

**TOWNSHIP OF EGG HARBOR  
PLANNING BOARD**

**June 2, 2014**

**Planning Board Professional(s):**

**Solicitor:** Christopher Brown, Esq.: (not in attendance)

**Engineer:** James A. Mott, P.E., of Mott Associates: (not in attendance)

**Planner:** Vincent Polistina, P.P., of Polistina and Associates: (not in attendance)

**Planning Board Deannexation Professional(s):**

**Special Counsel:** Dean R. Marcolongo, Esq. (present)

**Special Planner:** Stuart B. Wiser, P.P., A.I.C.P., Remington, Vernick & Walberg Engineers (present)

A special meeting of the Planning Board of Egg Harbor Township was held on the above date, 5:00 p.m., prevailing time, Egg Harbor Township Hall, Egg Harbor Township, New Jersey. The Chairperson opened the meeting by reading the statement in compliance with the Open Public Meetings Act.

**Roll Call Taken as Follow(s):**

Manuel E. Aponte, V-Chairperson, present  
Committeeman John Carman, present  
Milas Cook, Alt. #I, present  
Charles Eykyn, present  
James Garth, Sr., Chairperson, present  
Frank Kearns, present

Robert Levy, another engage.  
Mayor James J. McCullough, Jr., \* See Below  
Peter Miller, Township Administrator, recused  
Paul Rosenberg, 2<sup>nd</sup> V-Chairperson, Arr. @ 5:10 p.m.  
MD Shamsuddin, Alt. #II, absent unexcused

**\*May the record reflect:** Mayor James J. McCullough, had another engagement, therefore, he has sent Township Committeewoman, Laura Pfrommer, in his place.

Chairman James Garth stated he has listened to the minutes of the last meeting (April 21, 2014) when the applicant was present. Chairman Garth stated it was very disturbing listening to the CD and dealing with the cell phones. Chairman Garth asked that everyone turn off their cell phones and place them on silent. He stated if there is a call that you must take please go outside to take it because they have interfered with the recording of the meeting.

Special Solicitor Marcolongo stated for the record Board Member Rosenberg has joined prior to the beginning of any testimony being presented

Board Member Aponte asked if the minutes from the April 21, 2014 meeting could be adopted. Board Secretary Wilbert stated if the Board would like they may be discussed now. Board Member Aponte indicated there was only one thing that he saw and it was on two (2) pages. He indicated the minutes say "infinity" and it should be "affinity". Special Solicitor Marcolongo advised on Page 5 needs to be changed to Frank "Corrado", the Solicitor for Upper Township.

Chairman Garth stated with those corrections he would entertain a motion of the March 31, 2014 Planning Board Minutes.

**Motion Aponte/Eykyn to approve March 31, 2014 planning board minutes. Vote 8 Yes:** Aponte, Carman, Cook, Eykyn, Kearns, Pfrommer, Rosenberg, Garth

**PUBLIC HEARING(S):**

- 1. Public Hearing:** Deannexation petition submitted by the Seaview Harbor section of Egg Harbor Township seeking annexation with Longport Borough.

Chairman Garth stated Joseph Stewart is the individual whom represents the Marina. He asked if he was present tonight. Attorney Doyle stated he knows Mrs. Stewart was coming this evening, however, he is not sure if Mr. Stewart will be coming. Chairman Garth stated he has a couple questions he would like to ask him in follow-up for what he heard of his testimony. Attorney Doyle stated he will produce him before we conclude the overall hearing. Chairman Garth stated that is fine.

Attorney Doyle stated there was some comment made about the membership of the Board its constituted with regard to Committeewoman Pfrommer and the Mayor and I made my comments and they will stand throughout the hearing with respect to those.

Attorney Doyle called Mr. John Seiverd before the Board.

John Seiverd, 4 Sunset Boulevard, Longport, New Jersey, he advised it is both he and his wife, Carol. Mr. Seiverd was duly sworn. Attorney Doyle asked Mr. Seiverd is the address he provided his mailing address for his residence in Egg Harbor Township. Mr. Seiverd stated this is correct. Attorney Doyle asked Mr. Seiverd since when has he lived at his current residence. Mr. Seiverd stated they purchased their home in January, 2001. Attorney Doyle asked Mr. Seiverd if he remembers how much he bout it for. Mr. Seiverd stated it was \$290,000.00. Attorney Doyle asked if he remembers what his taxes were. Mr. Seiverd stated \$3,800.00.

Attorney Doyle asked what brought them here. Mr. Seiverd stated the house was actually their summer house. He indicated he and his wife were married in 2000 and they lived in West Chester, Pennsylvania and they had an acre and a half in West Chester he stated it was beautiful and nice and then we had our beach house in Seaview Harbor that we adored and loved. In 2004 my wife became pregnant with our first daughter, Alley, and with two (2) mortgages and two (2) houses you need two (2) jobs. He indicated it is pretty difficult to support two (2) mortgages on one job.

Mr. Seiverd stated he told his wife Carol that they can either sell a house and she would not have to work and can raise the kids or go back to work if she wanted to be a career person and they can keep both houses. He indicated his wife stated she wanted to stay home with the children. He indicated they now have two (2) children Charlie and Alley. He stated now it was a choice of what house do they stay in. He indicated in West Chester they lived on an acre and half a 110' ft. X 310' ft. lot. He indicated the home had four (4) bedrooms, three (3) baths, a two and half (2 ½) car garage. Mr. Seiverd stated he had the perfect family house in West Chester and they also had this little bungalow 1,400 sq. ft. on the water and what do they decide. Let's go down to the shore and go live down at the beach. He stated they left \$2,100.00 in taxes and went down to the shore. He stated the tax rate seemed alright \$3,800.00 and since 2004 and the birth of his who was born in Shore Memorial. Mr. Seiverd advised he calls her the beach girl. He stated they were in the process of moving and she was two (2) weeks early. He stated they were at the shore house. He indicated they had plans to give birth in Paoli Hospital and she was born in Shore Memorial and that is when his wife and he knew they were beach people and wanted to be here. Mr. Seiverd stated he son was born here too and his name is Charlie. He indicated they have been here ever since.

Attorney Doyle stated during the course of the testimony so far, and with all due deference to the other people from Seaview Harbor Mr. Seiverd may be the youngest person who has testified. He indicated Mr. Seiverd mentioned having been married in 2000 and his children being young and one yet born. Mr. Seiverd stated yes. Attorney Doyle stated they have since had to go to school. Mr. Seiverd stated yes. Attorney Doyle asked if they have made those decisions. Mr. Seiverd stated they have.

Attorney Doyle asked Mr. Seiverd to please recall, without a lot of questions from him, how you choose to make that decision for the first child that was school eligible. Mr. Seiverd stated schooling was kind of unique. He stated with his wife staying home and her being a Filipino woman and Filipino women never want to give up their kids and if you know them they want to hold on and cuddle them. He indicated that at about six (6) months he said to his wife Carol you know we need to have these kids have some structure in their life and we need to get them out to day care.

Mr. Seiverd stated they researched day cares and the day care that was best for us was the JCC (Jewish Community Center) in Margate. He indicated that one it was convenient, two the hours were good he stated they could take them one day Wednesday or Friday. He indicated Carol could have the kids on Tuesday and Thursday's and she didn't feel like I was taking the kids away. He indicated it prevented a lot of arguments and at the same time I got the flu's out of the kids and socialization in. Mr. Seiverd stated Alley went to school at the JCC from the age of six (6) months until she was five (5) years old.

Mr. Seiverd stated within that time period we got to know a lot of parents there. Most of the people from JCC are Margate, Ventnor, Longport and Linwood. He stated what happen in the JCC when we had to make a decision to go to kindergarten, because JCC had part time kindergarten not full time kindergarten, most of the kids were split in half. He stated most went to either Northfield Schools or Margate Schools. Mr. Seiverd stated he and Carol had their hearts set on taking our daughter to Margate. He indicated they pay a decent amount of money, a lot of her friends went there like the Swift's and people like that and that we are still friends with and our kids swim with and things of that sort.

Mr. Seiverd stated they took a tour of the school and they told us we were not eligible to go to that school. He stated if we did we would have to pay and even if we did pay we were out of district and at that point they were not taking any out of district children. So all her friends were going to Margate and now we were kind of stuck with o.k. where do we send our daughter to school. Attorney Doyle asked when you say you were out of district. What is Margate District is it just the municipality of Margate. Mr. Seiverd stated it is Margate and Longport that are in district. Mr. Seiverd stated they told us because we are in Egg Harbor Township we were out of district.

Mr. Seiverd advised his parents have a home in Longport because the family stays together. So he indicated they were thing should they use their parents mailing address and try to get in. He indicated these are all things that people don't realize what you try to do, should we use theirs, where do we go, how do we hand this. Doing the right thing is not to lie, cheat or deceiving. It is to do what is right. We live in Seaview Harbor. Mr. Seiverd advised he and Carol sat down and did a school search so we started and the second school we saw was Dawes Avenue School.

Mr. Seiverd stated he would like to advise the Board of some of the reasons why he liked Margate Schools. He advised his daughter is a little bit shy. There was only 15 kids per class. He indicated some of the kids who went to JCC she knew and would be easier to socialize in class then it would be to go to a strange school. Mr. Seiverd stated when they went to Dawes Avenue School they did have

enrollment and we had to pay it. He indicated he was not sure of the exact cost but he believes it was around \$5,000.00 a student it would have been \$10,000.00 a year. He indicated they did like Dawes Avenue School. He advised they had three (3) classes. He liked the mix of the difference of children and a good diversity of kids and he wants his children exposed to this.

Attorney Doyle asked the Dawes Avenue School is in what municipality. Mr. Seiverd stated it is within Somers Point. He indicated they really liked Dawes Avenue School. He indicated the reason why they did not pick the Dawes Avenue School was because they did not know anyone in the school. Mr. Seiverd advised most of their friends being in Seaview Harbor are from Ocean City, Longport, Margate, and Ventnor. He indicated that when they come on the island their exposure is limited when you live there. Mr. Seiverd again advised they liked really liked Dawes Avenue School and they did keep it in and it was ranked as their third (3<sup>rd</sup>) choice.

Mr. Seiverd advised they went to Ocean City and Ocean City said sure we will take you it is \$14,000.00 a year and it is \$28,000.00 and I looked at Carol and started laughing. He stated if they could not afford the house in West Chester there would be no chance they could afford this. He stated they were eliminated. He indicated they could had gifts and prizes were would not have went there because \$28,000.00 was out of the question at that point in time. He stated they liked school it was just out of questions and because Carol took the children, their library was Ocean City, we went to Ocean City Library twice a week and we developed good friendships there. Like the Dougherty's and Arriya and her friends and we are still friends with them in Ocean City and they were going to Ocean City so it would have been easy to go Ocean City but the cost was not good.

Mr. Seiverd St. Joe's was the next school search and we did have some friend going to St. Joe's that we knew going to Church in Longport and some other kids attended St. Joe's. He indicated they liked St. Joe's because they liked the size of the classrooms. Alley has presently 50 kids in her class, which are two (2) classrooms of 25. He indicated they are a nice size for a daughter that is a little shy. He indicated it is not 15 classroom of kids. She also knew some kids there from the JCC because they are part of JCC's Sharks swim team. Mr. Seiverd stated they did not have all the amenities the public school had but they also had the religious aspect of it and it was the most feasible on their budget of \$3,500.00 a year and it is now \$7,000.00 a year which is a quarter of the price than Ocean City and it was less than Dawes and was less than Margate Schools.

Mr. Seiverd stated we decided because of the three (3) mile distance, plus friends going there, plus the size of the classroom and other aspects they chose St. Joe's. Attorney Doyle stated that Mr. Seiverd has referenced the choices between St. Joe's, Margate, Dawes, and Ocean City but he has not mentioned the public school choice of Egg Harbor Township. He asked Mr. Seiverd if this was considered. Mr. Seiverd advised they had interviewed with Egg Harbor Township. He indicated he and his wife went to Slaybaugh and he went to Slaybaugh. He advised they took time off from work and went together. He indicated this is the biggest decision of their lives of what school our children are going to go to.

Mr. Seiverd stated there were some things that struck him funny. He stated when they went to Slaybaugh which he believes is 1<sup>st</sup> through 4<sup>th</sup> grade and then it is 5<sup>th</sup> through 8<sup>th</sup> grade. He advised it is broken up because of the number of classrooms. He indicated when he got there it was overwhelming and he did not know anyone from Egg Harbor Township. He stated when they were walking the lady advised him on the right was 1<sup>st</sup> grade, on the left was 1<sup>st</sup> grade, on the right was 1<sup>st</sup> grade so on...He asked her how many 1<sup>st</sup> grade classes were there and he advised she stated there were 12 or 15 1<sup>st</sup> grade classes.

Mr. Seiverd advised the woman that his daughter was a little shy and we do not know a single person here. He indicated the woman stated that is o.k. she would fit right in. Mr. Seiverd then asked what if she meets a friend and the woman indicated that is great. Mr. Seiverd asked what about the following year. He asked could he request to be involved in his daughter's education and can he say her friend Alice is in class 2C can we also go to 2C. He indicated the woman stated no parents request any classes and more than likely you won't see any of the students that you have. The school selects the classes. He indicated this lost him at hello. Mr. Seiverd stated the Board has to understand they really did not know anyone from Egg Harbor Township and he does not hang with anyone from Egg Harbor Township. He indicated his child, which he stated place yourself into his position as a parent, would have to make new friends every single year of her grade.

Mr. Seiverd advised he is sorry to get emotional, but it is an emotional subject for him because it is his children. I would not put my kids through that. He indicated he would not put any of his kids through that it is not fair. He stated it is not right and it is not fair.

Mr. Seiverd stated number two (2) are the activities. He stated there is no chance that they could possibly do activities at school. He stated there day would be long enough at school let alone add an activity to it. He stated it would make their day even longer. Mr. Seiverd stated one of the things that got him during the Egg Harbor Township interview was the bussing. They had indicated on the bussing they said your daughter would be first picked-up and last dropped off. He asked what this means. He indicated they stated he should be prepared for her to be picked-up between 6:30 a.m. – 7:00 a.m. and will be dropped off at 3:30 p.m. Mr. Seiverd stated she is a six (6) year old child and she is not going to work the same day I do. He indicated she is not going to school for an eight (8) hour day.

Mr. Seiverd he stated there is no way he is sticking them on a bus, put them in activities I do not know, there is no way I am putting them in a school where she does not have friends but acquaintances. He indicated he hates to say it but of all the schools on the list based on checkboxes Egg Harbor Township was the last on the list based upon those reasons. Attorney Doyle asked when it came to the second child was it the same decision. Mr. Seiverd stated when it came to the second child it was the same decision. He indicated it was a little easier with Alley going to school because we are into the school. We are doing the parental stuff, teacher nights and that sort of thing.

Mr. Seiverd stated it was much easier with Charlie because, same as the Board Members, you are more acclimated on your second or third child. Attorney Doyle stated their friends that they have made through, he asked what grades they are in. Mr. Seiverd stated Ally is in 4<sup>th</sup> and she will be going into 5<sup>th</sup> and Charlie is in 2<sup>nd</sup> and will be going into 3<sup>rd</sup>. Attorney Doyle asked where their friends are from. Mr. Seiverd stated most of them are from Longport, Margate and Ocean City.

Attorney Doyle asked if they went to school in Egg Harbor and that is just for affordable reasons the only choice you had. What would be their socialization on Saturday's with their friends. Mr. Seiverd stated to be honest he does not believe it would be a good one. He stated if you have a play date you're a half hour there and a half hour back. He stated most parents, let's be honest, the biggest problem we have is time. He indicated even coming here. He stated we work and have crazy schedules. He advised we are working harder than ever had as a society of people.

Mr. Seiverd stated you guys have a choice to make our jobs a little easier and my job in life a little easier and it is really hard to tell a parent hey why don't you bring your kid over for a play date and drive them

35 minutes here and pick them up 35 minutes away and they are saying why don't I go to Timmy's that is five (5) minutes away or why don't I allow them out on the street to go play with this kid. So it was not realistic for us to do that. He indicated most of their friends are in Margate, Longport, or Ocean City because it is a little closer. Mr. Seiverd advised their sports activities are the same way.

Attorney Doyle stated while the Board knows where Slaybaugh School is. He asked Mr. Seiverd if he could identify it on the map. He asked if Mr. Seiverd could identify it on the map. Attorney Doyle stated it does not reference the streets. Mr. Seiverd stated he does not know. He could not tell the Board to be honest. Attorney Doyle stated in addition to the choice of schools the issue of Egg Harbor and Seaview Harbor has it hit him in other ways.

Mr. Seiverd stated yes, and also too. One of the things that got him in the first meetings. He stated he would like to speak about the schools for two (2) more seconds. He stated he prepared a package. He indicated that one of the things that really bothered him in the first meeting and I wanted to make sure, kept hearing hearsay, hearsay, he indicated it is one (1) packet with four (4) parts in it. He advised he placed them in order.

Mr. Seiverd stated the first part talks about the schools. Board Special Solicitor Marcolongo stated they will be marked individually. He indicated the first is Exhibit S16: has to do with tuition at St. Joe's, Exhibit S17: handgun registration, Exhibit S18: a deck addition, Exhibit S19: also documentation concerning deck addition. Mr. Seiverd stated this is correct.

Mr. Seiverd the thing in first meeting concerning hearsay. He stated based upon his testimony he wanted to support it and wanted the Board to have some hard evidence to see some of the hardships they have gone through. He indicated he pulled the St. Joe's Regional School bill for 2013 so I paid \$7,550.00. He indicated if they were part of Longport that would be \$8,000.00 more in the community. He stated he hates to say it that they could build their businesses, money that could be spent on other stuff. He stated money that could be used for building and going back into Egg Harbor Township or Longport or whatever the communities.

Mr. Seiverd stated one of his fears coming up is not only is it costing \$7,500.00 a year to go to St. Joe's, which is difficult, if you go to page 2 of Exhibit S16 you will see the tuition at St. Augustine is 15,600.00 this year. Township Committeewoman Pfrommer stated this would be for your son. Mr. Seiverd stated this is correct. He indicated he believes OLMA (Our Lady of Mercy Academy) is a little less, but around the same amount. Mr. Seiverd advised he crunch the numbers and because they are not part of Longport and he wants to have the Board put themselves there, his estimated and you know these are going to go up, this is an under estimation \$168,000.00 will be my tuition bills before college. He stated he would like everyone to ask themselves could that money to my family be better well spent. He indicated he is taking out of his IRA and 401K to put them there and to do this. He indicated if your goal is to have me work until I die you're doing a good job at it on that.

Mr. Seiverd indicated he wanted to show the proof the bills and what they are besides. He indicated they are real, live bills and not hearsay and they will continue to come in. He indicated bigger and bigger each and every day. Board Member Kearns stated on the first section the last item on page 2 is transportation. Is any of that paid by Egg Harbor Township. Mr. Seiverd stated yes, Egg Harbor Township does reimburse on transportation about \$800.00 a year. Chairman Garth stated under transportation the document states \$1,400.00 per year is the \$800.00 above. Mr. Seiverd stated he had

just taken the information off St. Augustine's website. He indicated he receives about \$800.00 a year is what is sent to him currently.

Chairman Garth asked if Mr. Seiverd he spends \$1,400.00 a year currently on transportation. Mr. Seiverd stated he would not know how much he spends but he receives \$800.00 a year from Egg Harbor Township. Board Member Aponte indicated the information provided is what he currently pays at St. Joe's the other information concerns St. Augustine. He stated if his child gets accepted and if he wants to pay that is what he would pay. Mr. Seiverd stated so the \$1,400.00 is an additional charge if St. Augustine picks him up.

Attorney Doyle just so it is clear the \$7,500.00 paid does not include the transportation you have to pay or a credit against that Egg Harbor would give you in partial reimbursement. Mr. Seiverd stated he just pulled the tuition bill. He indicated \$7,500.00 is the amount he paid in 2013. Attorney Doyle so if you pay \$1,400.00 and Egg Harbor reimburses \$800.00 your still \$600.00 out of pocket. Chairman Garth asked Attorney Doyle to add Township to the end of Egg Harbor. He indicated there is an Egg Harbor City that is 10 miles away and a Little Egg Harbor that is 25 miles from here and they all Egg Harbor.

Mr. Seiverd advised he is submitting the information that it is real and not made up. Attorney Doyle advised the second piece of evidence is the gun permit. He asked what happen. Mr. Seiverd stated he provided a copy of the gun permit. He stated the gun permit is in his name in accordance with to his license at 4 Sunset Boulevard, Longport, New Jersey. He indicated now you can see it is authorized by Egg Harbor Township. He advised he went on the internet to shop for guns. Mr. Seiverd stated when you apply on the internet to purchase a gun they ask for your for your permit numbers, what licenses and Township, etc.. He indicated if your Township does not match your license it is red flagged and it says call customer service.

Mr. Seiverd stated you have to jump through 400 hoops. So he indicated what happen was because of that it really limits anyone who wants to purchase a gun, which is our second amendment right, to really only buy from Zesus. He indicated because Zesus is in Egg Harbor Township they understand the dynamics between Seaview Harbor and Egg Harbor Township. He indicated they know that there because they have had problems of people who have done this before that have go there. They understand dynamics and they know it is good.

Mr. Seiverd stated so you can only purchase a gun at Zesus. He indicated that sounds great but here is the problem. He indicated if you have noticed he has circled the gun that he purchased was \$639.00 and then I just pulled off the web site the guns I wanted to buy, which is the exact same gun, for \$499.00. He indicated so again he is under the assumption that a communities job is to help its community to help reduce cost and work as a team and this is not helping him. He indicated beside the cost of schools and tuition now he has increases in fire arms and things of that sort.

Mr. Seiverd stated it is not even really the increase to fire arms but the hassle that goes along with it. He indicated every time you go to a gun show, every time you make a purchase, every time he goes to Dick's Sporting Goods he indicated there is 17,000 questions regarding that. He stated again, like was said in the first meeting he thought it was important to him that he show overwhelming evidence. He indicated here it is, it is not being made up, it is real stuff and it is going on every day. He stated this is the life he lives and the life they chose.

Mr. Seiverd stated he want to show what he paid for it and he did give them a copy of the permit and he also pulled two (2) comparable exact same guns off that are a \$140.00 less on that. Chairman Garth asked if you buy a gun off the internet does it not have to be shipped to a local gun dealer and then you have present your paperwork to them and there is a fee for them handling that weapon. Mr. Seiverd stated to answer his question he does not know because he was not allowed.

Chairman Garth stated he won a shot gun in Pennsylvania and placed my grandson's name on it. He indicated it had to come through Zesus and they charged \$75.00 to be shipped to them and Zesus had to do the paperwork. Mr. Seiverd stated he does not know the process. He indicated that he was red flagged and he was not allowed. He indicated that at that point he just wanted to get it and go.

Chairman Garth stated he understands because he had a terrible time because at the time his address was Cardiff and now it is Egg Harbor Township. He indicated even though you were in Cardiff there was a Pleasantville zip code. He indicated he knows what Mr. Seiverd is going through but there are ways to correct it.

Mr. Seiverd stated these are things that you are supposed to be helping everybody rather than creating a hassle. He advised if your goal is to help your citizens, which he is assuming this is why he is here testifying, is that your interest is our interest and we all need to work together as a team. Mr. Seiverd stated you need to actually walk in our shoes before passing judgment and that's all I am here and that's all I want you to do is take a few minutes and walk in my shoes. He indicated this is all he is asking while you guys are here that's it.

Attorney Doyle stated the third issue. Board Member Aponte stated he has a quick question but he does not want to interrupt your train of thought. He advised there are two (2) highlighted things on the paperwork. He indicated one says Longport and the other one says address of issuing authority so it says Egg Harbor Township and it has Mr. Seiverd's address. So what Mr. Seiverd is stating when you go buy a gun or fire arm the clerk or person selling you the gun does not understand that there is an address of the ssuing authority Egg Harbor Township, but part of it is Longport that is what you are saying. Mr. Seiverd stated yes. He indicated they do not understand the dynamics.

Mr. Seiverd stated they are all clean there are no problems with them (fire arms) but when you go on the internet and things of that sort they are looking for Longport, Longport, Egg Harbor Township, Egg Harbor Township and when they see that they say it matches the permit number matches and if it doesn't it red flags and you get "call customer service" and they advised we have to look into this we have to research it, but if it looks suspicious.

Board Member Aponte asked if Mr. Seiverd went to Dick's or any other place. Mr. Seiverd stated since than he has been talking to Banger's in Winslow Township and they now understand the dynamics so it is getting better but it is an education. Board Member Aponte asked if Mr. Seiverd went to Dick's. Mr. Seiverd stated he did not buy from Dick's. Board Member Aponte indicated that Mr. Seiverd only went to Zesus and did not try any other ones. Mr. Seiverd stated he tried the internet. Board Member Aponte stated he understands the internet but again he asked if Mr. Seiverd went to any other place within Atlantic County to purchase a gun or did you only go to Zesus. Mr. Seiverd stated he only went to Zesus besides the internet.

Attorney Doyle asked besides Zesus who red flagged him. Mr. Seiverd had to make an extra effort to go somewhere to explain the situation and get around the red flag. Mr. Seiverd stated yes. He indicated

when you are issued a gun permit they give you, he believes, ten (10) to fourteen (14) days to purchase your gun. He indicated it is a short time and normally you receive two (2) permits at once. He indicated they have a real loophole for these things. So it is not like in my personal opinion that you could go really shopping because they are not good for six (6) months. Township Committeewoman Pfrommer stated she believed it is ninety (90) days. Mr. Seiverd stated if you receive two (2) permits they cannot be within a certain amount of when you have a gun permit there is a loop hole for the number of days. But when you purchase two (2) has to be within a certain amount of time of each other. Mr. Seiverd stated there is a short window and a weird situation.

Special Board Planner Wiser asked you cannot shop beforehand, figure out what you want, and then get your permits. Mr. Seiverd stated he is sure that you could, but again you do not realize these things until you get your permits and you run into the problem. So I don't have a crystal ball nor am I a soothsayer I figure you get your permits you can go and then you start running into problems. Then you start having a time and you start running into deadlines.

Attorney Doyle asked if Mr. Seiverd showing a town that you lived in and was the licensing authority and the town that is shown as your address would create any kind red flag or any kind of other effort did he know this. Mr. Seiverd stated no. Attorney Doyle stated Mr. Seiverd had another issue that came up with the Township. Board Member Aponte stated Mr. Seiverd attorney indicated you had a red flag when you went to Zesus. Is that correct or you had the red flag when you went to the internet. Mr. Seiverd stated the internet. He advised Zesus knew the dynamics they have dealt with this before. They were no problem. He indicated knock on wood Banger's understands it now because I have been there a few times. So it is getting better on that.

Board Special Solicitor Marcolongo asked Mr. Seiverd if he has ever went to Township Committee and ask them to help him with this problem. Mr. Seiverd stated no. Board Member Rosenberg stated he would like to follow-up with that question. Attorney Doyle stated he does not know what the Township does to change commercial opportunities, a commercial business practices. Special Solicitor Marcolongo stated Mr. Seiverd said he wanted and thought the Township was to help him in these issues. He stated he just wanted to know if Mr. Seiverd ever raised the issue.

Attorney Doyle asked Mr. Seiverd how would the Township help you with this issue. Mr. Seiverd stated the only way they could is if instead of Egg Harbor Township it said Longport were they would match. Board Member Rosenberg stated the opposite would also be. Mr. Seiverd stated or they would have to do my license as Egg Harbor Township. Township Committeeman Carman stated this would have to petition the post office.

Board Member Rosenberg stated his question is from previous testimony I believe the Longport name has to be on your driver's license because of the federal postal system. He stated he visited our federal representative and to follow up with your question helping our citizens I am rather certain that we all do and I don't think you are making a disparaging comment. But there are separations between Governments. The Municipal Government has no jurisdiction in changing federal law or the federal postal system. The federal representative for this area is Congressman Lobiando according to his office nobody has ever made an effort to have the federal system changed. He indicated the postal system has not received any criticism through his office.

Board Member Rosenberg stated when you tell me that we are all supposed to be working toward helping our citizens. I think we would all agree and no one would argue, but there are proper

jurisdictions to go through. He indicated the same is for the school district. Board Member Rosenberg advised your school taxes are 65 to 70 percent from the school district, so the school district has to be paid for. When we are talking about changing the school system the Mayor and Township Committee can't change the school system. It has to come from the school district. That is why there is an additional layer of government there.

Board Member Rosenberg stated when you are saying things like we are living the life we choose and asking for help from your representatives for our citizens I just want to make sure we are following the same pattern. He stated if we are going to change the address to say Egg Harbor Township or vice versa, however, the situation may resolve itself we have to be consistent.

Attorney Doyle asked how do you bring the school closer to Seaview Harbor. Board Member Rosenberg stated there has to be options that would have to be explored at the school district. He indicated it was mentioned previously the compensation for transportation. He stated he is reminded of the commercials on T.V. He indicated he believes it is the app. for Zillow. He stated the gentleman is in the service and his wife is looking for the new home and they have the little circles where the school districts are serving the houses and they go back and saying no we don't like this house it's too far the school rating is too low. When you say things like the life we choose, you have the life that you want and your children have the social activities they want but you are also telling me you are not willing to change despite the fact that you have a \$170,000.00 expense coming up.

Attorney Doyle stated that is not what he said. He did not want to put his children through the difficulty of traveling two (2) hours and being very far from their friends. Attorney Doyle stated yes, he made a choice you are right. He could have saved \$170,000.00 and hurt his children in his judgment. Township Committeewoman Pfrommer stated this is correct. Board Member Rosenberg stated these are judgments that you have to make as a parent. Do we stay in our house by the water because we want to or are we staying in the school district that we want to send our children too. Attorney Doyle stated he was sorry he apologized. He stated he had confronted what my mind. Board Member Rosenberg stated this is no judgment to right or wrong. He stated it is the purpose to questioning.

Board Member Rosenberg stated he does hear some members of the audience and they want to throw a pencil at him. Attorney Doyle stated he apologizes only in the sense that Board Member Rosenberg made statements that he thought were not questions and he refuted them or at least responded to them. He stated he will try to limit himself to questions so they can get out the facts and he believes that is the best way for both of us.

Special Board Planner Wiser asked Chairman Garth if could touch upon a couple school questions, before they go on to something else. Chairman Garth stated yes. Special Board Planner Wiser deferred his questions until Board Member Aponte was finished.

Board Member Aponte stated he has a couple questions. He indicated he is one of the youngest members on the board. He indicated he too had to make those choices and I know how hard they are as to where you send your children. He indicated the first question is did Mr. Seiverd know that kindergarten in Egg Harbor Township is something like a lottery. He stated you can get in but it is a half day kindergarten. Mr. Seiverd stated no he did not know this. Board Member Aponte stated the reason why he says this is because many parents in Egg Harbor Township have to make this choice and a lot of times they go to St. Joe's or somewhere else.

Board Member Aponte stated they chose being Catholic's and having a Catholic back ground his wife and he chose to send their children to St. Joe's. He indicated they are there and they understand, but that had been their decision. Just like Mr. Seiverd made a decision.

Board Member Aponte stated what he is hearing from Mr. Seiverd is, he indicated he is going to raise some comments now such as "it's out of district", "do not take kids", "available". He indicated they are again family choices. He indicated the thing that Mr. Seiverd stated about St. Augustine is there are a lot of "if's" there. He stated "if my son goes to St. Augustine", "if he gets accepted", "if it's available". He indicated everything Mr. Seiverd said he hears him and understand why you would want to make your choice because he is part of the Catholic small school family but those were personal decisions and I do not hear anything in Mr. Seiverd's testimony that says 1/3 of the children, that he knows of, that are from Egg Harbor Township go to St. Joe's. He stated his kids go all over the place. Board Member Aponte asked if Mr. Seiverd's children play sports in Egg Harbor Township. So they have some semblance of kids that they are friends with?

Mr. Seiverd stated the only interaction we had with Egg Harbor Township, he stated they were Margate Sharks, he asked if he could go through there sports because this is a good question. He stated do ACRO which is in Somers Point he indicated it is acrobats. He indicated they do Hip Hop that is in Margate and they did swimming in Margate. He stated the answer to your original question is no. He stated his kids were the two (2) best swimmers in Margate and the Egg Harbor Township Sea Hawks, have the best team, in the area welcomed on the team about six (6) to eight (8) months ago. He indicated they just started with the Sea Hawks and this is his first interaction with any people from Egg Harbor Township and the only reason is because they are a great team with a great reputation.

Board Member Aponte stated so you like the good stuff. Mr. Seiverd stated he pays for the good stuff. He indicated this is not a free service by Egg Harbor Township. He indicated it is a private swim club that he pays for as well. He indicated he writes them a check as well every single month when it is deducted from my credit card. Attorney Doyle asked if they would take his money if he were a Longport resident. Mr. Seiverd stated yes.

Board Member Aponte asked if Mr. Seiverd knows if it cost anything to send his child to St. Joe's by bus. Mr. Seiverd stated we are responsible for dropping them off and Egg Harbor Township gives you a stipend or something along those lines of \$800.00 a year. He indicated they receive a check of \$800.00 every year for his two (2) children. Mr. Seiverd stated he does understand where they are coming from on choices. He indicated if it were more in the running or a better choice he would have made that choice. To sit back it is easy to judge but realistically when they tell you your six (6) year old who's shy that you're going to have different kids in every grade when we do not know anybody and when you have to travel first in and last out it was not a choice. It really was not. He indicated he just wants them to know that.

Special Board Planner Wisner asked where St. Joe's is. Mr. Seiverd advised St. Joe's is on Shore Road in Somers Point. Special Board Planner Wisner asked how does his children get there? Mr. Seiverd advised his wife drives them. Special Board Planner Wisner asked if Mr. Seiverd knows how far that is from Slaybaugh? Mr. Seivard stated St. Joe's is approximately three (3) miles from his house. Special Board Planner Wisner stated if your wife took the children to Slaybaugh you would have the same drive. Mr. Seiverd stated no. He indicated Slaybaugh is twelve (12) miles from his home.

Board Member Aponte asked how many miles it over that Egg Harbor Township has to pay. Board Member Kearns stated it is dollars. He explained if it cost more than \$800.00 for the school district to transport the child they give the parent the \$800.00. Board Member Aponte stated he has a question for Mr. Seiverd, he asked your wife takes them to school but you take the \$800.00 for transportation. Mr. Seiverd stated yes, because it cost him in lieu of he pays insurance and gas and we have the hassle of getting up and going to school. He stated he would like to send a higher bill but it is what it is. Mr. Seiverd stated he will take the \$800.00. Mr. Seiverd stated please don't cut him off from his only benefit.

Board Member Aponte asked where is St. Augustine? Mr. Seiverd stated he really does not have any clue. He believes it is around Galloway. Chairman Garth stated no it is not. Board Member Aponte stated it is about a 40 minute drive each way. Mr. Seiverd stated he knows it is far.

Special Board Planner Wisner stated Mr. Seiverd said you chose to look at certain schools. You looked at Margate, which was not in your district. You looked at Dawes, which was also not in your district, and you looked at Egg Harbor Township which was in your district and it doesn't work for you. He stated his question is why did you move to Egg Harbor Township as opposed to a place where the schools would work for you.

Mr. Seiverd stated to reiterate we originally lived in West Chester that's where we were raised and thought we would have our family and this was our shore house. He indicated when we had the kids we were forced with selling one of the houses. So the thing is when we purchased our vacation property schools were not a forethought. We did not have any kids, we were having fun, we came down on the weekends we had a good time and when we had kids and you know as parents it changes things a little bit. It changes your life and you are forced with decisions. We made the decision to come down and we really didn't even think about schools. Mr. Seiverd stated the last thing we are thinking about in our 30's is schools. It's the baby let's have a bundle of joy.

Special Board Solicitor Marcolongo stated he has two (2) questions. He asked Mr. Seiverd how much was it going to cost to send your children to Margate Schools. Mr. Seiverd stated he believes it was \$5,000.00 a student, but the problem that we had in Margate because we probably would have sent there because that is where the majority of their friends went and that's where he really wanted them to go, was that they were not taking out of district at the time. So unless I was willing to put my reputation and integrity on the line and lie and say I lived in my parent's house at 8 South 33<sup>rd</sup> Street. I was not getting into that school.

Special Board Solicitor Marcolongo asked if it is still Mr. Seiverd's intention that his son will go to St. Augustine. Mr. Seiverd stated it is one of these things that it is one day at a time. He stated he does not even know if he will have a job tomorrow, again, it is one day at a time. He indicated it depends on finance. He stated he may end up at Egg Harbor Township. He stated high school is a fickle age and you have to look at what you're doing. He stated he is trying to get through today. Mr. Seiverd stated he is not foreseeing in four (4) or five (5) years. Mr. Seiverd indicated he knows the majority of people who attend St. Joe's and the students that go to St. Joe's go to St. Augustine.

Special Board Solicitor Marcolongo stated the \$170,000.00 number Mr. Seiverd brought up earlier is very speculative. Mr. Seiverd stated he is going on a majority versus minority. The majority of the kids that go to St. Joe's typical go and follow-up with St. Augustine. Board Member Aponte asked where Mr. Seiverd would send his daughter. Mr. Seiverd stated O.L.M.A. (Our Lady of Mercy Academy). Board

Member Aponte asked Mr. Seiverd how old is his daughter. Mr. Seiverd stated she will be going into 5<sup>th</sup> grade. Attorney Doyle advised Mr. Seiverd the Board is asking what he will be doing in five (5) years. Mr. Seiverd stated again he is trying to get through today. Attorney Doyle stated high school is several years away and it was figured into your \$168,000.00 reference. He indicated beyond a question of doubt without placing Mr. Seiverd on trial, again, if the petition was granted and Seaview Harbor were in Longport. Your district would have been as of right without spending any money for private schooling or distance would have been Margate. Mr. Seiverd stated this is correct. Attorney Doyle stated and this would have been the choice you would have wanted. Mr. Seiverd stated and they would have went to Atlantic City High School and I was fine with that.

Attorney Doyle stated we have not gone to the construction issue and this is the last two (2) exhibits. Mr. Seiverd stated this is an interesting one. He indicated when they original bought the house it was a little bungalow on the water and he and his wife at the time were 32 or 33. We were excited to have it.

Mr. Seiverd stated everyone was knocking down houses at the time and were building their shore McMansions. He indicated they did not have the money at the time to build a McMansion. He indicated their little house is 1,400 sq. ft. and has six (6) total rooms in it and we were making it home. So we put a new deck on and concrete outside. He indicated it was nice and a fun project for he and his wife.

Mr. Seiverd stated being an upright citizen that he is he pulled the permits. I didn't do this without permits and I am going to defend Egg Harbor Township they were really nice people, he stated he is not sure any of you are on the building enforcement, but they were really nice to work with. He stated because he was a homeowner he brought hand drawings in and gave a copy of hand drawings. He stated he is not an artist or an architect. He stated he manages a collection company.

Mr. Seiverd stated you see my drawings which I pulled out in 2001 and gave you the drawings. He indicated this is the addendum. He stated he guesses the building inspector didn't like his original one and he wanted an addendum and we sat down and talked as two (2) people and worked it out. Mr. Seiverd stated if you notice on page 5 he granted my permit. Mr. Seiverd then read into the record the following from the plan: Approved plans shall be for site on inspections the permit was granted on 7-20-2001. Mr. Seiverd stated he was really happy. He stated he had never done this before, this was really neat and was not that hard and not that bad.

Mr. Seiverd stated what they did when they received the permit they poured the concrete to the back patio. He stated there is a patio on the bottom and a deck above it. So we poured the concrete and if you notice on line 10 on the deck addendum first page the support post will be laid on top of the back patio. The back patio is two (2") inches of stone tied in with rebar and six (6") inches of concrete. The patio extends approximately four (4') feet beyond the post, which if you are not building in a flood zone it is fine. So he approved the permit, I poured the concrete, \$5,000.00 worth of concrete in my back yard to get a call three (3) days later that tells me to stop don't do anything. We made a mistake.

Mr. Seiverd advised he had just poured the concrete. He said no, no, I did not realize you were in a flood zone. Mr. Seiverd stated so, you approved it. What do you want from me. Mr. Seiverd indicated he said that he would have to dig it up. Mr. Seiverd stated no, we don't have the money. He stated this is all the money they got and they were excited. He indicated he told them he would not be digging it up. Mr. Seiverd indicated they had advised him he needed sonic tubes.

Mr. Seiverd stated he advised them that he worked with concrete when he was a kid in Philadelphia and he over builds everything. He indicated he is one of those people who overbuild everything. He advised he told them he placed sonic tubes in even though they were not on the drawing.

Mr. Seiverd advised Egg Harbor Township told him, which was kool, they worked with him what I need you then to do is have an architect certify the sono tubes were put down and then he says you are going to have to dig up underneath so I can see the sono tubes to do a foundation inspection. Mr. Seiverd stated this was a better option than drilling up the concrete relaying it. He stated so if you know Grana Associates he was my neighbor he used to live in Seaview Harbor and he lives in what is now Brian Condella's house. He was an architect that owned the house. He stated Herb Grana was one of those nosey neighbors. You know the neighbor that sits there and watches every construction job and critiques and has a say on everything you do. Mr. Seiverd stated so he asked Herb that he needed a favor and he was in a pinch. He asked if he saw when they laid the concrete that they laid sono tubes, because he knew he was watching. Mr. Seiverd stated he said yes he saw the sono tubes they poured. Mr. Seiverd stated good. He asked if he could do an architectural blueprint of the sono tubes in there because he needs to get certified otherwise I have to dig up the concrete.

Mr. Seiverd stated he said the concrete you just poured. Otherwise I have to dig it up. So, Herb, I paid him \$500.00 because he charged me. He is an architect and does not work for free and I do have the blueprints if you want to see them. He indicated it is the only one he has and he did not know how to make copies of them. He stated there is the architectural certification blueprints, which he has, so he certified it. He indicated he then dug up the sono tubes for Egg Harbor Township for what they wanted. He indicated they wanted a certification that the sono tubes were down, which was fair and they wanted me to dig up each sono tube so they could look under and verify they were there.

Mr. Seiverd stated if you notice the second set of the last set to prove my case is that the architectural blueprints were done after the permit was approved. He indicated they were done on 7-31 to verify his story and it cost him about two (2) weeks of lost time dealing on this as far as the construction goes. Like money pit, two more weeks and it cost him about a \$1,000.00 additional cost to have this done. Mr. Seiverd stated now he thanks god every day that Herb Grana saw the sono tubes go in because if he didn't see the sono tubes go in we would have put concrete down on a Thursday and would have drilled it up the following week and have to relay it all do. Mr. Seiverd stated so this story does have a happy ending but I did want to show you some of the problems that does exist between Longport and Egg Harbor Township.

Board Member Kearns asked what would be the difference. What would Longport have done. Mr. Seiverd stated Longport on the original ones would not have approved the original drawings. Special Board Solicitor Marcolongo asked why does Mr. Seiverd think this. Mr. Seiverd stated he could pretty well guarantee it because they are in a flood zone. He advised the entire town is in a flood zone so all of the patios would require sono tubes. Mr. Seiverd advised so they would say they are over there, they would not have to think, they would know it. Attorney Doyle asked if you are an inland community not in a flood zone like the basically contiguous part of Egg Harbor Township is and you laid the same patio would you have to put in sono tubes. Mr. Seiverd stated no. You can lay if you have the correct depth of the concrete right on top you can it is a more solid footing can lay right on top of the dirt you would not have needed a sono tube.

Attorney Doyle stated the mistake was, that cost you the money and the delay was not realizing that this was not in Egg Harbor Township contiguous but was in a flood zone where sono tubes are required.

Mr. Seiverd stated when they called me up to break the good news to him sorta of say. They said they did not realize we were in a flood zone. He indicated he believes someone re-looked at it and said this is a flood zone and we made a mistake but by that time I had already poured on that.

Board Member Aponte asked if Mr. Seiverd knows that Egg Harbor Township has many different zonings and one of them is the CAFRA zoning. He indicated we have a planner here and he asked if these are allowed or do they have to have sono tubes on Egg Harbor Township proper or inland. Board Special Planner Wisner stated he does not know the answer to that particular question but let me re-phrase the question a little bit differently perhaps you are saying question is it your contention that if you are in the yellow on the map you're not in a flood zone.

Attorney Doyle stated he did not say that. I am objecting to the questions and I want to provide the basis for the objection. Board Member Aponte stated when I said CAFRA. He's already going to the next level of what CAFRA is. So before we go to the objection CAFRA is just a different part of the Township that is flood prone and that is what that means. So my question was. Attorney Doyle advised CAFRA is a geographical zone basically a coastal area but with a very unusual definition that was made by the Legislature in 1971 that does not always follow flood zones.

Attorney Doyle state his contention and objection Mr. Chairman, however, a question is posed as so many questions are when these witness are put on trial. Are you really saying what do you mean is that factual. He indicated cross examination is fine but putting each witness on trial, the way I have seen it, is objectionable and I saw that in that question so I objected.

Special Board Planner Wisner stated you made a statement and please correct me if I mischaracterize. Your statement was that because you are in Seaview Harbor, you're in a flood zone the construction office did not realize it if you were because they are used to dealing with the yellow mainland section. Is it your thought are you under the belief that the only flood zone in Egg Harbor Township is in Seaview Harbor.

Mr. Seiverd stated the only thing he can go off of was what he was told when they called me up and said I did not realize you were in a flood zone. He indicated he is not a builder, you have seen my blueprint, so to answer that question I would not know how to answer. I am not builder all I know he called up and said I did not realize. What his thoughts were I am assuming the majority of Egg Harbor Township is not and other parts are. He stated he is not going to make an assumption. He stated he cannot assume what he did. He just told me I did not realize Mr. Seiverd that you were in flood zone and here are additional problems.

Special Board Planner Wisner asked would it surprise Mr. Seiverd to realize or to learn that the flood zone would also include river water and tributaries and as you can see from the map they sort of snake throughout the Township and you could actually be let just say at the "E" in Egg Harbor Township generically (on the map) and be in a flood zone. Mr. Seiverd stated again, he has no clue what you are talking about. He stated he can only go off of he told me Mr. Seiverd I did not realize you were in a flood zone. I don't what that means. He indicated to him that means he has to dig his concrete up and he is glad he did not. Mr. Seiverd stated to get an answer about rivers and streams you can probably get a better person to do this.

Special Board Planner Wisner stated he is just suggesting the guy made a mistake that could have been made no matter where anybody lived in the Township. He stated that is all he is suggesting. Attorney

Doyle asked Mr. Seiverd if he was surprised at the time that an Egg Harbor Township official did not know that Seaview Harbor was in a flood zone. Mr. Seiverd stated by being a new resident was kind of surprised. As he stated it had a happy ending.

Chairman Garth stated everyone makes mistakes and unfortunately some people have to pay for them. He stated he will never make that mistake again. Chairman Garth stated he sent four (4) children to Pilgrim Academy I spent the money. My wife wanted them to go there. He stated it was a Christian based school. He stated he had three (3) graduate from Pilgrim and one did not. He indicated he just did not graduate and he lives in West Virginia. Chairman Garth stated a neighbor of his when the boy started Kindergarten had to get on the bus at 6:00 a.m. in the morning fortunately his uncle was on the bus too and he rode that bus from 6:00 a.m. They drop the kids off each school as they go around and when they come back it was 5:30 p.m. before he got off the school bus again. He stated this is kindergarten. Chairman Garth stated it happens all over the world.

Mr. Seiverd stated his father told him a very similar stories. Township Committeewoman Pfrommer stated you will find out if your children stay in the Sea Hawks whatever high school they do go to, she stated her children are swimmers and they went through Sea Hawks, and you will find friends in every high school around here because the Sea Hawks draws from all over and the swim team crowd is a very friendly crowd and you will find that no matter where they go to high school.

Mr. Seiverd stated they have been great and Coach Carol, do not know if you ever met her, but she is wonderful. Chairman Garth asked if Mr. Seiverd's daughter who is shy make friend's in the Sea Hawks. Mr. Seiverd stated yes, of course. Chairman Garth asked where the majority of the children come from that are part of the Sea Hawks. Township Committeewoman Pfrommer stated all over the place. Mr. Seiverd stated he agrees they come from all over. He advised they are the best swim team in Atlantic County. He indicated they have kids from Brigantine, Sea Isle, and Cape May. He advised when you have someone that competitively swims that is good and you really want them to keep going to obtain scholarships.

Attorney Doyle stated if you pay \$7,500.00 a piece presently in grammar school forgetting high school. Board Member Aponte stated it is \$7,500.00 total. Township Committeewoman Pfrommer stated it is \$3,500.00 a year for each. Attorney Doyle stated it is a cost beyond time. Mr. Seiverd stated yes.

Mr. Seiverd that the Board for listening. Board Member Kearns stated he has been in the Township since 1973 my older son graduated Oakcrest, my daughter graduated Absegami, and my other son graduated Egg Harbor Township. He stated when his daughter was in Absegami they did not have a swim team so she swam for Stockton for three (3) years while she was in high school. Mr. Seiverd stated swimming is a dedication six (6) days a week. It is a commitment.

Donald Berger, D.D.S., F.A.A.P., 140 Inverness Drive, Blue Bell, PA and 26 Sunset Boulevard, West Longport, NJ, duly sworn. Attorney Doyle asked when Dr. Berger moved into Seaview Harbor. Dr. Berger advised it was October, 1996 when we purchased the house. Attorney Doyle asked if this was he and his wife. Dr. Berger stated yes.

Attorney Doyle asked Dr. Berger what brought him here. Dr. Berger advised his In-laws had a home in Ventnor and his father-in-law has passed away and his mother-in-law had the house and she decided to sell to one of the children in the family, which was on Avalon Avenue in Ventnor. He stated as a matter of fact Mr. Kearns owned the house originally and they had purchased it in in 1973 he believes.

Board Member Kearns stated it was 1972. Dr. Berger stated his sister-in-law decided to buy that house and he did a lot of boating. He indicated he had rented boat slips in Seaview Harbor and we decided to look and we found a home there that we liked. Attorney Doyle asked having moved in were there any immediate problems that you found. Dr. Berger stated the only immediate problem after a couple years was my one neighbor next door and I we never got mail properly and postage didn't come from U.P.S. and Fed-Ex because no one knew where Seaview Harbor was. Dr. Berger stated Mike Marcase, who passed away a month ago, he and I appealed before the Seaview Harbor Community Association to get signs placed outside so people knew where we were.

Dr. Berger stated he had spoken with someone at PennDot and wrote a letter to Mrs. Ott and the letter said basically we are part of Egg Harbor Township. We live in an isolated area of Egg Harbor Township and we would like to place signs out so people know where Seaview Harbor is. Dr. Berger stated he received a letter back from them stating it was perfectly fine and was approved and we were able to put it. He indicated after that, which occurred in, basically started in October, 2001 and I believe we placed the fence up probably or the signs probably in the beginning of 2002. Dr. Berger stated everything seemed to improve the only thing that was lacking is and it still happens to this day Egg Harbor Township Police do not know where we are located. He indicated there was an incident that occurred and the EMS don't know where we are located and they don't know how to get out of the area.

Attorney Doyle stated I am sure the Board as I look at them responding it is very difficult to accept that Egg Harbor Township policeman don't know where Seaview Harbor is. He asked Dr. Berger why specifically would he suggest this. Dr. Berger stated there was an incident where some of the other police departments he believes they were Longport and Somers Point were an individual or a group of individuals. He advised they came into Seaview Harbor and they were hiding in one of my neighbor's showers and when the police from Egg Harbor came after everything was done they said we didn't even know this little place existed. Attorney Doyle asked if Dr. Berger was there. Dr. Berger stated no he was not. He stated his neighbor who will probably be testifying told him. He indicated this was Mr. Derosé.

Attorney Doyle asked Dr. Berger if he was present when a member of Mr. Derosé family had a health issue. Dr. Berger stated yes. He indicated this past August his wife had fallen on the steps in the garage and he had brought her into the bedroom and she was lying flat on the ground. He came over to Dr. Berger to help her with him put her into a chair. He indicated they did and when he examined her she had underneath her kneecap either the tibia or the fibula that was broken.

Dr. Berger stated he told Mr. Derosé that they could not move her and lets call 9-1-1. Dr. Berger stated Mr. Derosé called 9-1-1 and about 30 to 35 minutes later Egg Harbor Township had come. Dr. Berger advised he told Mr. Derosé that he would take care of his dog and he would lock up his house. Dr. Berger stated when Mr. Derosé came back later that night back from the hospital Mr. Derosé had explained to Dr. Berger that the EMS people. Special Board Solicitor Marcolongo asked if Mr. Derosé here. Attorney Doyle stated yes he is. Dr. Berger asked if he could just explain it. He indicated he knows it is hearsay, absolutely, but he will confirm it because I was taking care of him and I was the one who told him to call 9-1-1 because we would not have the ability to take her down the steps in the acute condition she was.

Attorney Doyle stated though you are a dentist you could with medical training appreciate she had a broken bone and urgency was important. Dr. Berger stated yes. Attorney Doyle stated they can in 30 to 35 minutes. Dr. Berger stated yes it was 30 to 35 minutes. He advised when Mr. Derosé came back to

them he was very dishearten that the EMS people one (1) wanted to take them to Atlantic City hospital which is now Atlanticare when it should go to Somers Point because it is much closer and they could not get out of the community.

Attorney Doyle stated with less emergent issues he asked Dr. Berger if he had a circumstance recently with a road problem in your area. Dr. Berger stated in 2011 where the storm drain is by his home there was a sink hole developing. Dr. Berger advised on June 9, 2011, he contacted the Township and was told a foreman would be coming out in a couple of days. It was determined there was sink hole and it needed to be repaired and during that time we had the whole crisis and everything and they didn't know when they would be able to get to it because there was not enough funds to repair it. Attorney Doyle asked if Dr. Berger recalls who he spoke with at the Township. Dr. Berger stated it was a woman named Kathy.

Attorney Doyle asked how was it determined that the sink hole would needed to be repaired. Dr. Berger stated a foreman would contact him about it and then someone came out. Attorney Doyle asked if someone had come out. Dr. Berger stated yes. Attorney Doyle asked how after the complaint was it. Dr. Berger stated maybe a week after. Attorney Doyle asked how long did it take to resolve this properly. Dr. Berger advised two (2) to three (3) months later I called and told them it had not been repaired. He stated he told them he does not care they do not have funds I would like it repaired and if not I will repair it myself. Dr. Berger stated eventually they repaired it, unfortunately, they did not do a good job and a few months later they had to repair it again. Attorney Doyle asked its present condition. Dr. Berger stated its present condition is that it will have to be repaired again.

Dr. Berger stated he can present some pictures showing a depression. He indicated the depressions concerns him because if someone hurts themselves is it his liability or Egg Harbor Township's liability or does he bear the burden of it and Egg Harbor Township can walk away scott free because of sovereign immunity. Attorney Doyle asked how far away is it from Dr. Berger's property. Dr. Berger stated it is in his curb area. He stated it is on the left side looking at the house.

Attorney Doyle asked in terms of emergencies did Dr. Berger ever receive notice from Egg Harbor Township code red or public safety alerts or anything. Dr. Berger no. He indicated this past year Longport sent us a Code Red. He indicated they wanted us to enlist in it so that any emergencies happen we would be notified. Dr. Berger stated it really works nice. He stated also if there is an issue they have our email addresses and they mail to us when there is an issue in the Township that something is closed or something is open due to the inclemency or weather. Attorney Doyle stated this comes from Longport. Dr. Berger stated this is correct. Attorney Doyle asked if anything like this from Egg Harbor Township. Dr. Berger stated no he has never gotten anything from Egg Harbor Township.

Attorney Doyle asked what about general street cleaning such as potholes and his general observation of circumstances within Seaview Harbor. Dr. Berger stated they are never repaired and they are in badly need of repair and one day there will be people who hurt themselves and they are going to hurt themselves real bad.

Attorney Doyle state now moving from the roadway to the rear of your property you are on water. Dr. Berger stated this is correct. Attorney Doyle stated you have a bulkhead. Dr. Berger stated this is correct. Attorney Doyle stated you have neighbors right and left of you. Dr. Berger stated this is correct. Attorney Doyle asked if they had bulk heads. Dr. Berger stated that is correct. Attorney Doyle asked what was the condition of their bulk heads that you observed.

Dr. Berger advised in 2009 he noticed he was losing sand and when he bought his home in 1996, in 1997 I had an engineer come out to determine what I should do with my bulk head considering this is what holds the back of your house up. He indicated it was old and it was dilapidated but you have a couple years out of it but I had decided to have it restored in 1997. He indicated little did he know when he installed it, because no one really spoke about it, they should have placed returns in and as a result no one ever spoke putting returns in the bulk heads. Attorney Doyle asked what are return's. Dr. Berger stated a return is where at the end of your property line they dig down and they go down about 13' ft. to 20' ft. down with the bulk head material.

Dr. Berger he stated the bulk head material he used was vinyl and it prevents anything from happening if the bulk head next to you fails. He indicated his neighbor to the right and the neighbor to the left both of their bulk heads were failing and they were failing bad. Dr. Berger stated he contacted them in April, 2009. He stated he sent them a certified letter and nothing happened. He stated he then contacted them in December, 2009. Dr. Berger stated he also contacted the Township about it and it was told to me that they have no responsibility with dealing with bulk heads.

Attorney Doyle asked if he recalls who he spoke to and what department. Dr. Berger advised he spoke with the building department, but he does not remember who he spoke to, and she said what you should do is contact the D.E.P, which I did and basically the D.E.P.'s only concern is when new bulk heads are being built and if you are going to rebuild your bulk head you can only go out 18" inches. He indicated they said they have nothing to do with it.

Dr. Berger stated he had to start litigation against his two (2) neighbor's and he had ended up putting the returns in himself. He indicated the eventually the house next to him was sold. He stated the new person moved in and placed a new bulk head in. He indicated to the left the house about a year later ended up placing a new bulk head in. Attorney Doyle stated though the issue has been resolved in the first instance the Township said go to the D.E.P. The D.E.P. says it's not ours. Dr. Berger stated this is correct that's not our problem. Attorney Doyle and you went to court. Dr. Berger stated he had to go to litigation. Attorney Doyle asked if Dr. Berger had subsequently found out that the information given that it wasn't a Township issue was correct. Dr. Berger stated he found out at a community meeting where the Mayor was there came up an issues about bulk heads and he said no we have an ordinance for bulk heads.

Dr. Berger stated he looked it up and he was irate and annoyed because he had incurred a lot of dollars in expenses and legal fees for no reason when the Township has property managers that could have come out and taken care of it. Attorney Doyle asked that ordinance is. Dr. Berger stated that ordinance is. Chairman Garth stated he would like to understand this. Dr. Berger is stating that the Township has people who will come out look at your bulk heads and say, yep, it needs to be repaired and we will repair it.

Dr. Berger stated look at your ordinance. Chairman Garth stated he is asking Dr. Berger a question. Dr. Berger stated yes. Chairman Garth asked for the ordinance number. Dr. Berger stated the ordinance number is 173-12(d), he then apologized advising this was incorrect. Board Member Aponte asked Dr. Berger if he would be so kind to read the section out loud if it is a short paragraph. Dr. Berger stated yes. Dr. Berger than read the following onto the record from the Township Code: Article V, Exterior Maintenance, 173-18 – 173-26: specifically 173-19 Maintenance Required. Dr. Berger than read section 173-13 of the Township Code into the record.

Special Board Solicitor Marcolongo asked what year did Dr. Berger make these complaints to the Township. Dr. Berger stated he began the complaints in 2009. Chairman Garth stated what was read into the record does not say the Township has the ability to repair. Dr. Berger stated he did not say the Township would repair it. Chairman Garth stated he would go along with that. He stated if they repair it they would place a lien on the property. So it is still the property owner's responsibility. He stated that was what his question was.

Dr. Berger stated if that is the case so be it, but they still had the ability to do something to that person to make him work in a more fashionable, quick manner for safety. Attorney Doyle stated as opposed to a private property owner litigate. The property maintenance goes to standard in probably every municipality. We are now seeing a lot of it because of foreclosed on houses or over run houses with weeds. Attorney Doyle stated bulk heads may be rare but in this particular case a complaint was made and the complainant was told we don't have anything to do with bulk heads.

Board Member Aponte stated this was made in 2009. Dr. Berger stated he had started it and contacted them and didn't find out until after everything I had done was completed. Board Member Aponte asked when the property maintenance code enacted. Was it after 2009. Special Board Planner Wiser asked if he could see the paper Dr. Berger was reading from. Dr. Berger provided the information to in advised have the ability to cause the people to do it and take it over. Special Board Planner Wiser stated Article I, General Provisions, Section 173-1 and it continues on from there. Township Committeewoman Pfrommer stated this is the property maintenance ordinance that we are speaking of. Board Member Aponte indicated let's make the assumption it was in place at the time while they are looking for it. So the property maintenance code says you have to place any concerns in writing and you made a phone call correct. Dr. Berger stated no he went to the office there and spoke with someone.

Board Member Aponte stated when you came here did you place a complaint in writing or you spoke with someone and. Dr. Berger stated he spoke with someone and they said they do not do it and contact the D.E.P. He advised he contacted the D.E.P. and they said had nothing to do with it. Board Member Aponte stated so you made an attempt. Dr. Berger advised he did attempt it, yes he did. He indicated to even prove the fact and you probably say this is hearsay there is another. At one of the community sessions we had last year a fellow come up knowing I had a problem and he has the same problem and the Township was doing nothing for that.

Board Member Aponte stated so what he understands, and he is not an attorney, but from the bulk head situation is if the bulk heads on either side of you that you think were a public nuisance that the Township would have said you have to fix these or. Dr. Berger asked if he found this to be a problem.

Special Board Solicitor Marcolongo stated the following have been marked as **Exhibit S20, S21, & S22** as three (3) sheets containing numerous photographs evidencing docks and bulk heads. Board Member Aponte asked if we have found if this was enacted at the time. Special Board Planner Wiser advised they are currently looking at that now. Board Member Aponte asked for an orientation of whether this is his neighbor's property to the left. Dr. Berger stated this is correct. He indicated this is his neighbor's property. Board Member Aponte indicated what he is referencing appears on Exhibit S20.

Board Special Planner Wiser stated he has the code and the bracketed history right under the property maintenance chapter number says, editor's note, former Chapter 173, property maintenance, adopted 12-8-1993, by Ordinance 51-1993, was repealed 11-21-95 by Ordinance, so it appears it was re-adopted by Township Committee of Egg Harbor Township 4-08-09, by Ordinance 9-2009.

Dr. Berger stated the last pictures where he has sand in his yard is Exhibit S22. He indicated when you have seven (7) grandchildren you get very concerned because it is the judiciary responsibility of the Township to do something. He asked if safety is not the most important thing. Chairman Garth stated what you are saying is that if you were under Longport's control they would have had somebody there immediately. Attorney Doyle stated Dr. Berger did not say that. Chairman Garth stated he is asking if that was what his intent was. Dr. Berger advised this is not his intent. He indicated his intent would be if he went there they would do something because it is a community on the water on a barrier island that they would know what to do and they would have it and they would enforce it and do something. Chairman Garth stated thank you.

Board Member Rosenberg stated he would like to ask a question also. He stated Dr. Berger had indicated his needed to be replaced. You also stated that both of your neighbors need to be replaced. He stated he does not know if they have been or not. In his opinion and he has no correct answer for this. Would this relate to the sink hole in front of the house. Is it possible. Dr. Berger stated it could very well be. Board Member Rosenberg stated if there is a comment feel free to register and join the conversation but until then I am trying to figure what's going on. He stated he does not know anything about bulk heads. He stated is there a relationship he does not know. He stated he is asking the Dr.'s opinion.

Dr. Berger stated it could be. He does not know he is not an engineer. Board Member Rosenberg stated he is not either. He is just curious as to his position. Special Board Planner Wiser asked if he understood Dr. Berger correctly that when he put in his bulk head he did not put in returns. Dr. Berger stated no one had ever suggested it. Special Board Planner Wiser asked if he had his bulk head engineered. Dr. Berger stated yes he did. Special Board Planner Wiser asked if his bulk head was approved by the D.E.P. Dr. Berger stated yes he did. He indicated it was all approved by D.E.P. and he had paid them a \$5,000.00 or \$6,000.00 fee to them. He stated it was done by an individual named Matero.

Special Board Planner Wiser asked if Dr. Berger had gotten a permit from D.E.P. He asked if he had gotten a permit from the Township. Dr. Berger stated he had gotten whatever was necessary and all the letters went out to all the neighbor's 200' ft. away. He indicated he could bring all the papers in if Special Board Planner Wiser would like to see. Special Board Planner Wiser stated no it is not necessary.

Attorney Doyle stated he has no further questions for Dr. Berger. Chairman Garth asked if the Board had any further questions. **May the record reflect:** the Board had no further questions at this time for Dr. Berger.

Attorney Doyle called Mr. Derose.

John Derose, 25 Sunset Boulevard, Seaview Harbor, Longport, was duly sworn. Attorney Doyle asked if 25 Sunset Boulevard his permanent home. Mr. Derose stated yes it is. Attorney Doyle asked twelve (12) months a year. Mr. Derose stated twelve (12) months a year. Mr. Doyle asked he lives there with his wife. Mr. Derose stated he does live there with his wife. Attorney Doyle asked if she had a recent injury. Mr. Derose stated yes. Attorney Doyle asked Mr. Derose to tell everyone about it.

Mr. Derose advised that Dr. Berger had talked about it. He indicated she was picked up by the ambulance. Attorney Doyle asked when did this happen. Mr. Derose stated it was July, 2013. He indicated that 911 was called on this occasion and several others. Chairman Garth asked Mr. Derose if he knows where the 911 went to. Mr. Derose stated as far as he knows Longport. Mr. Derose stated

911 responded and got my wife up off the floor. An ambulance came twenty (20) minutes later put her in the ambulance and they asked me where to take her, Shore Medical. Mr. Derosé stated he did not accompany her in the ambulance he advised he followed her in his car.

Mr. Derosé stated we go to the corner of Sunset and Longport Boulevard and the ambulance sat there and I could not figure out what the hell they were doing. Mr. Derosé advised he had pulled up along side and said Shore Memorial is left. He indicated the driver did not know where to go. So when we got there she spent several days in the hospital and came back.

Attorney Doyle asked where the ambulance came from. Mr. Derosé stated he believes they called Atlanticare or it could have been Egg Harbor Township's. Mr. Derosé stated he honestly does not remember. Attorney Doyle asked Mr. Derosé that he had to direct the ambulance as to where to go. Mr. Derosé stated yes he directed the ambulance that they had to make a left to go to Somers Point.

Attorney Doyle asked if this was the only time that he had occasion in your life down here to call emergency services. Mr. Derosé stated no we have had several over the past eighteen (18) years. Attorney Doyle has asked what has happen on those occasions. Mr. Derosé stated Longport had responded very quickly. Helped her out, got her to the hospital. Got myself to the hospital, I had a couple incidents.

Special Board Solicitor Marcolongo asked how many incidents and when had these occurred. Mr. Derosé stated how many incidents of 911. Special Board Solicitor Marcolongo stated yes. Mr. Derosé stated he would say half a dozen. Special Board Solicitor Marcolongo asked over what period of time. Mr. Derosé stated over eighteen (18) years and in the later years because we are getting older.

Attorney Doyle asked Mr. Derosé how old he was and if it were a fair question. Mr. Derosé stated he will be 73 years and my wife, she won't mind, is 80. He indicated she was 80 this year. He indicated the problem he is having now that they are getting older the safety part of it by EHT not responding to us as quickly as Longport. He stated they are not in the position to jump out of the window anymore. Mr. Derosé stated they need help right away. This is one of his points. He stated other things he has noticed in the development over the last eighteen (18) years he can count on his hands how many times EHT police have gone through the neighborhood.

Mr. Derosé stated he is out in the neighborhood day and night walking the dog or just walking around. He stated he does not see too many police cars circling the neighborhood. He stated he was the neighbor that Dr. Berger spoke about that they found a fellow who robbed the house in Longport. He stated the Longport Mayor's house. He stated one of the fellows that robbed the house wound up in his shower, his outside shower that is where they found him.

Mr. Derosé stated on one occasion several years ago, as Dr. Berger had mentioned. We had a break in at a neighbor's house around Christmas time. He stated of course the police that showed up were Longport first and EHT finally came. He stated between all the flashing lights the neighbors had come out. He indicated it was late at night, if he remembers about 10:00 p.m. to 11:00 p.m. at night and we congregated in the street to find out what was going on, guess we were being a little nosy.

Mr. Derosé stated he had one of the EHT police officers say to him he didn't even know this was part of EHT. He stated this makes him a little scared. He stated like he said his wife and he are getting up in

years now and we would like a little more security. He stated he would think Longport would pass through more often than EHT does.

Mr. Derosé stated another thing that he does not see in our Township and he sees it in Longport, Margate, and Ventnor, street cleaning. He stated he called several times and we don't have the man power for street cleaning. Chairman Garth stated he does not see it either. Mr. Derosé stated he put in several years working in Ventnor for the school board and I must say Ventnor, Margate and Longport their streets are awfully clean. He stated he does not see it in his neighborhood at all. Chairman Garth stated he does not see it his either. Mr. Derosé stated he believes Longport would do it for them. He also stated church they go to in Longport and most of their socializing is in either Ventnor, Margate, or Longport and Somers Point. He also stated the hospital is in Somers Point. He stated that is all he can say about that and how I feel about it.

Attorney Doyle asked if Mr. Derosé would like to see the petition granted. Mr. Derosé stated yes. Chairman Garth stated he saw some faces in the audience when I asked you if you knew where the 911 call went to and you said it went to Longport. Then Longport picks up the telephone dials Egg Harbor Township and has to give them all the information and then Egg Harbor Township has to record it put it into the computer in the CADDs and then they have to tap out the ambulance, if it was an Egg Harbor Township ambulance that is what the procedure takes. He indicated if you had a fire with all your mutual aid agreements with the fire department in Longport they get the call their there first and then the calls goes to Somers Point which comes in next and then Egg Harbor Township is on their way. He advised that is the way it works.

Mr. Derosé stated he would personally like to see Longport do everything for him. Chairman Garth stated he understands this and he sympathize with him. Board Member Aponte stated Mr. Derosé indicated an Egg Harbor Township police officer did not know. Mr. Derosé advised that is what he said to him. Board Member Aponte stated ok that is your testimony. Board Member Aponte indicated the second question is that you state that possibly an Atlanticare ambulance or you didn't know exactly what it was. Mr. Derosé stated Atlanticare or EHT he honestly does not remember. Board Member Aponte stated irrelevant, an EMT a trained EMT did not know where Shore Memorial was. Mr. Derosé stated no, they stood at the corner. Board Member Aponte stated they stood at the corner and they did not know where Shore Memorial or Atlanticare they can make a right or a left.

Mr. Derosé stated right, exactly. As to do I go right or left. No you have to go left I want to go to Shore Memorial. Chairman Garth stated with an Atlanticare ambulance I am sure they are instructed by their supervisors to take the person to Atlanticare. Board Member Aponte stated he begs to differ. He indicated he is on the Board of Trustee's for Atlanticare and that is not the way it works.

Mr. Derosé stated he was specifically asked where you want me to take Mrs. Derosé and I told them. Board Member Aponte stated thank you very much. He indicated he was just curious. Board Member Aponte indicated that all Atlanticare ambulances have GPS so you can figure out where they are going.

Special Board Solicitor Wisner asked Mr. Derosé if he is a full time Township resident and how long has he lived there. Mr. Derosé stated eighteen (18) years. Special Board Solicitor Wisner asked where Mr. Derosé lived beforehand. Mr. Derosé stated Ventnor Heights, Voorhees, Ocean City. He indicated they were all part time except Voorhees that was permanent. He stated when he retired he moved down here permanent.

May the record reflect: the Board took a brief recess.

May the record reflect: the Board went back into session.

Michael Hull, 13 Sunset Boulevard, Longport, New Jersey, 08403, duly sworn. Mr. Hull advised Ladies and Gentleman he would like to begin with a statement and answer any questions after. He indicated his statement reads:

My name is Michael Hull and I have resided with my wife Joan at 13 Sunset Boulevard, Longport, New Jersey, 08403 since July, 2000. He stated prior to that he lived at 39 Sunset Boulevard, Longport, New Jersey, 08403 since 1989 until we built our current home at 13 Sunset Boulevard.

Seaview Harbor is a unique island community inhabited by likeminded folks who love the seashore lifestyle. Being an island community surrounded by water we have little in common with mainland communities like Northfield, Linwood, or Egg Harbor Township. Our needs and focus are much more in tune with the island communities of Ventnor, Margate and Longport. With our close proximity Longport visitor to our island community of Seaview Harbor are always surprised to hear that we still technically part of Egg Harbor Township.

They always say Longport is right there across that bridge, referring to the Kennedy Bridge. I can see Longport City Hall from your deck as plain as day. We passed through Egg Harbor Township earlier today and its two (2) towns and almost ten (10) miles from here that makes no sense. Then they always say your address says Longport our GPS says you live in Longport and your driver's license says Longport. What give's. As always we patiently explain that the current situation is all a historical accident. If Seaview Harbor had existed when the Borough of Longport broke away from Egg Harbor Township in 1898 we would have been part of Longport.

The next question is always why don't you guys try to become part of Longport. Then we always say that Seaview Harbor has been trying to do that since at least the 1970's but all of the pieces to make that possible have only come together in the past year. The sale of the Seaview Harbor Water Company to Aqua International was the final key piece to enable our community of Seaview Harbor to become part of the Borough of Longport where it belongs.

Then our visitors will always ask where do your emergency services come from. You know like fire, police, and ambulance services. It can't be from Egg Harbor Township they are too far away for that and we'll say well technically those emergency services are supposed to come from the Bargaintown Fire House in the Bargaintown section of Egg Harbor Township and they'll say you're kidding we passed that fire house on the way here and it has to be at least nine (9) miles and 20 to 25 minutes from here. Good luck with that. Well I'll say your right about that fortunately the Borough of Longport has been generous enough to act as first responders to Seaview Harbor when they are available.

When available, what does that mean. Since we are technically part of Egg Harbor Township regardless of our physical proximity to Longport. They would have to respond to emergency in Longport first, I am referring to the Longport emergency services, before coming to our aid. Our visitors always say when available how long does that take for Longport to respond to an emergency in Seaview Harbor. Well Longport emergency services usually arrive within three (3) to four (4) minutes.

Then our visitors always say oh that sounds a lot better to me. Would your community situation change if Seaview Harbor were to become part of Longport and I say well according to a recent conversation I

had with officials from the Longport fire department it would. Longport's emergency services would take responsibility for us and incorporate Seaview Harbor into their emergency service planning like any other municipality would, for example with a new housing development. Then I guess, oh say something like this, no doubt about it Seaview Harbor would be a lot safer and more secure if it were part of Longport.

Mr. Hull stated he would like to segway into a few personal stories to reiterate what I have just been discussing. Some years ago I owned a wine and liquor business in Atlantic City and I often worked until the wee hours of the morning. One night I was very tired on the way home and did not realize his car head lights were off until he almost reached the Margate – Longport city line. As luck would have it a Margate Police patrol saw his headlights flick on and pulled him over to check him out. He asked the Board to now remember he was right at the Margate – Longport city line.

Mr. Hull stated the Margate officer asked what happened and asked to see my driver's license and registration which indicated that I lived at 13 Sunset Boulevard, Longport, New Jersey. He stated he apologized for his error and he explained he was very tired from working at his business all night and was on his way home. Mr. Hull stated he went back to his patrol car and made a call on his radio. A few minutes later a Longport police car arrived and the sergeant got out and went to speak with the Margate officer. After a moment a moment or two (2) the Longport sergeant came over to me and said do you live in Seaview Harbor sir. Mr. Hull stated yes, sir I do. He then gave me my documents back to me and said follow me I'll escort you home. I thanked him and he then said not a problem sir we like to make sure that our residents get home safe and sound.

Mr. Hull stated more recently he was on his way home and he had just turned off the Somers Point – Longport Causeway into the Seaview Harbor access road when not one (1), not two (2), not three (3) but four (4) Longport police cars roared into Seaview Harbor with sirens screaming and lights flashing screeching to a halt in front of my neighbor's house, the Derose's. He stated the four (4) Longport officers leapt out of their cars with emergency equipment in hand and ran into my neighbor's home. Obviously, there was a medical emergency. He stated moments later a Longport ambulance arrived. Mr. Hull stated later he asked his neighbor how long had it took for when he called for help the Longport police arrived. He stated less than five (5) minutes, he stated need he say more.

Mr. Hull indicated a few years ago there was a fire at the Seaview Harbor Marina, sure we all know about that. He stated it was on a very windy night with the wind blowing off the ocean towards the homes in Seaview Harbor. He stated he looked out his window when he heard the Longport fire siren go off and saw that there was a boat on fire in Seaview Harbor Marina right in front of his friend's house the Berger's.

Mr. Hull stated as usual the first fire company to arrive on site was from Longport. He stated without hesitation they ran out with fire suppression packs on their backs to fight the fire without any regards To their personal safety while assisting the executive director of Seaview Harbor Marina, Joe Stewart in fighting and containing what could have been a major disaster for all the residents within his community. He explained again, response time was less than five (5) minutes by Longport emergency services.

Mr. Hull stated fortunately Longport Fire Department was not busy with an emergency in Longport at that particular moment and I am referring to their emergency planning. He stated if they were part Longport as the Fire officials have told me they would have the plan, the men, and the equipment

available. He stated in this situation they are just first responders. He stated Seaview Harbor was lucky once again.

Mr. Hull stated we all remember the Sandy super storm and the destruction that occurred. He stated like many shore communities Seaview Harbor was not spared. He indicated after almost a week we were allowed to return to our homes via the Margate Causeway and through the streets of Longport. Mr. Hull indicated the road at that time from Somers Point was still blocked by downed power lines. He stated the first police check point was at the Northfield side of the Margate Causeway. He stated in order to cross you had to prove you lived on the island. Mr. Hull stated fortunately our driver's licenses showed we lived at 13 Sunset Boulevard, Longport.

Mr. Hull stated otherwise they would not have been allowed to cross over to Margate. He stated the next police check point was at the Margate – Longport border. Mr. Hull stated a Longport police officer holding a loaded M-16 looked at his license and said sir, you live in Seaview Harbor. Mr. Hull indicated he replied yes sir we do. He indicated the officer stated good to see you back sir, welcome home. Mr. Hull stated by the way and this is fact the days following the Sandy storm the only police cars that he observed patrolling Seaview Harbor beside Longport were from the Michigan State Police.

Mr. Hull stated he would now like to comment on the Egg Harbor Township School System and its impact on Seaview Harbor. Mr. Hull stated there are a number of problems with this relationship they are simply caused by time and distance. He indicated while the community does have students enrolled in Egg Harbor Township School System. The children could spend an average of three (3) hours each school day on the little yellow bus. He stated this would be going from Seaview Harbor to school and back again. He stated he knows this from personal experience.

Mr. Hull stated for example when his youngest was attending Egg Harbor Township High School there were two (2) other children attending the Middle School, and one (1) in grammar school from our community. He indicated all four (4) children were transported in the same little yellow bus to the grammar, middle, and high school. He indicated this is a three (3) hour daily long trip. Mr. Hull stated regardless even if they were to drive their children directly to school the nearest grammar school which is Slaybaugh is exactly 13 miles from my house.

Mr. Hull stated the nearest middle school which is next door to Slaybaugh is 13 miles and the high school is 16 miles. He stated in comparison if we were part of the Longport school system our children would attend schools on the island. He advised the Margate grammar school is 1.93 miles, the Margate middle school is 2.48 miles and Atlantic City High School is 8.66 miles from his home. Mr. Hull stated this is a more acceptable situation.

Mr. Hull stated while he is on this subject he stated there has been a common experience in Seaview Harbor for perspective home buyers with school aged children to often decline purchasing a home in our community once they realize how far away the Egg Harbor Township school system really is. Mr. Hull stated he knows this from professional conversations he has had with realtors and real estate appraisers. Mr. Hull advised he has spent a number of years as a real estate appraiser apprentice and in our professional conversations this topic often comes up.

Mr. Hull stated an interesting side note. He advised the Egg Harbor Township Municipal Building is 7.18 miles from Seaview Harbor and the nearest fire company, which he believes is Scullville, is 9.35 miles from Seaview Harbor. He stated in comparison Longport's City Hall is 0.93 miles and Longport's fire

company is also 0.93 miles from Seaview Harbor. He indicated all distances were calculated online courtesy of Map Quest and measured from my home 13 Sunset Boulevard.

Mr. Hull stated one last thing. He indicated back when Home Depot and Sam's Club came to Egg Harbor Township and I think some of you gentleman were on the Board back then asking the planning board permission to build their stores I was a member of this Board. That was in the early 1990's. As a member of the planning board I tried to be as objective and fair as I could with every decision that I made. But most importantly and I can't emphasize this enough I thought long and hard about the impact my decisions would have on those resident's that were most directly affected by those decisions, therefore, gentleman I implore you to think long and hard about the decisions that you will make about our petition and the impact those decisions will have on those most affected by them. My friends and neighbors the residents of Seaview Harbor, Longport, New Jersey. Thank you.

Mr. Hull asked if there were any questions.

Chairman Garth asked Mr. Hull if he knows Egg Harbor Township has a signed mutual aid agreement with Longport fire department. Mr. Hull stated he believes he just said that. Chairman Garth stated yes, they have a signed mutual aid agreement. Mr. Hull stated he understands that. He indicated there is a difference sir between a signed first responder agreement and being part of the town. We both know. Chairman Garth stated he understands that and he is not taking anything away from Seaview Harbor. Mr. Hull advised he understands what Chairman Garth is saying but it is still not the same thing.

Chairman Garth stated if you live in that community you love that community I understand that. Mr. Hull stated that is correct. Chairman Garth stated he was just asking because gets on the defensive with the fire department because I was a fire chief in Egg Harbor Township for a number of years. Mr. Hull stated he understands this Mr. Garth he explained he is not offending the fire department in Egg Harbor Township. He stated he is talking about distance and the ability to respond. Chairman Garth stated distances is pretty close to accurate. Mr. Hull stated it is a long distance and you have to go through Somers Point. Chairman Garth stated yes. Mr. Hull advised during the summer it becomes even worse with the traffic the reality is it takes a long time. That's the reality of it.

Chairman Garth stated the mutual aid agreement with Longport Borough is that Longport is first, Somers Point is due in second and in the meantime Scullville is in route. Mr. Hull stated so is Margate and Ventnor. Chairman Garth stated the last fire on the dock that was five (5) miles out in the ocean somewhere, I don't know where, was a long dock. I walked it one time. Mr. Hull stated that was here and I was there no it is not five miles. Chairman Garth stated well. Mr. Hull stated we are talking a few hundred feet from the homes. Chairman Garth stated when you are carrying. Mr. Hull stated with an east wind of 30 knots. Board Member Aponte asked Mr. Hull to let the Chairman speak. Chairman Garth stated when you are carrying a 50' ft. length of hose and some of the young man out there can carry two (2) of them, but I can't and you have to carry them, lay them out, and hook them up to get the water out.

Board Member Aponte asked to change the subject for one moment. Chairman Garth stated sure go ahead. . Board Member Aponte asked Special Planning Board Planner Wisner if the Board can get some clarification, he stated he believes, it is his understanding that Longport now is a sending district to Ocean City High School. So if that is the case then it is not 9.6 miles. He thinks it is probably the same distance for the high school but we need to confirm that.

Special Board Planner Wiser stated he has already done that work. He does not have it with him but it will certainly be part of the conversation as we move forward. Board Member Aponte stated o.k., again, he thinks this has changed and it is Ocean City High School.

Chairman Garth stated it was a very tedious operation to get water out to the end of the dock and we asked Joe Stewart to put in a 3" pipe underneath the dock with risers and drains and we could supply that from the beginning of the dock all the way to the longest dock that is all they were asking. Mr. Hull stated he was there that night and he watched the whole thing from start to finish. Chairman Garth stated to his knowledge that has not been done as of yet. Mr. Hull stated he cannot answer that question for him. Chairman Garth stated he was in the middle of that conversation. Mr. Hull stated Mr. Garth it is not five (5) miles out. Chairman Garth stated he knows it is not.

Mr. Hull stated it was a serious situation. Chairman Garth stated when you are carrying a heavy piece of hose it is a long way out there. Mr. Hull stated he understands that. Chairman Garth stated some of the guys were carrying two (2). Mr. Hull advised he watched the whole time they were there. He was standing right next to an Egg Harbor Township police officer who was off duty and we watched the whole thing. Chairman Garth stated he knew where Seaview Harbor was. Mr. Hull stated he was actually having dinner at the restaurant.

Attorney Doyle all of this said Mr. Hull you were there. Who was there first? Mr. Hull stated Longport. Attorney Doyle stated now is that a question of, it's that just simply put a question of time and distance. Mr. Hull stated yes it is. Attorney Doyle stated it is unchangeable by mortal men. Mr. Hull stated he would think so. Attorney Doyle stated and women. Mr. Hull and women. Chairman Garth stated it is unchangeable unless Seaview Harbor builds their own fire department. That is the only way you change it. Attorney Doyle stated and that is true for schools and every other service and that is not happening. Chairman Garth stated right.

Board Member Eykyn stated he has a question. He advised he has heard several times that being first responders if Longport was busy and they would have to wait for Egg Harbor Township. Chairman Garth stated it would be Somers Point. Board Member Eykyn stated if Longport was busy and you had a fire, even if you were part of Longport, the next responder will have to come anyway. Mr. Hull stated he would disagree with Board Member Eykyn. He explained he had a talk with Bruce Funk other fire officials in Longport. Mr. Hull stated if we became part of Longport, let's talk dollars, their tax base, they would be in the position to increase the amount of equipment they have, increase the amount of man power on the police force and just like this Township when a new development goes up you have to change your emergency plan and you have to have adequate response capability to cover that.

Mr. Hull stated in this situation in this Township we have Scullville and a number of other fire houses including the one (1) in West Atlantic City. He stated Mr. Garth brought up the point about us building a fire house well there is no Township land in Seaview Harbor it is obviously very small. So I don't know where we would be building a fire house. The reality still boils down to if we were part of Longport we would have to be part of their emergency response plan and not in the situation where they're first responders because Longport's main responsibility or initial responsibility is for the Borough of Longport within its borders. Mr. Hull stated if they are not being tied up within their borders than they can respond to us.

Mr. Hull stated if we were a part of Longport within the Borough then we would be in the same situation as the rest of Longport but we are here talking about a situation where we are a part of Egg Harbor

Township and the nearest fire house is 9.3 miles according to Map Quest and they have to go through not only down Mays Landing Somers Point Boulevard because they have to get through Somers Point, the town of Somers Point, the city of Somers Point and get out to us and the response time is always been at least 20 to 25 minutes sometimes a half an hour depending on traffic and how difficult it is for them to get to us. Mr. Hull advised it is again a situation of time and distance. Schools, emergency response that is the point I am trying to make.

Board Member Aponte asked Mr. Hull who is Bruce Funk. Mr. Hull stated he is a member of the Longport fire department. Board Member Aponte stated he is a member of the Longport fire department, he is an official. Mr. Hull stated he is official. Board Member Aponte stated so Mr. Hull has had conversations with him. Mr. Hull stated he knows him. We discussed the situation and he has agreed with me. Board Member Aponte asked Mr. Hull to let him finish his question. Board Member Aponte stated Mr. Hull you have had conversations with a Longport official about what benefit you could have if you were part of because of your ratable base in Longport.

Mr. Hull stated no, no he advised Board Member Aponte that he misunderstood him. Mr. Hull stated he himself was stating about the ratable base. Mr. Hull advised he and Mr. Funk did not discuss the ratable base. Mr. Hull stated they discussed it would make sense for us to be part of Longport. Board Member Aponte stated because they would be able to buy fire trucks. Mr. Hull stated no, no that was my thought. Board Member Aponte stated o.k. Mr. Hull stated his discussion just makes sense. They are right across the bridge. Mr. Hull stated the nearest fire house in Egg Harbor Township is almost ten (10) miles away. He indicated they were discussing time and distance. Board Member Aponte stated it was ran through with the same thought. Mr. Hull advised the logic of us being part of Longport would only make sense because they are right there and the nearest fire house in Egg Harbor Township is almost ten (10) miles away that is what they had discussed.

Mr. Hull stated the other parts were his speculation. Board Member Aponte stated it ran through with the same thoughts so he understood it that way. Mr. Hull stated he understands that and he apologizes if Board Member Aponte misunderstood him. Chairman Garth stated Longport fire department does not care one way or the other what happens with Seaview Harbor. If it is Egg Harbor Township or part of Longport. He stated they don't care they will do what they do. Mr. Hull stated no one is disputing that. What he indicated he is saying is that it makes logical sense to be part of their. Chairman Garth stated he understands what Mr. Hull is saying and he is giving him a piece of information that he happens to know. Mr. Hull stated fine. Chairman Garth advised this is from Lefty Clayton and where if anybody doesn't know his name is Levon.

Attorney Doyle asked so the record is clear who is Levon "Lefty" Clayton. Chairman Garth advised he is the Chief of Longport fire department. He is a retired Battalion Chief from Atlantic City. He stated he has lived in Longport all his life.

Board Member Kearns stated he would like to clear the air on point. He indicated a couple of times he has heard testimony or statements from witnesses and he would like to clarify something. The West Atlantic City fire house is owned by the West Atlantic City fire company. He stated every person who is there is a volunteer. He indicated every person who is in every fire house in all five (5) companies are volunteers and we all own our own fire houses. He stated in fact sir anybody would like to have a firehouse where they live they could build a fire house, get volunteers and they could staff. He stated this is exactly what all these other areas did and that is how we did it. He indicated it was not the Township but it was Bargaintown, all five (5) companies. They own the land, they own everything that is

there and the Township buys one piece of equipment a year for somebody. He stated this is a clarification. He stated he does not know it requires an answer but that's a fact and yes there is no Township owned property there, however, there could be a fire house if somebody wanted one there. Mr. Hull asked where. Board Member Kearns stated he has no idea.

Special Board Planner Wisner advised Board Member Aponte that he does have a response. He indicated he does have a response. He indicated he did have the analysis in his file and he just found it. In terms of distances from schools. He advised if you take the intersection of Longport Boulevard and Hospitality Drive. He indicated right at the light. He indicated in terms of the elementary schools distance to Swift and Slaybaugh is 7.6 miles, distance to the Ross school in Margate is 2.5. Ocean City is a little difficult to calculate because there are two (2) ways to get into Ocean City. He stated he does not know how a bus would go. Special Board Planner Wisner stated you have the toll road or toll bridge rather which is 3.5 miles and the 9<sup>th</sup> Street Bridge would be 6.4. He indicated this is for elementary schools.

Special Board Planner Wisner stated for middle schools the Fernwood middle school in Egg Harbor Township is 9.9 miles. He indicated the Tighe school in Margate is 2.8. He stated Ocean City via the toll bridge is 5 even and Ocean City via the 9<sup>th</sup> Street Bridge would be 7.1. Board Member Aponte asked Special Board Planner Wisner calculated to Atlantic City, which is irrelevant. Special Board Planner Wisner stated he did for high schools. He stated the distance to Egg Harbor Township is 9.3 miles to the Atlantic City high school it is 6.8, to Ocean City high school over the toll bridge is 3.5 and Ocean City high school over the 9<sup>th</sup> Street Bridge is 7.

Attorney Doyle asked where those figures came from. Special Board Planner Wisner stated he calculated them. Attorney Doyle asked off of? Special Board Planner Wisner stated he took a GIS Map and he drew the lines and snapped the distances and this is what I came up with. Chairman Garth stated it is all pretty close to what was said. Board Member Aponte stated he is sure Mr. Wisner will provide his facts and figures for when the times come. Chairman Garth stated the distance between you saying 9 miles and it is 7.6. Board Member Aponte stated he personally was just wondering if it is Ocean City high school what's the difference between Hospitality Drive and Ocean City high school and Hospitality Drive and Atlantic City. He stated it seems to him the distances are relatively the same. He stated he was just curious.

Special Board Planner Wisner stated if you are calculating using the 9<sup>th</sup> Street Bridge he would be assuming that maybe the bus won't pay a toll. He stated he does not know how it would work, but you are looking at 6.8 versus 7 miles. Board Member Aponte stated it is moot I believe it is Ocean City high school from what I understand it to be. He stated there was only eleven (11) kids at the time from what I read. That is why it was allowed since it was only eleven (11) kids so it wouldn't change the demographics of Atlantic City high school as a sending district and that's why they were allowed too

William McMenemy, 42 Sunset Boulevard, Longport, New Jersey, 08403, duly sworn: Attorney Doyle asked Mr. McMenemy if he is a permanent resident. Mr. McMenemy stated I am sir. Attorney Doyle asked for how long. Mr. McMenemy stated he has been there for seventeen (17) years. Attorney Doyle asked what brought him there. Mr. McMenemy stated it is more like taking you on a journey. He stated he will tell his story. He advised he got married and he was living with his wife in Longport. He explained his wife Gail and he decided to move into Seaview Harbor. He indicated at the time it was a beautiful community, great neighbors and today it is still a beautiful community with great neighbors.

Mr. McMenamain stated when they moved in they moved in with their son who was six (6) months old at the time. He stated two (2) years later they had their daughter Bridget. He advised his son, Bill is six (16) years today and his daughter is fourteen (14) years old today. He indicated his son goes to St. Augustine Prep and his daughter goes to St. Josephs in Somers Point. Mr. McMenamain stated as a foot note to John, I do not want to scare him but his numbers are low.

Mr. McMenamain stated with that said he and his wife Gail moved into Seaview Harbor and needless to say there is always a certain degree of stress when you are moving even if it is minor. Some of the stress that was alleviated from them moving from Longport to Seaview Harbor it was clear to us we were not moving out of the community. He stated we were moving into the same community in which we lived in. Mr. McMenamain stated when Gail and he moved into the community they would go for walks, everybody does and when we walked we would walk through Seaview Harbor and over the bridge into Longport. He advised they would mingle with their neighbors and we would talk to them in the community.

Mr. McMenamain explained they would take bike rides and they would do the same thing. He stated they would ride through the community. He advised they would ride through Seaview Harbor over the bridge into Longport. He advised they would again mingle and converse with our neighbors. Chairman Garth asked if Mr. McMenamain would ride a bike over the bridge. Mr. McMenamain stated general he would walk the bike over the bridge. He stated when you have children you definitely walk it up over the bridge. But still you want to get over so you ride that is where the community is.

Mr. McMenamain advised as the children got older we would take them to the playgrounds and bike rides and when we go to the playgrounds we would go to the playground on 33<sup>rd</sup> Street in Longport. Certainly in the summer month's children would come there from even neighboring States, but the majority of the children were children in the community. Mr. McMenamain stated our children would grow, would play and they would assimilate with those children in the community. When we would go to the beach they would grow and play with those same children they would become friends.

Mr. McMenamain explained they are going to be the future of that community. He stated when we would go see Santa Claus we would go to Longport fire house and we would see Santa Claus. When it was the Easter we would go to the Longport fire house to see the Easter Bunny. When we would go to the parades we would go to the parades in Longport. Mr. McMenamain stated when we would get to the next level on our children we get into to the extracurricular activity and it would be whether it was sports or football, baseball, basketball, softball, with my daughter dance we would take our children over the bridge and we would register them and sign them up where all those children in the community that grew together registered and played and that was in Margate generally.

Mr. McMenamain advised the exception football which took in part of Atlantic City, Ventnor, Margate, Longport, and Seaview Harbor. That is the community that they played in. Now that in itself, he thinks, speaks very strongly of the community and what community Seaview Harbor belongs to. But to take it even further, as we all know unfortunately when you get into youth sports sometimes it can get very competitive. When my son would play little league or he would play football and I know it is just not my children or my son and I am not here to speak for other children in the community, but I know they went through the same things and our team would win the playoffs and they would get to championships and there would be a disgruntled parent or maybe a frustrated coach and they would contest at when they knew Billy McMenamain was in Seaview Harbor and they would say hey, he should be playing for Egg Harbor Township he doesn't belong with that community.

Mr. McMenamain stated those rules were set-up long before Billy McMenamain or Seaview Harbor came along and that was to protect the interest of the children. When they would investigate it on a local level it was clear, it was defined and it was easy. Billy McMenamain and those children in Seaview Harbor were playing in the rightful community where they belonged, where they grow, and where they're part of. Mr. McMenamain stated to move them outside that would be an unjust burden. He advised it was the same on the County level with football.

Mr. McMenamain stated his child was fortunate enough, my son, to be on a County all-star team that went to the little league world series. He stated when he did that and they won the districts, they won the regions, they won the states and they were going to the world series. Here we go again, someone said hey, wait a minute, you've got a child there that he's part of Egg Harbor Township. He shouldn't have been playing on that County all-star team because Egg Harbor Township was not part of that all-star it was Babe Ruth and Cal Ripkin difference. Now it was investigated on a local level, a County level and taken to a State level by these committees and now taken onto a national level and again, it was clearly defined and it didn't take long to make a decision that hey, these children in Seaview Harbor and that young man play in the community where he belongs.

Mr. McMenamain stated the community and the culture that he is part of there. When we look at our children and we make a decision for our children we take our emotions and we leave them at the doorstep. We take our predisposed opinions and we leave them at the doorstep because we want to make the most accurate, correct and best decisions for our children and when that decision came for our children it was clear what community Seaview Harbor belonged to and if we can make that decision for our children from an objective point of view I am sure we can do it as adults for us.

Mr. McMenamain stated all he asks from here is that we do that. We do with an objective view and it's pretty clear to him that the people in Seaview Harbor belong to the community of the down beach of Longport, Margate, and that area. He stated it has never been about Seaview Harbor and us against you or us against Egg Harbor Township. Mr. McMenamain advised that is not what this is about. He stated it is about what community do they belong too that is the question that needs to be asked and answered. He advised all these questions that to him somewhat seem to get outside that realm. Mr. McMenamain stated John in his personal opinion of where he sends his kids to school. The question is why didn't he go to Egg Harbor Township, Egg Harbor Township to his children at a young age was never part of their community. If he were to walk in the center of mainland in Egg Harbor Township and take four (4) blocks and say your children have all been neighbors all this time. You have all been playing together, Bill McMenamain is here to tell you, you four (4) blocks, your kids have to go to Absegami. He stated they would look at him like he has six (6) heads on him and that is the situation that they are in there.

Mr. McMenamain stated it is not about us, it's not about personal opinions, it's about an objective opinion in what community we belong too. Mr. McMenamain advised that is pretty much what he has to say and he thanked the Board for their time and if they have any questions he will be more than happy to answer.

Attorney Doyle stated he has one question before the Board gets him. He asked Mr. McMenamain what if anything makes you feel that you are part of the Egg Harbor Township community. Other than paying taxes and that is by reason of the 1837 boundary line and the 1898 Longport where you are. Mr. McMenamain advised that is a question he would like to answer delicately. He stated naturally all of South Jersey has its own cultural and communities. Mr. McMenamain stated he does not feel they are

part of the Egg Harbor Township community. He stated he does not and he doesn't think the children are that's the point. We are part of the Longport community. Attorney Doyle asked Mr. McMenamain if he does anything in Egg Harbor Township other than go through it. Mr. McMenamain stated to say I don't do anything in Egg Harbor Township is a broad question, but for the most part no. He stated he thinks they have heard his story and that pretty much defines it.

Chairman Garth asked how far St. Augustine Prep is from Mr. McMenamain's house. Mr. McMenamain advised he cannot tell miles, however, its 38 to 42 minutes and not that he is counting. He stated it is 38 to 42 minutes each way and they do not have an after school activity bus multiple reasons. Chairman Garth stated you do not have actual miles. Mr. McMenamain stated he has looked at the odometer but if he were to provide he would be inaccurate at this time but it is 38 to 42 minutes. He stated honestly and it is not to bring this up, but driving through Somers Point, Egg Harbor Township, and Mays Landing the mileage does not come into play, it even takes longer because of the traffic and things like that.

Sharon Gordon, 9 Seaview Drive, Longport, New Jersey, duly sworn: Attorney Doyle asked Ms. Gordon where she lives. Ms. Gordon stated she lives at 9 Seaview Drive, Longport, New Jersey. Attorney Doyle asked permanent or seasonal. Ms. Gordon stated permanent, 14 years. Attorney Doyle asked what brought her here. Ms. Gordon stated what brought them to Seaview Harbor. Ms. Gordon stated she has been a resident of Atlantic County for about 40 years and what brought her to Seaview Harbor is her husband and his fishing habit and wanting to be a boater. She advised it is a perfect community for that and he fished the Longport waters for many, many years.

Attorney Doyle stated knows Ms. Gordon has a couple stories she wants to tell so he let her do this. Ms. Gordon stated she will try to be brief and the night is growing long. Ms. Gordon stated one winter evening and it was a dry night there was an incident where a man came banging on our door and screaming "I need my medication. Get me my medication. Call an ambulance. I need my medication". She stated fortunately their door was locked. The neighbors facing the street to the right of us are seasonal so they were not down but my neighbors to the left are full time residents and it was frightening.

Ms. Gordon stated her husband advised not to open the door and I immediately called my neighbor to warn them not to open their door there is some kind of lunatic out there and in this day and age you have no idea if someone has a weapon, if their crazy, if they are just off their med's, whatever. Ms. Gordon advised she called 911 and I was speaking to a dispatcher and I understand the sensitivity to a dispatcher who is not familiar with the region and tried to explain where were located.

Ms. Gordon advised we are in Seaview Harbor, Egg Harbor Township but we are really right across the bridge from Longport. She stated they needed to get law enforcement out there as soon as possible because there is someone out there screaming; banging on our doors screaming for medication and I need an ambulance, I need my medication. Ms. Gordon stated it was a little scary because you did not know to what extent what condition this person was and obviously it took me a while to explain to the dispatcher and I am sensitive to that and finally got them to understand that we are in Egg Harbor Township but much closer to Longport police.

Ms. Gordon explained she hung up and just decided to call Longport police directly as well. She stated within, what seemed like a minute, two (2) minutes there were two (2) Longport police officers there and it took Egg Harbor Township police over an hour to get there. She stated so this guy, whatever his problem was, was sitting on the curb and he was still acting out but at least law enforcement responded

and I felt a little safer that Longport police were there so that if anything crazy that was going to happen worse than that. Ms. Gordon stated it was just another story. Just another indication to let you know that it is Longport police that responds and why it took EHT police that length of time she has no idea Egg Harbor Township police over an hour and she kept calling her neighbor to make sure they were o.k. because they are a little elderly and she was very concerned that they would be outside trying to see what the commotion was about. Attorney Doyle asked what time of night was this. Ms. Gordon advised it was in the evening, in the winter, so it gets dark a little earlier so she stated she would have to say it was around 8:00 p.m., 8:30 p.m. Special Board Solicitor Marcolongo asked if Ms. Gordon could provide a date and a year. Ms. Gordon stated it was about two (2) years ago. She advised it was the winter before the hurricane or super storm.

Attorney Doyle stated there was another story Ms. Gordon wanted to mention. Ms. Gordon stated yes. Ms. Gordon advised she receives letters from South Jersey Energy and the letters that she receives, the account is in her husband's name, but it says attention natural gas customers in Longport, New Jersey and this is really to cover the maintenance on our gas lines coming in the house and also for heaters. Ms. Gordon stated she is sure everyone receives solicitations like this, but what is interesting they refer to my property at 9 Seaview Drive in Longport and this is my utility company. She stated you would think they would reference the fact that it is an Egg Harbor Township property that they are talking about.

Chairman Garth stated they really do not know where you live they really don't. He stated it is a shame but they don't. Ms. Gordon stated they are soliciting natural gas customers in Longport and she finds it interesting. She stated she understands getting mail to the Longport address it is my address where my license and everything is Longport but found it interesting that our own utility company didn't in any shape, way or form reference the fact the property is actually an Egg Harbor Township site.

Attorney Doyle asked Ms. Gordon what in her daily life, if anything, makes you feel part of the Longport community. Ms. Gordon stated everything. She indicated everything she does is over the bridge. She advised 29<sup>th</sup> Street is her beach, they purchase beach tags as Longport. Ms. Gordon stated they go to restaurants over the bridge. She advised they are always at Johnny's or Ozzie's or anyone of the restaurants. Ms. Gordon stated she works now in Atlantic City so it is even now more convenient for her. She stated they do not have temples that are closer or in Egg Harbor Township so their place of worship is in Margate.

Ms. Gordon stated everything, just their life. Ms. Gordon stated they feel that they have always been a part of Longport. She indicated every member of her family, she is originally from Philadelphia, she lives in Longport according to them. Ms. Gordon stated anyone that you talk to states I live in Longport. Attorney Doyle asked if there is anything in her daily life along with her husband makes them feel a part of Egg Harbor Township as your community. Ms. Gordon advised nothing really. Aside from the fact that the Mayor lives up the street from her and he use to work the same State Authority that she works at and she knows him well that is the only real connection she has with Egg Harbor Township. Ms. Gordon stated if it were not for the fact that he was her neighbor she would never think about her being associated with Egg Harbor Township.

Chairman Garth asked if anyone has any questions. Township Committeewoman Pfrommer stated she has a question. She indicated she was going to ask Dr. Berger, however, he is not here. She asked Ms. Gordon what are the Code Red calls they receive. Ms. Gordon stated she received a call and it surprised her as well. She indicated she got a call from Longport asking to update the emergency

contact information so that they could contact us in case of any emergency and what numbers and what were the best numbers to reach us in case of an emergency or some emergency announcement. Township Committeewoman Pfrommer asked if they were robo-calls that come out. Ms. Gordon stated yes. Chairman Garth stated they are similar to the County system. He indicated Longport has picked-up on it because they are a smaller community and it is easier for them to do it. Township Committeewoman Pfrommer stated it is an emergency alert. Ms. Gordon stated yes it is.

Pamela Stewart, 107 Hospitality Drive, Longport, New Jersey, duly sworn: Attorney Doyle stated not that the answer to the next question defines who she is but you happen to be married to Joe Stewart who previously testified. Mrs. Stewart stated yes. Attorney Doyle asked just to recall to the Board she has lived in Seaview for how long. Mrs. Stewart stated sixteen (16) years. She advised her husband and herself constructed a new house and moved into their permanent year round residence in 1998.

Mrs. Stewart stated they have been there for sixteen (16) years and shortly thereafter they saw a van back up to our neighbor's home at 106 Hospitality Drive. She advised she knew it was not her neighbor who was in the process of building his home. She indicated the home was all open in early construction and they were afraid the gentleman in the van was going to ransack his house.

Mrs. Stewart explained she called Egg Harbor Township police department and when she called she told the police who she was and her address 107 Hospitality Drive. She indicated she added Seaview Harbor and she told them she thought the neighbor at 106 Hospitality Drive was about to have his home ransacked. Mrs. Stewart advised the dispatch operator asked me where Seaview Harbor was. She stated she was taken aback I said really you don't know, your Mayor lives in Seaview Harbor and she explained where they were over the Longport bridge in Egg Harbor Township.

Mrs. Stewart stated by the time she went through talking to them the van backed up and pulled away. She stated when she go off the phone she was still telling them but then she saw the van back up, pull up and back away. So they did not have to come, but she indicated she was surprised he did not know where they lived.

Mrs. Stewart indicated she would also like to show the Board a note she received from a friend in Margate who sent her thank you note to Egg Harbor Township. Mrs. Stewart stated her friend resent it to Longport so she would receive it. Attorney Doyle stated if he takes this (thank you note) and question Mrs. Stewart, Special Board Solicitor Marcolongo will rightly ask to see it and then mark it into evidence. Attorney Doyle asked if Mrs. Stewart minds giving it up for the record. Mrs. Stewart asked if she can take her note.

Chairman Garth stated Mrs. Stewart can take her note out of it. He indicated he does believe Mr. Marcolongo would want it. Attorney Doyle stated so everyone knows about the timing this thank you note was sent on May 12, 2014, just a few weeks ago. Attorney Doyle asked if he were to peel back the yellow sticker which is return to sender, not such street, unable to forward what would he find. Mrs. Stewart stated it would say Egg Harbor Township and then her friend wrote "oops" when she resent it to her in Longport. Attorney Doyle asked if this happens on occasion with you over the years. Mrs. Stewart advised it happens a lot. Chairman Garth stated if it is any consolation the mail is sorted in Belmar, New Jersey.

Board Member Eykyn asked what was the zip code on the Egg Harbor Township one. He asked if it was the Egg Harbor Township zip code so it never went to the correct post office. Attorney Doyle stated it

went to 08234. Board Member Eykyn stated that post office does not know about it, Longport's does. Chairman Garth stated it is a shame and he feels for Mrs. Stewart. Mrs. Stewart advised her friends are from Margate and Longport and they really think they are sending to her. Mrs. Stewart stated she had even saw a friend in the grocery store one day and she said she had kept trying to send me a thank you note and it kept coming back. Mrs. Stewart stated we are Longport and she's in Longport. She stated that is her story.

Attorney Doyle stated this is a thank you note. He asked if other things such as bills, invoices. Chairman Garth stated bills find their way. Mrs. Stewart advised her husband gets the bills. Attorney Doyle stated he has no other questions.

Joseph Stewart, asked if he needed to be sworn again. Special Board Solicitor Marcolongo stated Mr. Stewart was previously sworn and he remains under oath. Chairman Garth stated the boat fire that was out at the end of the long dock. He indicated he said five (5) miles, but someone had gotten upset about that, he indicated that was just being smart about the long distance. He asked Mr. Stewart if he had ever placed in a pipe or anything in there to get the water out to the end of those docks. Mr. Stewart stated there is, he thinks, a 3" line inside the docks. Chairman Garth asked it is in there now where it was not before.

Mr. Stewart stated there is that and Longport recommended we lay and they gave us 4" fire hose and we put dock boxes along the main walk ways that house sufficient hose to get all the way down to "H" dock. Chairman Garth stated that is all he was curious about was to find out whether that was ever done because that was one of the recommendations that the Township Fire Chief made and I believe he was talking to you that night. He stated he is not 100% sure. He stated the dock boxes hose he thinks came from Egg Harbor Township. He indicated the dock boxes you provided but the hose came out of West Atlantic City Fire Company because they are the only ones that had 4" everyone else had 5". Mr. Stewart stated he was not sure where they came from. Chairman Garth thanked Mr. Stewart. He stated that was all he needed.

Catherine Stanley, 39 Sunset Boulevard, Longport, New Jersey, duly sworn: Attorney Doyle asked Ms. Stanley if she was a permanent resident or seasonal. Ms. Stanley advised she is permanent resident now. Attorney Doyle asked how long Ms. Stanley has been a permanent resident. Ms. Stanley stated probably the past eight (8) years. She indicated it was a beach house for her before becoming permanent residence. Attorney Doyle stated he sees some hand written notes in from of Mrs. Stanley.

Mrs. Stanley stated she has a few things she wanted to bring to the Board. Mrs. Stanley stated she would like to give some history as to their situation and how they ended up in Seaview Harbor. Mrs. Stanley advised they kept their boat, docked their boat in Seaview Harbor Marina for a few years. She advised after being on the boat they had decided they wanted to have a house at the shore. Mrs. Stanley advised they lived in Philadelphia.

Mrs. Stanley stated she would walk through Seaview Harbor, go over to Margate. She advised they had looked at houses in Margate, Longport, and Seaview Harbor. She indicated that as they started to walk through the community and meet the neighbors one person was nicer then the next and this is how they made the decision to be in Seaview Harbor where we wanted to be on the water and have easy access out to fishing.

Mrs. Stanley stated that is how they ended up here. She indicated it was a vacation house and a vacation house for her family. She indicated when they talk about coming to the beach they go to her house. They come to Longport they don't come to Egg Harbor Township. She advised they use the beaches, they use the play grounds, all of the restaurants they are on vacation. Mrs. Stanley stated she loves to see the crowds come and I love to see them go. She stated everything that they do simulates to being in the down beach area.

Mrs. Stanley advised it just makes sense that they are part of Longport. She indicated this is a little bit about the history about how they go there. She indicated for the first eight (8) years that they had the house it was strictly a vacation home and now it is their permanent residence. Mrs. Stanley indicated they always knew that they would come down here at some point and live permanently.

Mrs. Stanley stated she has a couple other stories. She explained last year in June, 2013 her license plat was stolen off of her car. She advised she did not know what to do it had never happened before so she called motor vehicle and they said she would have to report it to the police department. Mr. Stanley stated she drove here to the Egg Harbor Township police to report her license plate had been stolen to file a police report. She indicated when the police officer came out he had asked for her identification and she showed him her driver's license.

Mrs. Stanley advised the police officer told her she was in the wrong police department. She stated he told her she needed to go to Longport. She advised she had told him no she lives in Seaview Harbor. Mrs. Stanley advised the officer then stated he did not recognize the address as Seaview Harbor. She advised after they got through that he was very helpful and gave me the papers I needed to go to the Motor Vehicles to get a new license plate. She stated this is just an antidotal story for you.

Mrs. Stanley stated the next thing she wanted to bring to the Board's attention goes back to after the Sandy Storm. She indicated on January 24, 2013 there was a community center meeting being hosted by FEMA and we were made aware and several of the residents came to that meeting. We were made aware of a grant called the Unified Hazard Mitigation Assistance Grant Program. Mrs. Stanley advised the whole and premise of this grant program was that Township's within Atlantic County were going to be given allocated money and you had to submit a letter if you were interested in being considered for some of the grant money to repair properties

Mrs. Stanley explained she had incurred significant damage in her home. She advised they told her this had to be done right away. Mrs. Stanley stated she literally had hand wrote a note that night and submitted it to the Township people that were there so that her letter was there. She indicated if you didn't submit a letter you would not be considered for this grant money. Mrs. Stanley stated according to her notes that she wrote that night they said that the funds would be granted to each of the municipalities within Atlantic County and it would take about three (3) to six (6) months for EHT to find out how much money they would get.

Mrs. Stanley advised then they would contact everyone who expressed interest to prioritize who gets money. She stated she thinks it was based on need and how much damage people had. Mrs. Stanley advised EHT had up to twelve (12) months to allocate the money. Attorney Doyle interrupted Mrs. Stanley. He advised he had filed, so that the Board knows, an OPRA and received 800 hundred and some pages of documents. He indicated in that, which was picked-up today, he found a copy of the handwritten letter Mrs. Stanley sent and he found a list of people that Egg Harbor Township sent as wanting aid. He indicated the trail stops there.

Attorney Doyle asked Mrs. Stanley what she has found out about whether or not she qualified now knowing that they sent in the letter to whomever. Mrs. Stanley advised she never heard anything from Egg Harbor Township whether she was approved; not approved. How much money did the Township get and to this day she does not know how much money Egg Harbor Township got and were any of them even considered. Attorney Doyle asked Mrs. Stanley sought to find out. Mrs. Stanley stated yes, she made a phone call to Peter Miller and she did not write in her notes when she made that phone call.

Mrs. Stanley advised that she had spoken to two (2) different women when she called into the office because she was not even really sure which office she had to speak to. She stated she was transferred and she explained what she was calling about and the one (1) woman stated she did not know anything about it and the other woman stated I had to speak with Peter Miller but he was not available. Mrs. Stanley advised she left message and asked for him to call her back. She stated she was very clear in what she was calling about. Mrs. Stanley stated she had all the paperwork, what the name of the grant was and so forth.

Mrs. Stanley advised she never heard anything back so to this day she indicated as an Egg Harbor Township resident maybe she did not qualify for it. She stated maybe the money was not there for her to get but she was under the impression that everyone who gave a letter or said they were interested in being part of this grant would have been notified whether she was getting something or not. Mrs. Stanley stated she has no idea where that ended up and if EHT got any money.

Mrs. Stanley stated her personal opinion is the focus in Egg Harbor Township after the storm was very focused on West Atlantic City, which she knows was also traumatized by this storm but Seaview Harbor also had a substantial amount of damage and she just feels there hasn't been any kind of notification to them or help in getting through that whole process from a personal standpoint.

Attorney Doyle stated Mrs. Stanley had mentioned this is like your vacation spot for you, your immediate family and extended family. He asked Mrs. Stanley if she considers Egg Harbor Township to be a seashore or shore community. Mrs. Stanley stated not at all. She indicated it is an inland community. Attorney Doyle asked if it is a part of Mrs. Stanley's if it is part of her life in anyway. Mrs. Stanley stated everything they do is on the island. She indicated socially, friends, when her family comes down the go to restaurants and socialize on the island. Attorney Doyle stated he has nothing further. Mrs. Stanley advised those are the three (3) things she wanted to bring up to the Board.

Board Member Rosenberg asked Mrs. Stanley when the conversation was with Mr. Miller's office. Mrs. Stanley stated she did not write down the date. Board Member Rosenberg stated just general. Mrs. Stanley advised probably, maybe eight (8) months after all this had happen. She stated actually she realized after she was going through her paperwork that she had never heard anything back and she had expected to get a letter. Board Member Rosenberg asked Mrs. Stanley to help him out with the time line. Mrs. Stanley stated the day of the meeting, when the letter was sent, had been January 24, 2013. Board Member Rosenberg stated it would have been August of last year. Mrs. Stanley advised somewhere around there. She indicated they were all encourage to write the letters, hand write the letters, right then and she wanted a copy for herself so she took a picture of it with her cell phone so she had documentation that she had the letter. Mrs. Stanley stated she felt they would have heard something.

Robert Lowry, 23 Sunset Boulevard West, Longport, New Jersey, 08403, duly sworn. Special Board Solicitor Marcolongo asked for the correct spelling of the witness's last name. Mr. Lowry spelled his last name correctly for the record also adding he could be called "Big License". Attorney Doyle stated Mr. Lowry is the individual who provided his driver's license to the Board. Special Board Solicitor Marcolongo stated he was also comfortable enough not to have information redacted.

Mr. Lowry stated he has one quick comment. He advised Longport came out with a "Code Red" app. and he gets messages all the time. Attorney Doyle asked Mr. Lowry what he is retired from. Mr. Lowry stated the New Jersey State Police. Attorney Doyle asked where Mr. Lowry lives. Mr. Lowry advised 23 Sunset Boulevard West, Longport, New Jersey. Attorney Doyle asked if this is permanently. Mr. Lowry advised permanently. Attorney Doyle asked for how long. Mr. Lowry advised for twelve (12) – thirteen (13) years. Attorney Doyle asked what brought him here.

Mr. Lowry explained he lived in Linwood all his life and he had a beautiful house and a 30' x 30' heated garage. He advised he told his wife the only way he is leaving this house is to get a place on the water. He indicated his brother-in-law along with Mr. Derosé drove school buses for the city of Ventnor. He advised Mr. Derosé told his brother-in-law you should see this lot next to my house. Mr. Lowry advised he went over and saw it and I had to have it and that was it.

Attorney Doyle stated Mr. Wiser is fond of providing information accurately that Egg Harbor Township is blessed with other water front areas. He indicated there are rivers, tributaries. He asked Mr. Lowry if he ever considered any of that. Mr. Lowry stated no, advising he likes to go out into the ocean and it is like a five (5) to ten (10) minute shot to the ocean. Attorney Doyle asked if Mr. Lowry is a boater. Mr. Lowry stated absolutely, who is not.

Attorney Doyle asked what makes Mr. Lowry feel part of Egg Harbor Township, if anything. Mr. Lowry stated nothing. Attorney Doyle asked of Longport. Mr. Lowry advised he has a quick story. Mr. Lowry explained that he is veteran. He indicated there is a flag pole at the end of the island in his community. He stated somehow it came to him to take care of the flag because every time there is a hurricane or a bad storm the flag gets tattered. He indicated he will get it down and store it in his garage, we then buy a new one, put it up and after about so many years he must have had close to a dozen tattered flags in his garage so he has to do something.

Mr. Lowry stated he called Egg Harbor Township and he does not know who he spoke to and he asked do they have any provisions for disposing of the American Flag. He indicated she said you can try a local American Legion. He indicated he told her sweetheart I live in Longport and I don't know where there is an American Legion. Mr. Lowry stated she indicated she could not help him. Mr. Lowry stated he called Longport and asked if they have any means of disposing of the American Flag. He indicated the woman stated yes. She advised him to bring the flags to city hall, they have a recycling bucket that he can place the flags in and every two (2) weeks they burn them. Mr. Lowry stated that is the proper way to dispose of the American Flag. Attorney Doyle stated Longport had the answer and Longport did not. Mr. Lowry stated correct.

Attorney Doyle asked if there is anything else Mr. Lowry would like to share with the board. Mr. Lowry stated he has a good one. Mr. Lowry stated he was getting a haircut and there were three (3) chairs. He stated he was sitting on the end one and there is a young fellow next to him and he was not sure who was in the other.

Mr. Lowry stated he is telling his barber about where he lives, we don't have any services and it is really a pain in the neck. Mr. Lowry stated he could see the guy in the chair next to him getting tight. He stated his jaws were really getting tight. Mr. Lowry stated if you knew me you would know how he is so he really started to lay it in. He indicated the guy was furious. He stated he was fit to be tied. Mr. Lowry stated they get out of the chair at the same time and we go out.

Mr. Lowry stated the guy gets ahold of him and the starts saying you really don't believe that blank, blank do you. Mr. Lowry stated wow this guy is really mad. So Mr. Lowry advised he identified himself as a former trooper and he stated he was just having fun with him calm down. Mr. Lowry advised the guy did, but Mr. Lowry stated to him other than a burglary alarm how many times had he driven through Seaview Harbor. Attorney Doyle asked Mr. Lowry why he asked the guy how many times he driven through. Mr. Lowry stated because he was a cop. Attorney Doyle asked Mr. Lowry how he knew this. Mr. Lowry stated he told him. Attorney Doyle asked where was he a police officer. Mr. Lowry stated Egg Harbor Township. Mr. Lowry advised the guy had responded once maybe twice. Attorney Doyle asked in how long. Mr. Lowry advised six (6) months. Attorney Doyle asked this was the conversation. Mr. Lowry stated yes, he indicated he was just curious.

Attorney Doyle asked if this coincides with his own observations as a retired law enforcement officer. Mr. Lowry stated yes. He indicated he sees Longport more than he does Egg Harbor Township. Mr. Lowry stated he has one more. Attorney Doyle stated things come in three (3). Mr. Lowry stated he was living there for about six (6) months and he thought it was odd he was not getting his bills. He advised all of sudden he gets a sewerage bill that was forwarded from my old Linwood address and he opens it up and here is this nasty letter saying I haven't paid my bill in six (6) months and their going to do this and their going to do that.

Mr. Lowry stated he called her up and he asked miss what is going on. He indicated she advised he had not paid his bill and we are. Mr. Lowry stated he said listen let me ask you one question. He asked her where she sent the bill. She stated 23 Sunset Boulevard, Egg harbor Township, New Jersey. Mr. Lowry advised he told her that is not his address. He advised her to send it to Longport, New Jersey. Mr. Lowry indicated he received it a couple days later and he put a little note in there saying you see sweetheart how much things are when you use the proper address.

Attorney Doyle asked if Mr. Lowry would like to live in a town where your address says you live. Mr. Doyle stated it would be nice. He indicated then he would not have to carry the big license around. Chairman Garth asked Mr. Lowry how many years he was a State Trooper. Mr. Lowry advised 21. He indicated that he patrolled Egg Harbor Township when they had a part time police department. Chairman Garth asked what his rank was when he retired. Mr. Lowry advised Sergeant First Class.

Attorney Doyle asked Mr. Lowry when he patrolled Egg Harbor Township what years it was. Mr. Lowry advised it was right around 1972 or 1973. Attorney Doyle asked how regularly did he patrol. Mr. Lowry stated he was in here all the time. He indicated he knew the Judge on a first name basis. He indicated the clerk was Linda something. We were here all the time. Attorney Doyle asked if part of his patrol for Egg Harbor Township at the time include Seaview Harbor. Mr. Lowry advised he did not even know that place existed until Mr. Derosé told him about the lot.

Attorney Doyle asked Mr. Lowry when this was. Mr. Lowry stated in 2002. He indicated that is when he purchased the lot and built the house. Attorney Doyle since the 1970's when Mr. Lowry patrolled Egg Harbor Township on the mainland the contiguous part what has changed. Mr. Lowry advised has gotten

five (5) to ten (10) times larger. He indicated back then there was not this kind of building, this boom. Attorney Doyle asked how does he think Seaview Harbor's character has changed since that time until now. Mr. Lowry stated he is good friends with Mr. Kohler and he keeps Mr. Lowry up-to-date with all the pictures and things like. He has stated he has seen pictures of Seaview Harbor before the marina was built and he did not even recognize it was Seaview Harbor. He indicated it was unbelievable.

Attorney Doyle asked Mr. Lowry if it has changed in the twelve (2) years that he has been there. Mr. Lowry he indicated when he built he thinks there were two (2) or three (3) other houses going up at the same time. Mr. Lowry stated there are no lots left. He advised it cannot change very much. Attorney Doyle asked there is nowhere to build a fire house. Mr. Lowry stated there is nowhere to build a dog house. Board Member Aponte asked Mr. Lowry when he moved in from Linwood. Mr. Lowry advised he believes it was 2002. Board Member Aponte stated sometime in 2002 you received a letter from the Egg Harbor Township Municipal Utilities Authority sent to your house. Mr. Lowry stated his son has the same name as his. He indicated he still lives in Linwood. Mr. Lowry stated he believes it went to him and then he gave it to Mr. Lowry.

Board Member Aponte stated Mr. Lowry is saying our official Egg Harbor Township MUA put Egg Harbor Township and that is why it did not get to you. They did not know where you were. Board Member Aponte asked when this was. Mr. Lowry stated 2002.

Barbara Goldstein, 110 Hospitality Drive, Longport, New Jersey, 08401, duly sworn. Attorney Doyle asked where Mrs. Goldstein lives in Seaview Harbor. Mrs. Goldstein advised 110 Hospitality Drive. Attorney Doyle asked Mrs. Goldstein to describe where Hospitality Drive what was marked into evidence. Chairman Garth stated it is referenced on the blue sticker. Attorney Doyle stated that exhibit is the subdivision before Hospitality Drive. He asked Mrs. Goldstein Hospitality Drive is as soon as you come into the turn. Mrs. Goldstein stated yes, where the traffic light is.

Attorney Doyle asked Mrs. Goldstein if she is a permanent resident. Mrs. Goldstein explained she and her husband lease purchased their home on April 15, 2014. She advised currently they are living in Atlantic City temporarily. Attorney Doyle stated Mrs. Goldstein had some prepared remarks. Mrs. Goldstein stated yes. She indicated that she would like to say thank goodness she and her husband never had any personal emergencies at her home except a broken pipe due to a very cold winter several years ago and that was handled by the Longport police officer who was patrolling through the marina and he had notified Joe Stewart who is the community manager. She indicated that was the Longport police not Egg Harbor Township police.

Mrs. Goldstein stated they would not have been notified at all by EHT police because they are never present at Seaview Harbor Marina. Mrs. Goldstein stated her husband and herself have lived there for twelve (12) years. She indicated they built their home in 2002 and moved in.

Mrs. Goldstein stated several years ago there was a boat on fire at the marina, she indicated this is rather redundant, but these are part of her remarks. She indicated their home is adjacent to the parking lot across from the restaurant and the marina office buildings. She indicated she stood on their balcony to watch the first responders. She indicated there were seven (7) hook and ladder trucks, several ambulances, EMT's and not one of those vehicles were from EHT. Mrs. Goldstein stated they came from Margate, Longport, Ventnor, Ocean City, and Somers Point. Mrs. Goldstein stated EHT finally arrived twenty (20) minutes after the other towns and cities had the fire under control. She stated it was embarrassing.

Mrs. Goldstein advised she was driving to church about several years ago on a Sunday morning at 10:00 a.m. she had noticed an EHT police car speeding southeast from Route 9 on Bethel Road in Somers Point. She advised all the cars on Bethel pulled off to the side to allow the police car to speed by. Mrs. Goldstein stated she thought to herself how ridiculous is this to have this officer drive this fast all that distance from Egg Harbor Township where ever he was when he received the call to speed through all of the traffic in Somers Point to reach the remote part of EHT across a huge bridge to reach a marina community which is complete surrounded by water on all sides.

Mrs. Goldstein stated there are three (3) bridges to get to Seaview Harbor Marina. The Longport Bridge, the Ocean City Bridge and Somers Point Bridge. She stated there is no Egg Harbor Township Bridge because Egg Harbor Township does not even come close to Seaview Harbor Marina. Mrs. Goldstein stated it makes no common sense to her why Seaview Harbor is associated with Egg Harbor Township.

Attorney Doyle asked Mrs. Goldstein what makes her feel a part of Egg Harbor Township if anything. Mrs. Goldstein stated there really isn't anything. She stated she is part of Praise Tabernacle Church in Egg Harbor Township but she has been there for 27 years when she first lived in Ventnor, New Jersey for 16 ½ years before they built their home in Seaview Harbor. Attorney Doyle asked the rest of your life except for those Sunday mornings. Mrs. Goldstein stated occasional she will go to the Shop Rite store but most of the time she goes to the Pathmark or she goes out to Casel's in Margate.

Attorney Doyle asked if she found out where the speeding police car that she saw. Mrs. Goldstein stated she found out later when she got back from church that he had gone to the marina but I don't know for what reason.

Special Board Planner Wiser stated he is a little confused by Mrs. Goldstein's testimony. He stated Mrs. Goldstein indicated she is living in Atlantic City pending full time residency. Mrs. Goldstein explained she and her husband just lease purchased their house on April 15<sup>th</sup>, because he does a lot of business in Florida and they do have a home there as well. She indicated it has only been in recent years that they have lived in Florida during the winter time. Special Board Planner Wiser stated so Mrs. Goldstein was living in Seaview Harbor prior. Mrs. Goldstein stated yes she was. She stated she had this year up until April 15<sup>th</sup>. Mrs. Goldstein stated she still owns the house. Special Board Planner Wiser asked if they were renting in Seaview Harbor. Mrs. Goldstein stated no. She advised they owned the land since 1993 and they began construction in 2000. Special Board Solicitor Marcolongo stated you are now leasing it to someone else. Mrs. Goldstein stated at this moment.

Special Board Solicitor Marcolongo stated it is 8:30 p.m., he asked Chairman Garth how much longer. Chairman Garth stated he will not go to much later than 9:00 p.m. Special Board Solicitor Marcolongo stated it is fair to say the witnesses will not finished this evening. Attorney Doyle stated no. He indicated he has one witness that will take some period of time. Attorney Doyle stated he has one more individual for tonight and he will be brief.

Tom D'Angelo, 103 Hospitality Drive, Longport, New Jersey, duly sworn, Attorney Doyle asked Mr. D'Angelo what he would like to add to what the Board has heard this evening that he has particular knowledge of. Mr. D'Angelo stated he came to Seaview Harbor bought a lot there in 1999 and they built their home and moved in 2002. He indicated he has been a full time resident there for 14 years.

Mr. D'Angelo stated he would like to add stories for lack of services. Mr. D'Angelo stated he is right by the Somers Point-Longport Boulevard which is County Route 152. Chairman Garth stated it is State Route. Mr. D'Angelo advised when it snows they plow that road. He indicated they come up and down early in the morning back and forth. He stated his street no one comes by and plows. Mr. D'Angelo stated he started calling the Township up on the bad snow storms, someone is going to come out but they never did and he made do.

Mr. D'Angelo stated one specific snow storm was a little worse than others. He stated he worked in town at the time he was in the Casino business and he knew he had to get himself to work that day because it was the weekend. He advised he began to shovel his driveway early in the morning. He indicated he called the Township up and he spoke with someone in the public works department. Mr. D'Angelo stated they knew where he was they were going to get someone out there. He indicated he made three (3) calls that day and no one ever came. He indicated it was typical in the past that they would come by a day or two (2) after it snowed but he needed help that day. He indicated he called three (3) times and got no response.

Mr. D'Angelo stated he is already shoveled out and the County Road is clean as a whistle. He advised there were eight (8) to nine (9) inches of snow. He stated he thinks but he is not sure and he cannot give the date for sure but he wants to say it was before 2008. He stated it may be 2003, but he is not positive. He stated he tried to google snow accumulation for Egg Harbor Township and Longport but he didn't get anywhere so he can't give any more information but low and behold about 3:00 p.m. Mr. Stewart the community manager fired up the front end loader and plows the entire neighborhood.

Mr. D'Angelo stated he got out and got to work and Egg Harbor Township came by about two (2) days later to see what a good job he did. He indicated he is not making this up. He stated he is telling the truth. Mr. D'Angelo stated when you see an Egg Harbor Township police car go by he is pretty much on the County road. He stated he has been there 14 years. He indicated he has been there a long time. He indicated he can tell maybe a half a dozen times he has physically seen an EHT car on Hospitality Drive.

Mr. D'Angelo stated Mr. Aponte made a point a couple sessions back about maybe there is a GPS in the cars and we can check that. Mr. D'Angelo asked if that has ever been looked into. Board Member Aponte stated Mr. Wisner will provide that information. Mr. D'Angelo stated these are all antidotal stories. Mr. D'Angelo stated a house on Sunset, 3 Sunset. About three (3) years ago their burglar alarm went off in the middle of the night screeching. He advised he makes a call to the Longport police department. He stated they have called them previously for a suspicious looking vehicle in the neighborhood and they had sent someone over right away. They came and knocked on the door, said they checked the neighborhood, advised the black sable wagon we saw was gone now. Mr. D'Angelo stated he called them for the same kind of call for the irritating burglar alarm.

Mr. D'Angelo stated they told him it was not an emergency so he have to call Egg Harbor Township. He stated they did it was about 2:30 a.m., 3:00 a.m., in the morning and about 40 minutes later an officer knocks on the door and says the alarm will be off in a few moments and thanked us for our patience because they had to call someone at the alarm company to let them know the home was still secure. He stated just the concept that Longport would come over when it was needed and if it were not needed you had to call Egg Harbor Township and the Township does not respond. He stated he does not know what to tell them.

Attorney Doyle stated Mr. D'Angelo mentioned a particular snow storm. He asked if the snow removal gotten any better since the snow storm in 2003 or 2008. Mr. D'Angelo stated he is not sure. He indicated since they put this annexation thing in they have come out a little quicker than last time. Mr. D'Angelo stated no, he stated nothing that he can say is significant. He advised that he cannot recall a storm like that. He also stated he has been lucky enough to stop working so he does not care if it snows that much because he does not have to shovel his way out to get into the building.

Mr. D'Angelo stated he does go Egg Harbor Township to play golf. He stated there not many courses on the island. Attorney Doyle asked if he had a problem the first time with his license. Mr. D'Angelo stated he plays the cheap courses. Mr. D'Angelo stated he would like to make one more point. He stated he found it interesting the Seaview Harbor historian was telling stories the first time he was here and talking about annexation can we become of Longport.

Mr. D'Angelo stated if you look at the map we are not contiguous with the Township. There is a little tiny spec off to the side. He was also telling stories about Mr. McCullough about how he came to the neighborhood and joined the committee and then he was the president of the committee and how when he retired from the committee he still came around to the meetings and he always believed it was a bad idea to secede but was he protecting his own interest to be the Mayor. He stated it makes him wonder.

Attorney Doyle asked Mr. D'Angelo not to speak for Mr. McCullough but for himself does he think he would be better if they were part of Longport. Mr. D'Angelo stated it was obvious. He stated his kids grew up going to the beach there. He stated when it is too busy on holiday weekend he can drop his children off at the beach drive back to his house and get on his bicycle and come back to enjoy the day on the beach. He indicated when they are finished he goes back on his bike and picks up car and go back to bulk head to pick up chairs.

Chairman Garth stated the reason why Seaview Harbor is where it is at if you stop and think in 1839. Attorney Doyle stated Atlantic County was formed in 1837 he advised Egg Harbor was one of the four (4) municipalities. He indicated they went from pinelands out to the ocean and after they were formed ten (10) municipalities separated from Egg Harbor Township. He indicated Longport did that in 1898.

Chairman Garth stated the reason Seaview Harbor is where it is at is because Somers Point didn't want it and neither did Longport. So you have to stop and think about that in 1898. Mr. D'Angelo stated he does not see how this is pertinent. Chairman Garth stated you are saying it is part of the Township because it is the same as West Atlantic City. He stated no one wanted it when it was separated from the Township.

Mr. D'Angelo stated it is like common sense when you look at the picture and you say to yourself. He indicated the Board is supposed to be impartial and take the information and not be judgmental and be collectors of information to pass on. He stated it is pretty obvious that we are not part of the Township. Chairman Garth stated when you look at the seal. Mr. D'Angelo the Indian and the Pilgram. Chairman Garth stated 1710 is when Egg Harbor Township was organized and it was everything. He stated Atlantic City, Brigantine, Absecon, Galloway and they all separated away to make communities. He indicated Pleasantville was called Bakersfield. He indicated they all wanted their sections including the barrier islands. He advised that is why they are under Egg Harbor Township at this particular moment.

Chairman Garth stated he understands what they are trying to do and what they are trying to transmit to the Board. He stated he appreciates it. Mr. D'Angelo that him.

Albert Smith, 320 Knolltop Lane, Haddonfield New Jersey, 108 Hospitality Drive, Longport, New Jersey, duly sworn. Mr. Smith stated he has lived in Seaview Harbor since 1998. He indicated they purchased the lot and built the home in 1998. Mr. Smith stated he had an experience with the municipal golf course. He state sometime around 2010. Mr. Smith stated he was told he would receive lower green fees if you were a resident. He advised he went over to see if he would receive a resident's discount card and they asked to see my driver's license and at the time my driver's license was Longport, New Jersey. He stated he was told he could not receive a resident's discount card because he was not a resident.

Mr. Smith advised them he is a resident. He is a neighbor Sonny McCullough your Mayor I am a resident the course is named after McCullough. He stated they insisted he was not a resident and he had to go home and get a tax bill and bring it back to prove he was a resident. Mr. Smith stated they did believe the tax bill and he did get the residents card. That may be everything I have to offer.

Attorney Doyle stated they fixed it. Mr. Smith stated yes, but he had to go through the inconvenience and the embarrassment. Attorney Doyle asked if he had guest. Mr. Smith stated yes he did have guest. He advised they had to wait for him to run home and come back again.

Mr. Smith added that about two (2) months ago he saw an Egg Harbor Township police car come down Hospitality Drive. He advised he has been there for 16 years and it was the only time he had seen an Egg Harbor Township police car. Attorney Doyle asked if Mr. Smith knows what he was there for. Mr. Smith stated he has no idea. He went into the marina parking lot. He stated that is all he has.

Chairman Garth stated that will be it for the evening. Special Board Solicitor Marcolongo stated there is a conflict with the June 16<sup>th</sup>, however, Attorney Doyle has a conflict so Seaview Harbor will not be discussed so the next meeting will be June 30<sup>th</sup>, 2014, 5:00 p.m.

**SUMMARY MATTER(S):**

**SECTION I:**

Discussions of matters pertaining to the Board:

**SECTION II:**

a. General public discussion:

**Motion Aponte/Eykyn to open public portion**

May the record reflect no one came forward

**Motion Carman/Rosenberg to close public portion**

Motion Carman/Rosenberg to adjourn at 8:42 p.m. **Vote 8 Yes:** Aponte, Carman, Cook, Eykyn, Kearns, Pfrommer, Rosenberg, Garth

Respectfully submitted by

Theresa Wilbert, Secretary

