

March 17, 2015

AGENDA

**Regular Meeting** of the Hazlet Township Committee held at \_\_\_\_\_ 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 5, 2015, advance written notice of this meeting was posted at:  
1766 Union Avenue, Hazlet, New Jersey.
- (B) On January 5, 2015, advance written notice of this meeting was forwarded to the Independent and published in the Asbury Park Press on January 7, 2015.
- (C) On January 5, 2015, 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, 2015.

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 DiNardo	_____	_____
Committeewoman Kiley	_____	_____
Committeewoman Ronchetti	_____	_____
Deputy Mayor Aagre	_____	_____
Mayor Sachs	_____	_____

Approval of Minutes – Workshop Meeting – March 3, 2015  
Regular Meeting – March 3, 2015

Offered \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Roll Call: Committeeman DiNardo \_\_\_\_\_ Committeewoman Kiley \_\_\_\_\_

Committeewoman Ronchetti \_\_\_\_\_ Deputy Mayor Aagre \_\_\_\_\_  
(abstain)

Mayor Sachs \_\_\_\_\_

**Ordinance Hearing:**

1. ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.15) FOR THE 2015 CALENDAR YEAR

Introduced: March 3, 2015.

Published in The Asbury Park Press, issue of March 6, 2015. Proof on file.

Posted in Town Hall – March 4, 2015.

Hearing to be held March 17, 2015.

**Hearing:**

**Motion to close hearing:**

Offered \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Voice vote: \_\_\_\_\_

**Action of Committee:** (Adopt ) (Reject ) (Other )

Offered \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Roll Call: Committeeman DiNardo \_\_\_\_\_ Committeewoman Kiley \_\_\_\_\_

Committeewoman Ronchetti \_\_\_\_\_ Deputy Mayor Aagre \_\_\_\_\_

Mayor Sachs \_\_\_\_\_

**Resolutions, Motions and Appointments:**

Resolutions #87 through #88 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.

87. Issuance of Raffle License RL-4039 to the Rainbow Foundation.

88. Salary increase for the Police Academy Graduates.

Offered \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Roll Call: Committeeman DiNardo \_\_\_\_\_ Committeewoman Kiley \_\_\_\_\_  
Committeewoman Ronchetti \_\_\_\_\_ Deputy Mayor Aagre \_\_\_\_\_  
Mayor Sachs \_\_\_\_\_

89. Confirming the appointment of Patrick Toal to the position of Sewer Repairer I.

Offered \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Roll Call: Committeeman DiNardo \_\_\_\_\_ Committeewoman Kiley \_\_\_\_\_  
Committeewoman Ronchetti \_\_\_\_\_ Deputy Mayor Aagre \_\_\_\_\_  
Mayor Sachs \_\_\_\_\_

90. Appointment of Joseph Nagy to the position of Sewer Repairer I.

Offered \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Roll Call: Committeeman DiNardo \_\_\_\_\_ Committeewoman Kiley \_\_\_\_\_  
Committeewoman Ronchetti \_\_\_\_\_ Deputy Mayor Aagre \_\_\_\_\_  
Mayor Sachs \_\_\_\_\_

91. Appointment of Cody Sachs to the position of Maintenance Repairer.

Offered \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Roll Call: Committeeman DiNardo \_\_\_\_\_ Committeewoman Kiley \_\_\_\_\_

Committeewoman Ronchetti \_\_\_\_\_ Deputy Mayor Aagre \_\_\_\_\_

Mayor Sachs \_\_\_\_\_

92. Reduction of the performance guarantee for Digestive Disease Specialists of Central Jersey, P.C. (JPA Holdings/Dr. Avendano) Block 183, Lot 4.

93. Authorizing the Settlement of the tax appeal for Block 166.09, Lot 11 for property owned by Hazbro Realty, Inc.

**Payment of Bills:**

Advance bill lists having been supplied to each Committee Member.

Offered \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Roll Call: Committeeman DiNardo \_\_\_\_\_ Committeewoman Kiley \_\_\_\_\_

Committeewoman Ronchetti \_\_\_\_\_ Deputy Mayor Aagre \_\_\_\_\_

Mayor Sachs \_\_\_\_\_

**Citizens Hearing:**

**Motion to close hearing:**

Offered \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Voice Vote: \_\_\_\_\_

**Motion to adjourn:**

Offered \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Voice Vote: \_\_\_\_\_

Time: \_\_\_\_\_

ORDINANCE TO EXCEED THE  
MUNICIPAL BUDGET APPROPRIATION LIMITS AND  
TO ESTABLISH A CAP BANK (N.J.S.A.40a:4-45.14)  
FOR THE 2015 CALENDAR YEAR

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of the its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee of Hazlet Township, in the County of Monmouth, finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting health, safety and welfare of the citizens; and

WHEREAS, the Township Committee of Hazlet Township hereby determines that a 2.0% increase in the budget for said year, amounting to \$320,842.30 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hazlet in the County of Monmouth, a majority of the full membership of this governing body affirmatively concurring, that in the CY 2015 budget year, the final appropriations of the Township of Hazlet, shall in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5 percent amounting to \$561,474.02 and that the CY 2015 municipal budget for the Township of Hazlet be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of the this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that the Municipal Clerk be and is hereby authorized to issue the following Raffle License:

RL-4039 – Rainbow Foundation

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 17<sup>th</sup> day of March, 2015.

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Evelyn A. Grandi  
Municipal Clerk

RESOLUTION

BE IT RESOLVED that the below listed police officers receive a salary step increase as stipulated in the current PBA Contract.

Effective 1/13/15

Christopher LoBello – Academy Graduate	\$51,036.25
Joseph Schroeck – Academy Graduate	\$51,036.25
Russell Surdi – Academy Graduate	\$51,036.25

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee as its meeting held on the 17<sup>th</sup> day of March, 2015.

\_\_\_\_\_  
Evelyn A. Grandi  
Municipal Clerk

RESOLUTION

WHEREAS, the Township of Hazlet is in receipt of a Certification of Eligibles for the position of Sewer Repairer I in the Sewer Department; and

WHEREAS, it is the desire of the Township Committee to appoint Patrick Toal to said position.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Hazlet Township that Patrick Toal be and he is hereby appointed to the position Sewer Repairer I in the Sewer Department; and

BE IT FURTHER RESOLVED that the Certifying Agent process and forward the necessary paperwork to the Department of Personnel.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 17<sup>th</sup> day of March, 2015.

\_\_\_\_\_  
Evelyn A. Grandi  
Municipal Clerk



RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that Cody Sachs is hereby appointed as a Maintenance Repairer; and

BE IT FURTHER RESOLVED that he be compensated at the yearly rate of prorated; and

BE IT FURTHER RESOLVED that the Certifying Agent forward a copy of this Resolution to the Department of Personnel.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 17<sup>th</sup> day of March, 2015.

\_\_\_\_\_  
Evelyn A. Grandi  
Municipal Clerk

## RESOLUTION

WHEREAS, Dr. Beverly Avendano heretofore deposited with the Township of Hazlet a certain performance guarantee in the total principal amount of \$118,830.00 to assure the completion in a satisfactory fashion certain public improvements in connection with that certain project known as **DIGESTIVE DISEASE SPECIALISTS OF CENTRAL JERSEY, P.C., (JPA Holdings/Dr. Avendano), Block 183, Lot 4;** and

WHEREAS, the Township Engineer, in a report dated February 27, 2015 has recommended that the total performance guarantee can be reduced by \$83,181.00;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hazlet that the appropriate officers and employees of the Township of Hazlet be and they are hereby authorized and directed to execute such documents or take such other actions as may be necessary or required to reduce that certain performance guarantee deposited with the Township of Hazlet in connection with Digestive Disease Specialists of Central Jersey, P.C. (JPA Holdings/Dr. Avendano) from \$118,830.00 to the sum of \$35,649.00; and

BE IT FURTHER RESOLVED that the reduction of the performance guarantee should be contingent upon the following:

1. The future maintenance guarantee amount will be 15% of the original cost of improvements, or \$14,853.75, and shall be for a term of two (2) years; and
2. Payment will be made of any pending engineering and administrative fees, as well as the fees to address this performance guarantee reduction request; and
3. The amount of \$2,000.00 will be withheld from the performance reduction for the payment of future engineering and administrative fees.

BE IT FURTHER RESOLVED that the authority and direction herein contained is not intended to be nor should it be construed as an acceptance by the Township of Hazlet of all or any portion of the public improvements involved in said project; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and she is hereby directed to transmit certified copies of this resolution to the Township Engineer and Digestive Disease Specialists of Central Jersey, P.C. (JPA Holdings/Dr. Avendano).

## CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township, do hereby certify that the foregoing is a true copy of a resolution duly passed and adopted by the Township Committee at its meeting held on the 17<sup>th</sup> day of March, 2015.

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Evelyn A. Grandi  
Municipal Clerk

**RESOLUTION AUTHORIZING THE SETTLEMENT OF  
THE TAX APPEAL REGARDING LOT 11 IN BLOCK  
166.09 AS SET FORTH ON THE OFFICIAL TAX MAPS OF  
THE TOWNSHIP OF HAZLET FOR PROPERTY OWNED  
BY HAZBRO REALTY, INC.**

**WHEREAS**, Hazbro Realty, Inc., the owner of property located at 3253 Highway 35, designated as Lot 11 in Block 166.09 on the official tax maps of the Township of Hazlet has taken an appeal to the Tax Court of the State of New Jersey from the assessed value of said property for tax year 2011; and,

**WHEREAS**, the parties have agreed to a reduction in the property's assessment for tax year 2011 from a total of \$5,886,300 to a total of \$4,200,000; and,

**WHEREAS**, the reduction in the property's assessment shall apply for tax year 2012 by application of the provisions of the Freeze Act, N.J.S.A. 54:51A-8; and,

**WHEREAS**, the Township Tax Assessor has agreed to the aforesaid reduction in the property's assessment; and,

**WHEREAS**, the settlement results in a total tax refund of \$80,234.15 for tax years 2011 and 2012, one-third of which (\$26,744.72) shall be refunded to the property owner and two-thirds of which (\$53,489.43) shall be applied as a credit to future taxes owed on the property beginning with the first quarterly tax payment that is due after the entry of judgment; and,

**WHEREAS**, the property owner has further agreed to waive statutory pre-judgment interest on the tax refund provided that it is paid within sixty (60) days of the entry of judgment; and,

**WHEREAS**, the Township Committee of the Township of Hazlet has determined that it is in the best interests of the Township to adjust the assessment on the aforesaid property for the 2011 tax year in accordance with the settlement.

**NOW, THEREFORE**, be it resolved by the Township Committee of the Township of Hazlet in the County of Monmouth and State of New Jersey, as follows:

1. The tax assessment on the property located at 3253 Highway 35 and designated as Lot 11 in Block 166.09 on the official tax maps of the Township of Hazlet shall be reduced from a total of \$5,886,300 to a total of \$4,200,000 for tax year 2011.

2. The reduction in assessment on the property shall apply for tax year 2012 by application of the provisions of the Freeze Act, N.J.S.A. 54:51A-8.

3. The Township Tax Collector is hereby authorized to issue a refund of one-third of the tax savings attributable to the reduction in the assessment to the property owner payable to its attorneys in trust and the remaining two-thirds of the tax refund shall be applied as a credit against future taxes owed on the property beginning with the first quarterly tax payment that is due after receipt of the Tax Court Judgment.

3. This resolution shall take effect immediately or as otherwise provided by law.

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, Mayor

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Evelyn A. Grandi  
Municipal Clerk