

April 2, 2019

AGENDA

Regular Meeting of the Hazlet Township Committee held at 8:01 p.m.

Salute to the flag and moment of silent prayer called by the 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 2, 2019, advance written notice of this meeting was posted at:
1766 Union Avenue, Hazlet, New Jersey
- (B) On January 3, 2019, advance written notice of this meeting was forwarded to the Independent and the Two River Times. On January 4, 2019 advanced written notice of this meeting was published in the Asbury Park Press.
- (C) On January 2, 2019, 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, 2019.

Time will be allotted for public comment at this meeting. Each speaker will be allotted a 5 minute time limit when recognized by the Mayor. Individuals wishing to address the Committee, shall give their name and address. Although the Township Committee encourages public participation, it reserves the right, through the Mayor, to terminate remarks to and/or by an individual not in keeping with the conduct of a proper and efficient meeting. The Township Committee will not, during the public portion of this meeting, discuss matters involving any specific, prospective or current employee.

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>
Committeewoman Clark	<u> X </u>	_____
Committeeman McKay	<u> X </u>	_____
Committeeman Sachs	<u> X </u>	_____
Deputy Mayor Glackin	<u> X </u>	_____
Mayor Aagre	<u> X </u>	_____

Presentation of a Plaque to Susan Kiley.

Accepted by: Susan Kiley

Ordinance Hearings:

1. ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40a:4-45.14) FOR THE 2019 CALENDAR YEAR

Introduced: March 19, 2019.

Posted in Town Hall – March 20, 2019.

Published in the Asbury Park Press on March 22, 2019. Proof on file.

Hearing scheduled for April 2, 2019.

Hearing:

Bill Shewan: The total amount of the cap is \$602,000 which is a considerable amount. From what I understand, that when it goes into a cap bank you are using from the previous year that's the way it was explained. Then how do you determine to increase it to another normally 2% ...

Deputy Mayor Glackin: 2.5% actually.

Mr. Shewan: Okay another 1 % and it states here it's advisable and necessary. What is necessary to do this?

Deputy Mayor Glackin: Well it gives you the flexibility in a bad situation. You're raising the credit limit. We're not talking about the budget. It's not raising taxes. It just you're raising your credit limit and then you establish a budget underneath that. It's 2% by 2.5% by law or you can go up 3.5% by ordinance. But by going to an ordinance especially for a municipality like us where we've been for the last four years we are at the same amount, so our budget has not increased. But what it does do is allow that in the event of an emergency, that we can roll it into next year and actually go up 3 and 3.5%, God forbid something terrible happens, we now have the ability to financial stability to go out and take care of a situation. It's for that credit card you have in the back of your wallet just in case you need it.

Mr. Shewan: Very well explained. Does the record show that then we haven't used the credit card in the past years?

Deputy Mayor Glackin: Since 2016, we basically at the same dollar amount so we never really actually increased our budget.

Mayor Aagre: No not in the last 15 years that I've been on. It's good for two years but we do it every year because it sort of rotates. It just keeps rolling.

Mr. Shewan: Thank you.

Motion to close hearing:

Offered Committeeman Sachs

2nd Committeewoman Clark

Voice vote: Yes

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

Offered Committeeman Sachs

2nd Committeeman McKay

Roll Call: Committeewoman Clark Yes

Committeeman McKay Yes

Committeeman Sachs Yes

Deputy Mayor Glackin Yes

Mayor Aagre Yes

2. AN ORDINANCE OF THE TOWNSHIP OF HAZLET, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO PROVIDE FOR THE COLLECTION OF DEVELOPMENT FEES IN SUPPORT OF AFFORDABLE HOUSING AS PERMITTED BY THE NEW JERSEY FAIR HOUSING ACT

Introduced: March 5, 2019.

Posted in Town Hall – March 6, 2019.

Published in the Asbury Park Press on March 9, 2019. Proof on file

Hearing scheduled for April 2, 2019.

Hearing:

Charles Hoffman: When you say fee support of affordable housing as permitted by the NJ Fair Housing Act, what support? What is the money going towards? The administrative aspect of the ...

Attorney Gorman: So are fees to be imposed on new development in Town so basically any development by a non-residential is a 2.5% fee, which is by State law. It's a question of whether we keep it or we send it to Trenton...so we want to keep it. That money plus 1.5% for residential development if that residential development on that site produce affordable housing. So for example, somebody got a minor subdivision, they're going to build two or three houses, they would have to pay 1.5 % of the equalized assessed evaluation on that property as a Mt. Laurel...

Mr. Hoffman: 20% of three is not a whole.

Attorney Gorman: We decided with consultation with the Special Master and with the Judge that we are not going to impose a 20% set aside even if somebody built twenty new homes. So the only time that they're going to have to build on site under our plan that is under consideration by the Court, is if it's a multi family development.

3. AN ORDINANCE OF THE TOWNSHIP OF HAZLET, COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS

Introduced: March 5, 2019.

Posted in Town Hall – March 6, 2019.

Published in the Asbury Park Press on March 9, 2019. Proof on file.

Hearing is scheduled for April 2, 2019.

Hearing:

NO ONE SPOKE.

Motion to close hearing:

Offered Committeeman McKay

2nd Committeewoman Clark

Voice vote: Yes

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

Offered Committeeman McKay

2nd Mayor Aagre

Roll Call: Committeewoman Clark Yes

Committeeman McKay Yes

Committeeman Sachs Yes

Deputy Mayor Glackin Yes

Mayor Aagre Yes

Reports:

CONSTRUCTION OFFICIAL – February 2019 - Total fees collected - \$43,086.00.

March 2019 – Total fees collected - \$61,499.00.

DEPARTMENT OF PUBLIC WORKS – February 2019 – Received and read.

Correspondence:

A letter was received from Christopher Lantier resigning from his position as a Laborer with a CDL in the Department of Public Works effective April 2, 2019.

Offered Committeeman Sachs

2nd Mayor Aagre

Voice Vote: Yes

A letter was received from Beth Cunningham resigning from her position as Purchasing Agent in the Finance Department effective March 31, 2019.

Offered Mayor Aagre

2nd Committeeman Sachs

Voice Vote: Yes

A letter was received from Viktoria Carey resigning from her position as a Part Time Chief Financial Officer in the Finance Department effective March 31, 2019.

Offered Deputy Mayor Glackin

2nd Committeewoman Clark

Voice Vote: Yes

Resolutions, Motions and Appointments:

Resolution #95 is 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.

95. Issuance of Raffle License RL-4200 and RL-4201 to the Rocket Launchers Association.

Offered Deputy Mayor Glackin

2nd Committeeman Sachs

Roll Call: Committeewoman Clark Yes Committeeman McKay Yes

Committeeman Sachs Yes

Deputy Mayor Glackin Yes

Mayor Aagre Yes

PUBLIC HEARING

Anyone who would like to address the Township Committee regarding the below listed Resolutions on the Agenda, please come up, print your name and address on the sign in sheet. There is a five (5) minute time limit. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard.

Charles Hoffman: I noticed that your adding another item to Mr. Pino's portfolio. What is the definition of a municipal housing liaison?

Attorney Gorman: He is getting appointed to basically be the point person for the affordable housing.

Bill Shewan: Questions on the affordable housing trust fund spending plan, which is quite comprehensive...

Mayor Aagre: Which resolution is that?

Mr. Shewan: That would be resolution #97. If you initiate any of these plans that are in here, that supplements payments in different stages on rental and so on and so forth. What happens midstream if you're forecast for your projected income is down, can you stop at any time?

Attorney Gorman: This just says what we might spend it on. It doesn't authorize any spending.

Mr. Shewan: I understand that. But what I am saying is that if you initiate a plan that you're going to go ahead with something. There are about five different things here you can do. Let's say you initiated a plan, if you were going to supplement income on a rental specifically and that's initiated. Can you stop it at any time once you initiate it?

Attorney Gorman: I'm not sure what your question is. We can only spend what we have.

Mr. Shewan: Okay so if you don't have it, you can stop it at any time.

Attorney Gorman: Right.

Mr. Shewan: Where did the balance come from since this is just being initiated, why do we have a plan with \$178,750.00 in it?

Attorney Gorman: We've been very fortunate. Lidl opened up. Lidl is \$178,000.00 on their 2.5% non-residential development.

Mayor Aagre: Lidl is part of that.

Deputy Mayor Glackin: It would be paid to the State but since we have this set up, it came to us.

Mr. Shewan: I would assume under Resolution 98 it is a paid position so therefore that's on the Administrative Agent?

Attorney Gorman: They're going to get paid from the developers. It's not an agreed salary position. They're going to get paid. Their fees will be paid by the owner of the property that is going to be sold or rented to an affordable unit.

Mr. Shewan: So you mentioned before money might go back to the State. I would assume under this, no money is going back to the State. We would hold all the money.

Attorney Gorman: You are mixing apples and oranges.

Mr. Shewan: Alright.

Attorney Gorman: The State has required as of last year, that the 2.5% non-residential development fee be collected from every non-residential on an issuance of a CO. So we don't have that many of them, but we have one obviously with Lidl. Their fee under that formula was

\$178,000 and change. So they gave us the check and we put it in and we are getting that as part of our plan to be approved by the Judge that we can keep that money here and spend that money towards affordable housing purposes.

Mr. Shewan: I have another question which I can probably answer myself but it has been brought up before by the Committee that we have quite a few foreclosures in Town. We have tax liens...

Attorney Gorman: That is not an item on the agenda.

Mr. Shewan: No I have a question having to do with this. Can any of these monies in view of the fact that those homes may be affordable homes in the way I would look at it and in the way that you would look at it, can it be used to help the people out that are going into the financial difficulties in our own Town and on homes that are within the affordable range instead of going into foreclosure?

Attorney Gorman: Probably not.

Deputy Mayor Glackin: I don't think you can help out but you can acquire property for the purposes of affordable housing. You can't say you're down on your luck.

Mr. Shewan: I know it's not our fault here but then again this is the purpose of this affordable housing is when we have foreclosures in this Town and we can't help the people out.

Attorney Gorman: I think what the Deputy Mayor is saying without telling everybody what we might do, there are ideas on how it can be used. But you know we're not going to go into those things publicly not at this time because and I think there are things that you would understand if they were discussed but it's not the time.

Mr. Shewan: I understand that. Thank you.

Mayor Aagre: I understand.

Mr. Hoffman: Is Wawa going to have to come up with some money also?

Deputy Mayor Glackin: Yes. 2.5%.

Attorney Gorman: As is Ralph's Italian Ice. As in everybody else who falls under that.

Mr. Hoffman: Popeye's too?

Mayor Aagre: Yes Popeye's.

Deputy Mayor Glackin: Again it's something they would have had to pay to the State so it's not like we're adding onto it. The State has already add onto it. We're just collecting it, using it and keeping it instead of it going to the State.

Mr. Hoffman: Okay thank you.

Offered Mayor Aagre

2nd Committeeman Sachs

Voice Vote: Yes

96. Appointment of Michael Donnelly as a Full Time Laborer with a CDL in the Department of Public Works.

Offered Committeewoman Clark

2nd Committeeman McKay

Roll Call: Committeewoman Clark Yes

Committeeman McKay Yes

Committeeman Sachs Yes

Deputy Mayor Glackin Yes

Mayor Aagre Yes

97. Approving and Adopting the Township's spending plan for the Affordable Housing Trust Fund.

Offered Deputy Mayor Glackin

2nd Mayor Aagre

Roll Call: Committeewoman Clark Yes

Committeeman McKay Yes

Committeeman Sachs Yes

Deputy Mayor Glackin Yes

Mayor Aagre Yes

98. Appointment of Frank Piazza as the designated Administrative Agent for Hazlet Township's affordable housing program.

Offered Committeeman McKay

2nd Committeewoman Clark

Roll Call: Committeewoman Clark Yes

Committeeman McKay Yes

Committeeman Sachs Yes

Deputy Mayor Glackin Yes

Mayor Aagre Yes

99. Appointment of Dennis Pino as the designated Municipal Housing Liaison.

Offered Committeewoman Clark 2nd Committeeman Sachs

Roll Call: Committeewoman Clark Yes Committeeman McKay Yes

Committeeman Sachs Yes Deputy Mayor Glackin No

Mayor Aagre Yes

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

Offered Committeeman McKay 2nd Committeewoman Clark

Roll Call: Committeewoman Clark Yes Committeeman McKay Yes

Committeeman Sachs Yes Deputy Mayor Glackin Yes

Mayor Aagre Yes

101. Refund of CCO fees for 14 Ennis Drive.

Offered Committeewoman Clark 2nd Deputy Mayor Glackin

Roll Call: Committeewoman Clark Yes Committeeman McKay Yes

Committeeman Sachs Yes Deputy Mayor Glackin Yes

Mayor Aagre Yes

102. Award of bid to Jo-Med Contracting Corporation for the Union Avenue Sewer Replacement project.

Offered Mayor Aagre 2nd Committeeman McKay

Roll Call: Committeewoman Clark Yes Committeeman McKay Yes

Committeeman Sachs Yes Deputy Mayor Glackin Yes

Mayor Aagre Yes

103. Award of bid to Fiore Paving Company, Inc. for the 2019 Road Improvement Project.

Offered Committeeman Sachs

2nd Committeeman McKay

Roll Call: Committeewoman Clark Yes

Committeeman McKay Yes

Committeeman Sachs Yes

Deputy Mayor Glackin Abstain

Mayor Aagre Yes

Payment of Bills:

Advance bill lists have been supplied to each Committee Member.

Offered Deputy Mayor Glackin

2nd Committeeman McKay

Roll Call: Committeewoman Clark Yes

Committeeman McKay Yes

Committeeman Sachs Yes

Deputy Mayor Glackin Yes

Mayor Aagre Yes

Citizens Hearing:

There is a five (5) minute time limit. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard.

Maritza Cabrera: Back in January I had a flood in my basement which I had to put in a sump pump. I called the Township and they told me I had to put it so that it would go out into the street. I did so and it was freezing weather. I got a notice saying that I had a complaint against me and that I had to redirect the thing. So I did. I bought another sump pump and another hose and I put it through my basement window and I put it into my backyard. I then had the frozen water in my backyard. So, now when the weather got better, I redirected it back to the front and I got another notice and there supposedly is another code that says I can't do that.

Administrator Pino: That would be news to us.

Mayor Aagre: Yes, that's news to us.

Administrator Pino: Let me see to that. I will give you my card and we can touch base tomorrow. You are allowed to pump to the street as long as you don't create a hazardous condition, when it's going to freeze or otherwise.

Ms. Cabrera: I took care of that right away and I put it in my backyard.

Mayor Aagre: Right you took care of that...

Jessica Cabrera: I am her daughter. They said there was a complaint so we had Mr. Finnerty come over and explain to us that because it was causing a problem that we had to redo it. So we did do the back. The water was going through our yard and our neighbor's yard. Once the temperature came back and was good, we had it redirected again. They came back and told us that we were not allowed to do that. That's it illegal. Now everybody on our street has it the same way.

Administrator Pino: That's allowable, yes.

Ms. Cabrera: We called the plumber back because we invested a lot of money into it and we didn't know what to do if we had to redirect it. He said that he has a business and according to him this is illegal.

Mayor Aagre: What you did in the wintertime is correct and we appreciate you going through that.

Ms. Cabrera: He knocked on our door again about a week or two ago.

Deputy Mayor Glackin: There's no icing right?

Ms. Cabrera: We took pictures and there is no water. What we need is for the ground to be paved so it can flow nicely or get another sewer because it goes around the cul de sac and it goes around to the ones that are located across the street. If we had either a sewer in between the two parts in the middle or the streets are paved where it can flow nicely to the sewer...the street is Chestnut Drive.

Administrator Pino: What number is your house?

Ms. Cabrera: 24.

Mayor Aagre: Chestnut is on the Road Program that we are just doing. So it will be repaired and hopefully will solve some of the flow problems.

Administrator Pino: Just keep in mind that you did create a serious hazard on that road when it was freezing. This is the one that we saw the photos of and we had to send the Department of Public Works there several times to clean it up at a cost to the Township. Unfortunately when it is going to ice and going to freeze and we cross neighbor's properties, driveways and everything else in the manner that your pump was doing, we will have to tell you to move it because someone can simply...the mailman or a person visiting, can literally slip on that ice or when it's going to freeze you will have to remove it. You have an excess amount of water coming out of that building for one reason or another. You may have your pump set really low and you are sucking out water that you should just be leaving it...it is not normal to see that much water there. I will stop by and see what's going on. Plus that street is getting done over which may help. I don't know if there is drainage going in.

Committeeman Sachs: It's not an issue pumping it out to the street now.

Administrator Pino: No they are actually pumping out dirt out of the sump pump now...I will stop by and talk to you sometime next week.

Mr. Hoffman: I follow how recycling has impacted international trade and container shipping and so forth. Some municipalities have actually stopped recycling. I was wondering are we losing money now when we recycle? I know way back in the beginning we were making a little bit. Then for a while we were breaking even and now I wonder if we are losing money.

Administrator Pino: We are required to recycle. Depends ...sometimes we get grants to support some of those activities. Sometimes it simply costs us money. It depends.

Mr. Hoffman: Because if we don't you know what will happen to the County landfill. It's going to be a nightmare. Thank you.

Motion to close hearing:

Offered Committeeman Sachs

2nd Deputy Mayor Glackin

Voice vote: Yes

Motion to adjourn:

Offered Committeeman Sachs

2nd Deputy Mayor Glackin

Voice vote: Yes

Time: 8:40 p.m.
