tell you I was here and it happened.

Kevin Lavan- Pertaining to what Bill said about the EDU's and the Flows since 2005 being on the sewerage authority and Jimmy DiNardo at the time being the Commissioner with the Sewerage Authority for BRSA. The flows have gone down each year. We had one leak in all this time and I think it was on North Park and it was taken care of. So the EDU's and the flow into the Township of Hazlet has gone down and our billing process has gone down. I congratulate you for signing this contract because financially it will help.

Mary Lynch, Deputy RMC- Mr. Mayor I have the ordinance introduction from last meeting which was offered by Committeeman Sachs and second by Committeewoman Ronchetti and it was a 5-0 vote.

Motion to close hearing:

Offered Deputy Mayor DiNardo

2<sup>nd</sup> Committeewoman Ronchetti

Voice vote: Yes

Action of Committee: Adopt X

Offered Deputy Mayor DiNardo

2<sup>nd</sup> Committeewoman Ronchetti

Roll Call: Committeeman Aagre Absent

Committeewoman Ronchetti Yes

Committeeman Sachs Yes

Deputy Mayor DiNardo Yes

Mayor Belasco Yes

### **Resolutions, Motions and Appointments:**

Resolutions #66 through #70 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.

66. Issuance of Raffle License RL-3069-RL-3070, Middle Road School; RL-3073, 3074, 3076 & 3077 PTA Nut Swamp School; RL-3078 Rainbow Foundation.

67. Wavier of permit fees for West Keansburg Volunteer Fire Company for upgrade of Fire Company Sign.

68. Waiver of Raffle License fee for Holmdel/Keansburg Partnership for Sandy Relief.

69. Over payment of taxes for Block 159, Lot 5.

70. Rescinding Resolution #50 Performance Guarantee for New Cingular Wireless PCS LLC in the amount of \$547.69 and replacing with Performance Guarantee for New Cingular Wireless PCS LLC in the amount of \$207.19.

Offered Committeeman Sachs

2<sup>nd</sup> Deputy Mayor DiNardo

Roll Call: Committeeman Aagre Absent

Committeewoman Ronchetti Yes

Committeeman Sachs Yes

Deputy Mayor DiNardo Yes

Mayor Belasco Yes

71. Waiver of fees for Annual Food Establishments from Health Services.

Offered Mayor Belasco

2<sup>nd</sup> Committeewoman Ronchetti

Roll Call: Committeeman Aagre Absent

Committeewoman Ronchetti Yes

Committeeman Sachs Yes

Deputy Mayor DiNardo Yes

Mayor Belasco Yes

72. Appointment of Interim Administrator, Dennis Pino as representative for Municipal Joint Insurance Fund (JIF) and on the Municipal Excess Liability (MEL).

Offered Committeeman Sachs

2<sup>nd</sup> Deputy Mayor DiNardo

Roll Call: Committeeman Aagre Absent

Committeewoman Ronchetti Yes

Committeeman Sachs Yes

Deputy Mayor DiNardo Yes

Mayor Belasco Yes

73. Appointment of Interim Administrator, Dennis Pino as Township Representative to the Central Jersey Health Insurance Fund.

Offered Deputy Mayor DiNardo

2<sup>nd</sup> Mayor Belasco

Roll Call: Committeeman Aagre Absent

Committeewoman Ronchetti Yes

Committeeman Sachs Yes

Deputy Mayor DiNardo Yes

Mayor Belasco Yes

74. Emergency Temporary Appropriations

Offered Mayor Belasco

2<sup>nd</sup> Committeeman Sachs

Roll Call: Committeeman Aagre Absent

Committeewoman Ronchetti Yes

Committeeman Sachs Yes

Deputy Mayor DiNardo Yes

Mayor Belasco Yes

75. Authorizing the Mayor to execute Change Order #1 and Final for Down To Earth Landscaping, Inc. for the Veteran's Park Improvements

Offered Deputy Mayor DiNardo

2<sup>nd</sup> Committeeman Sachs

Roll Call: Committeeman Aagre Absent

Committeewoman Ronchetti Yes

Committeeman Sachs Yes

Deputy Mayor DiNardo Yes

Mayor Belasco Yes

76. Authorizing the Mayor to execute Change Order #1 and Final for Down To Earth Landscaping, Inc. for the HYAL Football Field Improvements.

Offered Deputy Mayor DiNardo

2<sup>nd</sup> Committeeman Sachs

Roll Call: Committeeman Aagre Absent

Committeewoman Ronchetti Yes

Committeeman Sachs Yes

Deputy Mayor DiNardo Yes

Mayor Belasco Yes

**Ordinance Introduction:**

1. HAZLET TOWNSHIP MONMOUTH COUNTY, NEW JERSEY ORDINANCE NO. 2013 - \_\_\_\_\_ AN ORDINANCE AMENDING DEVELOPMENT REVIEW ORDINANCE OF THE TOWNSHIP OF HAZLET SECTION 181-408.06 DRIVEWAYS

Title read by Committeeman Sachs

Hearing Date: March 5, 2013

Offered: Committeeman Sachs

2<sup>nd</sup> Committeewoman Ronchetti

Roll Call: Committeeman Aagre Absent

Committeewoman Ronchetti Yes

Committeeman Sachs Yes

Deputy Mayor DiNardo Yes

Mayor Belasco Yes

- 2 HAZLET TOWNSHIP MONMOUTH COUNTY, NEW JERSEY ORDINANCE NO. 2013 - \_\_\_\_\_ AN ORDINANCE AMENDING CHAPTER 181 OF THE CODES OF HAZLET SECTION(S) 600-603 OF THE DEVELOPMENT REVIEW ORDINANCE OF THE TOWNSHIP OF HAZLET IN ORDER TO ESTABLISH THE TOWNSHIP OF HAZLET LAND USE BOARD

Title read by Committeeman Sachs

Hearing Date: March 5, 2013

Offered: Committeeman Sachs

2<sup>nd</sup> Committeewoman Ronchetti

Roll Call: Committeeman Aagre Absent

Committeewoman Ronchetti Yes

Committeeman Sachs Yes

Deputy Mayor DiNardo Yes

Mayor Belasco Yes

**Payment of Bills:**

Advance bill lists having been supplied to each Committee Member.

Offered Committeewoman Ronchetti

2<sup>nd</sup> Mayor Belasco

Roll Call: Committeeman Aagre Absent

Committeewoman Ronchetti Yes

Committeeman Sachs Yes

Deputy Mayor DiNardo Yes

Mayor Belasco Yes

**Citizens Hearing:**

Joe Marques- I am the organizer for the Hazlet 5K. I am hoping to hold the 5K on August 24, 2013 that is the next to last Saturday of the month. If you have any questions, it is basically the same as the years prior. I will need Middle Road closed down and I need the participation of DPW. Recreation said they will help us. As far as donations that I get \$1,000.00 will go to Recreation and I am in discussions with RAINE Foundation to discuss what to do with the other money. I am hoping to do a raffle and disbursing money to five families. If anyone has any ideas please let me know.

Mayor Belasco- Joe you did a great job last year and we are here to help you with anything you need.

Mr. Marques- Thank you. The \$200,000.00 matching grant you got to make improvements to NATCO Park. Can you give me an update on that?

Deputy Mayor DiNardo- I think we are outreaching to T&M and we did talk to Environmental about it. With everything going on in NATCO Park I do realize it is a trail grant and I know how you feel about what you brought to the table last time. Our direction right now is to get NATCO Park cleaned up. I will get an answer on that for you.

Charles Hoffman- I believe it was in the Independent with some communities doing much better using single stream recycling. This was brought up in the past and you already had contracts with Red Bank or whomever. You couldn't do anything until those contracts expired. Are you looking at this and trying to put a plan together so that you can go this way when your current contracts expire?

Deputy Mayor DiNardo- Mr. Hoffman we spoke about this tonight in workshop and the Township will be going forward and looking at Single Stream Recycling and also one vendor collecting garbage and recycling we will go out to bid for that. You will go back to every two weeks and single stream.

Mr. Hoffman- When we say single stream that is everything except cardboard.

Deputy Mayor DiNardo- Everything goes in the can.

Eugene Geer- December 5, 2012 at the Township Committee meeting there was Resolution #271 authorizing removal of NATCO Park (indiscernible) material. I pick up this resolution today and I see that the only things removed were at the end of Helen Place & Bart Place. Another 1600 feet that starts at the high school and ends at the sewer line what is going to happen with that material?

Committeeman Sachs- Bart Place & Helen were the first too to be removed because that is where we were having the most residential problems so to speak. We ear marked \$17,000.00 for that removal which is below the bid threshold. If we had to do it all at one time we would have to go out to bid. We earmarked that and encumbered that money so that we can start remediating that part of NATCO Park as soon as possible. As soon as we get to go ahead from DEP to where we wanted to take the material too. As of today, we still do not have the go ahead from DEP to where that material is going to go to.

Mr. Geer- That is a small issue compared to how much damage that stuff is doing in there now.

Committeeman Sachs- Well apparently it cannot be doing too much damage because DEP told us we can use that material as an underlay and if we wanted to pave over the top of it. It can't be doing too much environmental damage if they would allow that. It baffles me too.

Mayor Belasco-DEP did say that Gene.

Mr. Geer- Talk about a fiasco they completely folded on this project. What is with the cleanup?

Committeeman Sachs-We know where we want to take the material and it is just a matter of DEP saying they can receive the material and we can move forward but we have not gotten that word yet.

Mr. Geer- I hate to give the BRSA any credit but on your resolutions motions and appointments I think the public should be given a chance to ask questions about items that are on the list. Certain items in here people don't understand.

Committeewoman Ronchetti- I agree with you and I am going to ask the Municipal Clerk from here on out that when she prints the agenda if she can give us a one line interpretation. I am going on record for this.

Mr. Geer- There are no emails or phone numbers for the elected officials on the website. Most towns have that information. We elect all the people in but everything has to go through the administrator. We should be able to communicate directly with the elected officials.

Interim Administrator Pino- The township employees have been receiving a ton of spam and some employees have gotten a lot of viruses. I would refer to see to the names of the actual individual I would like to contact because maybe I don't want everyone to know what I want to talk to the Mayor about if I am a resident. The thinking there was that if you are to send a Committee person an email about a concern they should all be copied on same.

Mr. Geer- This audio system in this room is a farce and it has always been a farce. With that air rushing in here no one can hear anything and some people that sit up there don't speak clearly. Think if you are serious about holding meetings up here and you want to communicate with people in the town you need to get a system that works.

Mayor Belasco- Gene I think maybe you are using the wrong term because I am going to take offense when you say a farce. If someone needs to ask us again what we said we have no problem repeating same. I take a little offense with the word farce.

Mr. Geer- I will stick with it.

Mayor Belasco – When you say farce you are saying that we are trying to hide something. I don't think anyone up here or in the past is trying to hide anything we may not be heard correctly and if asked again we would be glad to answer the question. I don't think anyone on this Committee is trying to get over on anyone.

Mr. Geer- It is a bad system we have in this room. Everything coming out should be clear to begin with.

Frank Waldorf- Since October I have tried to reach Dennis Dayback with the sidewalk fiasco. I know a couple of you gentlemen have heard my complaints. He won't even return my phone calls. He promised a letter stating that the driveway is what the driveway is and he won't put it in writing. He won't even return my phone calls now and that is after multiple times talking to his secretary. Why?

Mayor Belasco- We don't have an answer but we will find out.

Mr. Waldorf- The issues remain the same. The driveway is too steep the tree compensation (tree that was killed) and subsequently removed.

Committeeman Sachs- Did you not have a discussion with Mr. Dayback prior to the tree removal and the work that was done on Bedle Road?

Mr. Waldorf- Yes we did.

Committeeman Sachs- Did you agree upon having that tree removed?

Mr. Waldorf- After it was dying.

Committeeman Sachs- At that time was there any discussion about replacing the tree?

Mr. Waldorf- Not at all sir.

Committeeman Sachs- I will reach out to Mr. Dayback tomorrow.

Mr. Waldorf- The dirt run off from when they graded it when they planted the seeds on October 24, 2012 we really don't have a growing season. I am still dealing with the RV damage from sinking in the front lawn. I don't know where to go with this.

Committeeman Sachs- I believe Mr. Dayback told you to give documentation to him.

Mr. Waldorf- Things have been crazy.

Committeeman Sachs- I mean pertaining the RV?

Mr. Waldorf- Yes I still have to get that that is my neglect. Is there any need to still have the cones and barrels throughout the neighborhoods or is that just remnants from the contractor.

Committeeman Sachs- Remnants we will have DPW pick them up.

Mr. Waldorf- I just feel like I am being blown off.

Mayor Belasco- I am going to apologize for some of that but some of that was the contractor and Dennis and waiting for him. It is a little bit on everyone and we will try and solve this.

David Kestner- I heard you mention that you are looking into having one contractor do the garbage collection in the town. You will be negotiating for those seniors that currently have once a week or twice a week pickup.

Deputy Mayor DiNardo- You will have one "X" if that is what you choose.

Mr. Kestner- Well I have twice a week and I pay \$54.00 a quarter. What is the status of the Reevaluation?

Mayor Belasco- About the same as the last time you asked me.

Bill Shewan- With regard to the mention of spam nowadays you have a spam filter and the IT person should be able to block it all out and it goes into the spam box. With regard to snow removal the last time was 10-12 inches and I live on the corner property and I think it was a great job. They did an excellent job on clearing the snow. With regard to the reevaluation and I did notice the disbursements that we paid out \$63,000.00 last month. I don't think that should have any bearing. When you look at something do you want to do it for a good reason or not. If the reasons are at this point and time maybe the reasons have changed. At this point I think you do have to sit down and evaluate it.

Deputy Mayor DiNardo- If anyone is more serious about this issue it is Mayor Belasco. He has been dead set against this from the get go. He spoke out about it and you are right he gave you an honest answer tonight because we had a lot on the agenda.

Mr. Shewan- With regard to the Reevaluation is there an open date when it goes into effect so it does not matter when you review it?

Committeeman Sachs- It was not a reevaluation it was a reassessment. It is already in place.

Mr. Shewan- So it can't be reconsidered if it is in place?

Committeeman Sach- You can remodify and spend the money and go back to where you were before, I would assume.

Attorney Cucchiaro –It would be the same process. They are evaluating how the process would be and the merits of it and whether it would be limited to certain portions of the municipality or the entire municipality. We are trying to find the scope and process.

Mr. Shewan- I see a check was issued to T&M for the Pflieger property for evaluation for environmental status. Can you give a report on what the environmental status is on that property? I am asking because I heard the matching funds have not been received by the township. We put out the money and we have not received the matching funds and that goes back a couple of years. Now that the engineering report has been formatted I would assume and submitted what was the result of that and is it going to cost us more money with regard to that property.

Deputy Mayor DiNardo- I asked CME to get a hold of T&M and they sat down to try and finalize this out so we can get closure to this property. The recommendation I think by both engineers is to remove both piles. We are going to leave the property as is. That was the original intention when we got the grant. I did outreach to CME this afternoon to see what the status was. I will get an immediate answer on that because we want to get our money back.

Mr. Shewan- According to the DEP reports on NATCO that I had read was that it was supposed to be raked and not removed by machinery. They have a machine that goes down a certain portion and rakes. I would assume that is the machinery we would use if we were going to use machinery on the road. Some disbursements for cleaning the train station it comes to about \$1,570.00 do we get a refund on that through Clean Communities?

Yes.

Mr. Shewan- This one I do not understand \$10,689.30 it is not the amount of the money but for unleaded gasoline. Why are we using unleaded gasoline?

Committeeman Sachs- DPW, Police Department that is the tanks that are down at Leocadia. That is what supplies the police and DPW.

**Motion to close hearing:**

Offered Committeeman Sachs

2<sup>nd</sup> Mayor Belasco

Voice vote: Yes

Motion to adjourn:

Offered Committeeman Sachs

2<sup>nd</sup> Mayor Belasco

Voice vote: Yes

Time: 9:20 PM