

Regular Meeting of the Hazlet Township Committee held at 8:00 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. Thank you. I

direct the Municipal Clerk to enter into the minutes of this meeting these announcements.

ROLL CALL	PRESENT	ABSENT
Committeeman Aagre		X
Committeeman Belasco		X
Committeeman Brady	X	_____
Deputy Mayor Sachs	X	_____
Mayor Tinker	X	_____

Approval of Minutes – Regular Meeting, March 6, 2012.

Offered Deputy Mayor Sachs 2nd Committeeman Brady

Roll Call: Committeeman Aagre Absent Committeeman Belasco Absent

Committeeman Brady Yes Deputy Mayor Sachs Yes

Mayor Tinker Yes

Swearing in of Sergeant Ted Wittke

Recognizing Robert Cirrito, Robert Dispenza, Joseph Lamb, Jeffrey Miller and Barbara Stallone for their years of service and dedication to Hazlet Township.

Accepted by: Barbara Stallone **Accepted by:** Robert Dispenza

Accepted by: Robert Cirrito **Accepted by:** Joseph Lamb

Accepted by: Jeffrey Miller

Resolutions, Motions and Appointments:

Resolutions #71 through #79 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.

71. Release of the maintenance bond for Michael Conti, Block 44, Lot 15.03.

72. Refund of the overpayment of taxes made by First American Real Estate.

73. Refund of the overpayment of taxes for Block 46.01, Lot 13.

74. Refund of the overpayment of taxes made by Foundation Title, LLC.

75. Appointment of Local Emergency Planning Committee (LEPC).

76. Place to Place Transfer of CON FRAN LLC's Liquor License.

77. Issuance of Raffle Licenses RL-3031 and RL-3032 to Lillian Drive Elementary School.

78. Endorsing the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection.

79. Authorizing the Clerk to advertise for the receipt of bids for the lease of the Hazlet Swim Club Snack Bar Concessions.

Offered ~~-----~~ Committeeman Brady 2nd Deputy Mayor Sachs
Roll Call: Committeeman Aagre Absent Committeeman Belasco Absent
Committeeman Brady Yes Deputy Mayor Sachs Yes
Mayor Tinker Yes

80. Authorizing T&M to conduct a Phase II Environmental Site Assessment for Block 146, Lots 13, 14 and 14.01 (McNamee).

Offered ~~-----~~ Deputy Mayor Sachs 2nd Committeeman Brady
Roll Call: Committeeman Aagre Absent Committeeman Belasco Absent
Committeeman Brady Yes Deputy Mayor Sachs Yes
Mayor Tinker Yes

Motion for payment of bills:

Advance bill lists having been supplied to each Committee Member.

Offered Mayor Tinker 2nd Deputy Mayor Sachs
Roll Call: Committeeman Aagre Absent Committeeman Belasco Absent
Committeeman Brady Yes Deputy Mayor Sachs Yes
Mayor Tinker Yes

Citizens Hearing:

Charles Hoffman- What did DEP tell you to do with this disaster in NATCO Park and what is it going to cost us?

Administrator Valentino- He did not tell us anything that was like in the form of a check list. What we have been told to do is meet with representatives of the Environmental Commission. The Mayor has appointed a joint committee with two members from the Township Committee and two members from the Environmental Commission. They will be meeting sometime next week. We will present them with a plan that we think will address all of the concerns of the township and the DEP.

Mr. Hoffman- How would you know if they are addressed with the DEP?

Administrator Valentino- We have had a series of meetings with individual enforcement agents and members of the commissioner staff. We had a big meeting out there a couple of weeks ago. We know things they are concerned about and things we are still concerned about. What the commissioners asked us to do is present them with a plan that addresses all of the known concerns and then they will come back to us with any comments if they don't think that meets their needs and they will tell us what else needs to be done.

Mr. Hoffman- Is there any transcript in what they told you?

Administrator Valentino- No.

Mayor Tinker- The DEP told us to come back to them with a comprehensive plan.

Mr. Hoffman- They will pass judgment on that, is that what you are saying?

Mayor Tinker- Yes.

Mr. Hoffman- I copied Committeeman Aagre on two emails that I had sent to the DEP. What I said to DEP is that they either need ask the National Guard or State Police to come up here with helicopters and take area shots of the damage that has been done there so everyone can get a better perspective of it. When the Corrective action is completed they can take another area shot to everyone's satisfaction. I don't know if he said anything to you gentlemen about it or not I am on record having said that. I have made 3 phone calls in the last four months into the Hazlet Police Department and have copied the former Mayor Aagre on emails. Florence Avenue between Stone Road and Middle Road is a restricted tonnage road I am well aware of the fact that you have to have big trucks come and drop off supplies for a little factory on the end of the road. I understand that. I have asked the Union Beach Board and the BRSA about this. That when the issue construction permits to make sure it is understood they stay off that road with their dump trucks. It still happens and on top of that we have a member of our own community who lives on Willow and violates it every day. I think you need to look into this and I think you should tell your police force to do a better job on monitoring this street for over weightness. There is a policeman who lives over there and goes by this every day. I realize it is not his job to enforce building regulations but it is right in front of him. I have asked once or twice now for the road permitting for the Industrial Wind Turbine. You said you have heard nothing. I raised this issue with the BRSA a week ago Monday and I was told by their council that you have nothing to say about it. If the State says go, go. That raises an issue with me. It is a state

highway yes, the state is the one to issue a permit to move over it, yes. However, it is our infrastructure with our sewer lines so who is going to pay to have the infrastructure repaired if it is damaged.

Attorney Gorman- I think the infrastructure on the state highway is the states.

Mr. Hoffman- They are our sewer lines under there.

Attorney Gorman- Yes but the storm drains are the states.

Mr. Hoffman- Where Florence runs into Highway 36 there is buried pipe there that runs through the creek. If that collapses who is responsible for it?

Attorney Gorman- If it is in the state right of way it is the states. Here is my understanding and anyone can correct me. Before they move the pieces of the turbine they are going to have to get approval from every jurisdiction including the state, if it is a county road then Monmouth County and including the municipality that they are going to have to go through. I don't think a final plan has been determined. Hazlet Township has not signed off on any plan.

Mr. Hoffman- My understanding is that Hazlet is immaterial to the problem from what their council said in the meeting.

Attorney Gorman- I do not think that is the case and I think it is the intent of the township to make sure before any of that heavy equipment or whatever parts are coming in from the Wind Turbine before they cross our roads everything that needs to be done will be done. After they are done we will go back and re check everything. They will post a bond and do whatever to repair whatever damage occurs, if any damage does occur on their route through Hazlet.

Mr. Hoffman- I understand what you just told me but what their counsel said is what you guys want and what you think is immaterial it does not count. My question was how do we protect our interests if the State says they can use the road we are out of luck. That is the way I interpret what he said I do not know if that is what the case is.

Attorney Gorman- I would agree that in terms of using Route 36 to get there that is outside our jurisdiction.

Phil Laudati- I was walking through the woods of NATCO Park and I don't know if anyone has gone through there recently but from the end of Bart Place up unto is what is the sand pit area has now been collecting a lot of garbage. It is used extensively from kids going back and forth forth on their bikes for school. If you go back there, there are a lot of water bottles, cigarette packs, paper wrappers and we already had one brush fire. Cigarette packs are a dead giveaway. Kids are kids they are going to light the cigarette and throw it in the weeds when they are done. That is one of the problems with this road we are giving a lot of access to kids. That is right next to my house. I do not know how you are going to deal with this mess but it is becoming a bigger mess. The two streams that are down there are filled with water. In January when we came here we spoke with Marilyn Colas and Kenny. You said if we have any problems with mosquitos that the township would take care of that. I am here to tell you we have problems. I would like someone from the town to address this issue with the Mosquito Commission to come down and take care of this problem. We also have that sign at the end of Bart Place that says Hazlet Sewer Department, Sewer and Maintenance Easement Maintenance Project Authorized Personnel Only. There is really no easement at the end of Bart Place except for the first 10 feet. I have seen the maps and I am sure you all have. The sign doesn't seem like it is legal since there is no easement there maybe we should take the sign down.

I was reading in the paper the other day about Pay to Play. It goes on to say a whole bunch of things but it does say there is a booklet out there that comes out from the Division of Local Government Services. I do not know if we use that to follow the Pay to Play Rules but I was wondering if we do use it and if we do not can someone tell me the publication that comes from the State. Can you tell me what the rules are for Pay to Play I would like to read up on them.

Attorney Gorman- You can go on the NJ ELECT website and there are links to all the Pay to Play Ordinance and facts sheets.

Mr. Laudati- Which one does Hazlet use? Is there a certain publication that Hazlet uses?

Attorney Gorman- Each township has an ordinance which basically tracks the State Statute. There is a Hazlet Township Ordinance from about 6-7 years ago that sets forth the Hazlet Township Pay to Play requirement. No one up there knows the number on it.

Mr. Laudati- Maybe they would like to answer for themselves they are the elected official you are not. Don't tell them what they know and don't know. If you are telling me there is a publication why can't I get the number?

Deputy Mayor Sachs- It is not a publication, it is an ordinance. There is an ordinance number but off the top of my head I do not know what that is.

Administrator Valentino- If you do not want to look for it on line, if you see the Municipal Clerk after the meeting you can ask her for a OPRA Request and fill it out and she will get the copy for you.

Nancy Engravid- I have been here so many times and I am sure most of you recognize me. I am up here again regarding what has not been done on New York Avenue which borders the HYAL Field. I think if you remember me from the last meeting I went a little over the top. I am not angry anymore I am disheartened I am trying everything I can to resolve this. I have gone to the Township and they have been wonderful of giving me all the minutes and the plans and the site plans from 2002. I am reading it all and trying to understand what happened since 2002. I am not embarrassed to admit that I live right across the street from this horrible, deplorable situation. I pay high taxes in Hazlet I think I keep my home wonderfully and I like living in this town. I feel like I have been kicked I feel horrible about what has happened. Mayor Tinker and there have been other mayors up there but I beseech you someone has to take this and run with it and rectify what was done back in 2002 and what was promised to solve the issues on what is going on to my street. There are so many issues now I do not know how to fix them but we have to start. The first issue is on that huge plot of land that we all know hundreds of trees were taken down. I listen to the gentlemen that was up here about the mosquitos, if you walk over there after a rain storm you are sinking six inches. I look out my bedroom window and it is covered with water. We are getting eaten up by mosquitos. Because there is improper drainage and it has no place to go but sit on the field it does come onto my street. I lived there 30 years and I have never had this street paved. My street in my community has too many issues. The water that accumulates on the street, I have pictures too.

Administrator Valentino- Every time you come you have stated facts others have added to the mix of the conversation but the bulk of what you said has been accurate. After the last time you came out I walked your street, the engineers walked it. Part of the problem and I think we could agree that even if we repaved and put in new curbs by your place until we resolve the problem on the field it is just going to under mind the road. What we are proposing to do is a project on the top of the field that will put in new drainage that will drain the field properly in to the storm sewers. We are going to do plantings along where the erosion was occurring. That will hold what is there, in place. I believe the plan was for both sides. There is new storm drainage that is going to be incorporated into that project. After that is in place what we are going to do with our road program is add alternates to repave and do concrete work in the neighborhood as well. If the bids come in and we have the money to do it this year we will do it as part of this year's road program. If not, we are going to have to figure something else out. Officially you are in the pipe line for funding.

Mrs. Engravid- I appreciate that but I go home and get disheartened because I am beside myself. I think it is totally unfair what you have done. I have neighbors come up to me and it is terrible. What is HYAL going to do about the fencing it is falling down? I went over to the field and hammered them myself so I would not have to look at them.

Administrator Valentino- We have asked HYAL to participate in this project on a larger scale. There are things that they want and things they need to do. We have made them aware of the fence issue. I think what will happen and I cannot promise anything because I do not speak for them but when the field is returned to a playable position and they are using it and not spending money to play at the high school there will be money available for things like that.

Mrs. Engravid- How many years is that going to be? I have to admit I went to the Open Space and asked for help I called Green Acres the other day. I cannot accept that. I can not say o.k. another six years because the fence keeps falling down and the water keeps filling up on the street, it is deplorable and I am embarrassed to have family and friends. I think everyone of you would feel the same way especially the amount of time we are talking about. I hear what you are saying because it is HYAL I just wish we would have done it right from the beginning. If I did not pay my taxes you guys would be all over me. Well when are we as a township are going to say this is not a good situation that his happening over there for

the people of this community. When are we going to shake things up and get it done. I sit here and I know I will be back because I don't think this is going to be something that I am going to say next year will be a better year and finally look out my window and see what should be a finished product.

Administrator Valentino- The township is putting about \$200,000.00 of capital funds up. The drainage work on the top of that field is extensive and the field is not properly graded it needs to be re-graded. Depending on who you want to listen to over the course of the years it is either fine or it is untouchable. The HYAL Organization obviously feels it is unplayable because they do not play there.

Mrs. Engravid- Again, I respect what you are saying Brian because you are having a conversation with me but I wish I could say in good faith that this is going to be done. I think the other thing that is so disheartening is that I drive around town and so many beautiful things are being done. Veteran's Park is being done and NATCO Park is being done. What about us? What about my community? I have heard over the seven years that there was grant money to do this. I worked with a lovely oriental woman who sat me in her office and showed me all the paper work that we are going to do it because we got grant money and I trusted her and nothing happened. I am not here politically to say who is good or bad I just need someone to help.

Administrator Valentino- The next thing this Committee will be doing is considering the approval of bids when the engineers gets it ready to go out to bid. Then you will see them awarding contracts. If the natural progression of things work you should then see construction.

Mrs. Engravid- Can I walk out of here thinking that the long term solving of this would be the water issue first and once you fix the water issue then you can address the road. Are they thinking of possibly putting in a curb to hold all that mulch back?

Administrator Valentino- What I wanted you to hear me say because I do not want to mistake it and have you leaved here with a false impression. Once the drainage work is underway and we go out to bid on the township road projects (which is a whole separate project) we have roads we are going to be paving that are not in your neighborhood but are throughout the rest of the town and there is a list of projects that we will do if we have funding available for it. If I remember correctly and if you want to call me tomorrow to be sure, but if I remember correctly, your project in front of your house and around that bend that is one of the projects we were going to do as an add/delete. If the bids came in good and we have the money we are going to do it immediately if there isn't then the Committee will have to come up with another plan. We are putting the cart before the horse to worry about the roads and curbs. We are trying to do this in a way that makes sense.

Mrs. Engravid- I hope that if there is no money the Township will find it somewhere. You have to somehow rectify this. I will add that I am getting sick over this.

Michele Agosta – My concern stems from our tax rate and I know you do not have much control over the tax rate and how it is determined and how we are taxed. Just listening to her story alone and knowing the price we pay in our taxes to not get something rectified after crying about it for so long is also disheartening. I am only a resident here for five years I have been a realtor for ten and have been an appraiser in the appraising business and I know how the values of homes work and I know the people of this town are hurting. People are unemployed and losing their jobs. People just can't afford it anymore. I can't sell a property in this town because the people I sell to won't touch a 70x100 property with an \$8,000.00 tax price on it. It is insane for us to have drainage issues and for me to look at the budget and see things that are spent are just kind of uncanny. Granted I am only here for five years and I do not know how it works in NJ I am starting to educate myself and look into these things and learn and I want to be a voice for the residents of this town. I feel that the things that are being approved like new sod for the park in April when we have a camp coming in June is kind of unnecessary, considering that this woman has been fighting for ten years to have things rectified on her block. In 2011 Mr. Tinker, you at the time said spending money on a Skate Park was not necessary for the people. This was before you became Mayor.

Mayor Tinker- You are missing the point, when the skate park was initially proposed it was proposed to be built at no cost to the tax payers.

Mrs. Agosta- Has it been?

Mayor Tinker- Yes.

Mrs. Agosta- Right. It cost the tax payers money. I know you were not the Mayor at that time and were a committeeman and voiced your opinion at that time. I took your words verbatim. Your saying this is not a

necessity right now for these people of this town. We need to put our money from the taxes of the people of this town towards more beneficial items like drainage issues. I know I spent over \$15,000.00 for floods in my basement because of the water table where I live. At that same time, why is it now a necessity to put new sod and walk ways into Veteran's Park? Why do I see cell phone bills, car washes and Dearborn Farms and Angela's pizza on the budget? Why?

Mayor Tinker- First of all, the budget hearing is scheduled to take place at our next meeting on April 3, 2012 at that time the Committee will take questions on the budget. In the meantime, our CFO is available if you would like to speak to him after the meeting tonight about specific budget questions or come in Monday thru Thursday during normal business hours and make an appointment to talk to him.

Mrs. Agosta- I wasn't even aware that I was allowed to do that. I just thought it was here.

Mayor Tinker- This is a forum but we have a public hearing scheduled for the budget at the next meeting if you would like to ask questions concerning the budget.

Mrs. Agosta- I would like to know you as well Mayor and for your decisions that you are making now it seemed back then you was a little bit more concerned for the benefit of the people. By saying it was not an essential necessity for the residents of Hazlet for the skate park.

Mayor Tinker- I was not really in favor of the skate park but if it was going to be built at no cost to the residents and the residents would not have to bear any of those burdens.

Mrs. Agosta- What about the renovations of the Veteran's Park?

Mayor Tinker- They were decisions that were made prior to me being elected a Committeeman.

Mrs. Agosta- Are we going to be feeling the effects of that decision as well? I truly feel something needs to be done on behalf of the residents. The town is beautiful and the people are wonderful.

Mayor Tinker- We are trying to fix the problems that we inherited. You heard her say that the football field has been a mess for years. We are taking the bull by the horns and addressing it and starting to fix things.

Mrs. Agosta- I have faith in you sir as being a new resident. The word inherited I do not want to have promises giving to us as our Commander in Chief has giving us and point the finger and say hey I inherited this problem. I have spoke to someone in regards to the property assessments and they have gone down drastically and yet we are still being taxed at what we were assessed at in 2009. A lot of the residents don't even know that they can appeal their assessments or how to do it because it is so difficult.

Bill Shewan- With reference to New York Avenue and talking as a member of the Environmental Commission and the citizen did come up here before and did explain it and I am so please to hear the Township is taken aggressive action. They are taking the time to go out there and set up a plan.

Compliments to Mr. Valentino and the current administration for moving quickly on this matter. The other subject matter is the Wind Turbine and I will reaffirm that what Mr. Hoffman reported is true. I heard it myself that there will be no contact made to the township with regard with permission to go through for permits. I would think they would have to contact our police department in advance. On what advance is I do not know but I do think it should be clarified. There are sewers underneath, there are culverts that cause a problem whether they are state culverts or county culverts or not. That area is prone to flooding, we all know that. To take an aggressive approach is the right approach on our part. The plan was five days of delivery and there would be traffic disruption on that road. I did hear the same thing as Mr.

Hoffman they do not have to contact Hazlet. They are in negotiations with other towns and the two towns they were still waiting for and that was Matawan and Marlboro.

Motion to close hearing:

Offered Deputy Mayor Sachs 2nd Committeeman Brady

Voice vote: Yes

Motion to adjourn:

Offered Deputy Mayor Sachs 2nd Committeeman Brady

Voice vote: Yes

Time: 9:00 PM