

Regular Meeting of the Hazlet Township Committee held at 8:10 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, April 17, 2012.

Workshop Meeting, April 17, 2012

Offered Deputy Mayor Sachs 2nd Committeeman Belasco

Roll Call: Committeeman Aagre Yes Committeeman Belasco Yes

Committeeman Brady Yes Deputy Mayor Sachs Yes

Mayor Tinker Yes

Resolution S-1 - Appointment of Arthur Lynch to Lieutenant

Committeeman Belasco- Every so often good things happen to good people and I could not think of a better person for a promotion.

Offered Committeeman Aagre 2nd Committeeman Belasco

Roll Call: Committeeman Aagre Yes Committeeman Belasco Yes

Committeeman Brady Yes Deputy Mayor Sachs Yes

Mayor Tinker Yes

Proclamations:

Proclaiming May 1, 2012 as Barbara Hilliard Day.

Accepted by: Barbara Hilliard

Proclaiming May 6th through May 12th as Public Service Recognition Week.

Accepted by: Brian Valentino

Reports:

TAX COLLECTOR - February and March 2012 - Received and read.

MUNICIPAL JUDGE - March 2012 - Total fees collected - \$38,267.17.

CONSTRUCTION CODE OFFICIAL - March 2012 - Total fees collected \$21,012.00.

DEPARTMENT OF PUBLIC WORKS - March 2012 - Received and read.

Resolutions, Motions and Appointments:

Resolutions #112 through #116 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.

112. Authorizing the Municipal Administrator to execute an agreement with General Code for the recodification of the Township's Ordinances.

113. Issuance of Raffle License RL-3025 to Dante Alighieri Society of Central Jersey.

114. Refund of fees for a vital record to Barbara Ann Jackson.

115. Support of Assembly Bill A-2454 Unemployment for Seasonal Workers.

116. Refund of taxes made by First American Real Estate.

Offered----- Committeeman Belasco 2nd Committeeman Brady

Roll Call: Committeeman Aagre Yes Committeeman Belasco Yes

Committeeman Brady Yes Deputy Mayor Sachs Yes

Mayor Tinker Yes

117. Authorizing T&M Associates to perform Engineering Services for Veterans Park Improvements.

Offered----- Deputy Mayor Sachs 2nd Committeeman Aagre

Roll Call Committeeman Aagre Yes Committeeman Belasco Yes

Committeeman Brady Yes Deputy Mayor Sachs Yes

Mayor Tinker Yes

118. Dedication by Rider for Shade Tree Planting.

Offered----- Mayor Tinker 2nd Deputy Mayor Sachs

Roll Call: Committeeman Aagre Yes Committeeman Belasco Yes

Committeeman Brady Yes Deputy Mayor Sachs Yes

Mayor Tinker Yes

119. Authorizing payment to Lucas Construction Group for the work on Davern Avenue.

Offered----- Deputy Mayor Sachs 2nd Committeeman Aagre

Roll Call: Committeeman Aagre Yes Committeeman Belasco Yes

Committeeman Brady Yes Deputy Mayor Sachs Yes

Mayor Tinker Yes

120. Cancel the Balance of the Bond Ordinance Appropriation and corresponding Grant Receivable for Stephen Street.

Offered----- Committeeman Aagre 2nd Deputy Mayor Sachs

Roll Call: Committeeman Aagre Yes Committeeman Belasco Yes

Committeeman Brady Yes Deputy Mayor Sachs Yes

Mayor Tinker Yes

121. Authorizing T&M Associates to perform Engineering Services for Laurel Avenue - Phase I.

Offered----- Committeeman Brady 2nd Deputy Mayor Sachs

Roll Call: Committeeman Aagre Yes Committeeman Belasco Yes

Committeeman Brady Yes Deputy Mayor Sachs Yes

Mayor Tinker Yes

122. Authorizing T&M Associates to prepare an NJDOT application for Discretionary Aid for Improvements to Lynn Boulevard.

Offered----- Committeeman Aagre 2nd Mayor Tinker

Roll Call: Committeeman Aagre Yes Committeeman Belasco Yes

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----- Committeeman Brady 2nd Committeeman Belasco

Roll Call: Committeeman Aagre Yes Committeeman Belasco Yes

Committeeman Brady Yes Deputy Mayor Sachs Yes

Mayor Tinker Yes

Citizens Hearing:

William Lawton- An emergency has arisen in the Township of Hazlet. The people of Monmouth County and the Township of Hazlet residential homes have been and still are using oil tanks. They told our residents in the mobile home parks that they must get rid of their oil tanks. Rather than burden the town the association has taken it on. Will the township state that our oil tanks are legal?

Committeeman Belasco - Is it an individual thing by an individual owner or is it all the park owners doing it?

Mr. Lawton- I know two of them are doing it. Some tanks are less than 2 years old and some are doubled. They caught either go to propane or electric. Both are very expensive.

Mayor Tinker- It is a tragic situation and you have my heartfelt sympathies but I would have to confer to our lawyer.

Attorney Gorman- This is the first time I am hearing about and from what I am hearing there was litigation. You were represented they were represented and the Judge made a decision.

Mr. Lawton- He made a decision on one home.

Attorney Gorman- The Judge ruled in favor of the park owner. You think that it applies to all the other homes?

Mr. Lawton- The day after the judgment they sent it out to all the other residents and said they had to remove their tanks by July 1, 2012.

Attorney Gorman- It was a litigation there were parties, there was a Judge and a decision made.

Mr. Lawton- The one decision is being reconsidered. We are in renter's court we are not in regular court so there is no discovery. On the day of the trial they had an individual look at this tank and they wrote a report on it.

Attorney Gorman- It is not an appellate court so if that ruling is wrong they can file an appeal.

Mr. Lawton- Let me explain to you what happened. When we went there because we are in renter's court the lawyer in question at the date of trial handed our lawyer and the judge the credentials of this particular expert.

Attorney Gorman- Mr. Lawton whatever happened happened and the Judge made a ruling.

Mr. Lawton- The Judge did not make a ruling on the other 20 individuals who are going to lose their homes. We cannot fight the 20 individual cases. We are taking steps on the one individual and trying to reopen it. The 20 that did not even get a trial will lose their homes by July 1, 2012 this year.

Attorney Gorman- So the park owner started a law suit and won.

Mr. Lawton- Yes. It will cost us about \$75,000.00 to fight for the other 20 home owners.

Attorney Gorman- Is your question will the township pay for that?

Mr. Lawton- No my question is will the township stand up and say that these people in the mobile homes are homeowners from Hazlet and their tanks are legal in New Jersey, Monmouth County, and Hazlet New Jersey.

Attorney Gorman - The township is not a party to this litigation and the Township is not going to get involved.

Mr. Lawton- We need help.

Attorney Gorman- The Township is not a party to litigation when someone is in foreclosure. People have contractual real estate issues that the township is not a party to. If your question is if the township is going to become a party too or initiate litigation I would think not. My advice to the Township Committee would be to not institute or take part in litigation between private parties.

Motion to close hearing:

Offered Deputy Mayor Sachs 2nd Committeeman Belasco

Voice vote: Yes

Motion to adjourn:

Offered Deputy Mayor Sachs 2nd Committeeman Belasco

Voice vote: Yes

Time: 8:45