

**TOWNSHIP OF EGG HARBOR
SPECIAL PLANNING BOARD MEETING**

September 29, 2015

Planning Board Professional(s):

Solicitor: Christopher Brown, Esq.: (Jennifer Cassett – Present Bellevue - Only)
Engineer: James A. Mott, P.E., of Mott Associates: (B. Watkins –Not in Attendance)
Planner: Vincent Polistina, P.P., of Polistina and Associates: (Present Bellevue – Only)

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-Chair., present	Mayor James J. McCullough, Jr., * See below
Charles Eykyn, present	Peter Miller, Township Administrator, on vacation
James Garth, Sr., Chairperson, fam. Illness	Committeewoman, Laura Pfrommer, present
Frank Kearns, present, lft. @ 9:09 p.m.	Daniel Pittaro, Alt. #II, excused
Dennis Kleiner, Alt. #1, another engage.	Paul Rosenberg, 2 nd V-Chairperson, present
Robert Levy, another engage.	

***May the record reflect:** Mayor James J. McCullough has recused himself from these hearings. He has sent Atlantic County Freeholder, John Carman, in his place.

PUBLIC HEARING(S):

1. SD 02-15	Minor Subdivision
Bellevue Properties Group	401/7-11
6550 Delilah Road, LLC	6550 Delilah Road
Zone: GC, 21 ± acres, sewer/water, site currently contains	Waiver of time – Not Granted

an existing masonry building and parking for 746 vehicles. Applicant is proposing to subdivide the existing lots in or to create two (2) lots. Proposed lot 7.01 will be 3.2 acres and will contain a future commercial building that received approval from the Planning Board in October, 2005. Proposed lot 7.02 will consist of 18.8 acres and will contain the existing commercial building and 729 vehicles. Pinelands: c/f: #1985-0112.003, dated 10-1-14.

Checklist Waiver(s):

1. Item #2:	Scale of Plans
2. Item #6:	Certified owners list
3. Item #14:	Site Characteristics map showing trees 15 inches dbh or larger
4. Item #16:	Copy of any existing and/or proposed covenants or deed restrictions
5. Item #17:	Soil boring information
6. Item #21:	Temporary stakes
7. Item #22:	location of existing wells and septic systems

8. **Item #24:** **The purpose of any proposed easement of land reserved or dedicated to public or common use shall be designated and the proposed use of site other than residential shall be noted.**

Variance Relief:

1. **§225-7:** **Impervious coverage: (proposed lot 7.01): 75% in lieu of 70%**
2. **§225-7:** **Side yard parking setback: (new property line between lots 7.01 and 7.02): 0'ft. in lieu of 10'ft.**
3. **§225-55P:** **Handicap parking: proposed lot 7.01: 0 in lieu of 2; proposed lot 7.02: 4 in lieu of 5**
4. **§225-56A:** **Parking requirement: (proposed lot 7.01) 17 proposed in lieu of 131**

May the record reflect: Board Member, Manny Aponte, noted he has a conflict with this application and stepped down.

Charles Gemmel, Esq., introduced himself as attorney for the applicant. He advised the applicant is seeking minor subdivision for what is known currently as the Airport Commerce Condominium. He advised this site was originally developed as the Four Season's Outlet Mall which was a little over 100,000 sq. ft. Attorney Gemmel advised his client purchased the property in 2004 and received administrative approval from the Township to utilize for office as opposed to retail space.

Attorney Gemmel advised in 2005 his client came before the Planning Board and received approval to construct an additional 52,000 sq. ft. building on the property. He noted this building has not been constructed given the economics of the area.

Attorney Gemmel stated at the same time the second building was approved a master deed was filed to create the Airport Commerce Condominium. He explained there are five (5) unit owners at the Airport Commerce Condominium which includes his client Bellevue, ARC, Holy Redeemer, AtlantiCare, and 6515 Delilah Road, LLC. He advised the owners of the Airport Commerce Condominium want the property subdivided so the unconstructed building will be on a separate lot.

Attorney Gemmel stated though the buildings will be separated once the second is constructed the lots will be continued to be used as if they were one. He advised cross easements will be filed so people will have access to all the parking spaces, drainage facilities, utilities, etc... He advised everything will have cross easements so though the lots are separated everything will operate as just one lot.

Attorney Gemmel advised these deed restrictions will be submitted to the Professionals for their review as a condition of the approval. Attorney Gemmel advised the applicant is requesting variance relief based upon where the lot line has been drawn. He advised they do not believe the relief sought will have impact given the way the property will be developed.

Planning Board Solicitor: Jennifer Cassett, Esq., has duly sworn the following individuals:
Rami Nassar, applicant's engineer, New Jersey Licensed, Schaeffer, Nassar, Scheidegg, Mays Landing, NJ.
George Mortilite, Managing Member of Bellevue Properties
Board Engineer Watkins and Board Planner Polistina

Engineer Nassar advised the property is known as block 401 lots 7-11, currently the existing building is 104,000 sq. ft. and in 2005 the applicant received approval for a 52,000 sq. ft. building. The total lot

area is 22.05 acres. He indicated the lot being created to house the proposed structure will be 3.2 acres and the balance of the property, which is 18.8 acres will go with the existing. He indicated the site has frontages on West Atlantic Avenue where the basin is located, Aifram Avenue and Delilah Road. He indicated no changes are proposed to site. The only change will be an imaginary line going down the center of the driveway and cuts back to create the proposed lots.

Attorney Gemmel stated all infrastructure for both buildings are already in place. Engineer Nassar stated this is correct. He advised everything is there for the second building. The only thing that needs to be done is to pull building permits for its construction.

Engineer Nassar advised there are a number checklist waivers requested, however, this is based on the nature of the application. Engineer Nassar then placed on the record the justification for the checklist waivers requested. He noted Checklist Waivers Item #6, 16 and 24 are being requested as submittal waivers but will be provided, as conditions, if approved.

Engineer Nassar indicated there are technical variances being sought because of the way the subdivision is being proposed. He advised in the GC zone you are allowed 70% coverage. Engineer Nassar stated if you look at the impervious coverage of the overall site it is 57.85% but because of the subdivision line it causes proposed lot 7.01 to have a coverage of 75% instead of 70%. He advised the second variance is the side yard setback for parking. He indicated all the parking as it exists on site is more than 10' from the property lines, however, this relief is from the driveway. He indicated there is also front yard relief for the parking. He indicated the existing parking or the corner of the existing parking along Delilah Road is 10.9' in lieu of 20' ft. Engineer Nassar advised this variance was previously approved at the time of the original site plan approval but it is being called for as a variance.

Engineer Nassar advised the 52,000 sq. ft. building requires a total of 131 parking spaces on site. He indicated only 17 are being provided with the subdivision. He advised on the other parcel where the 104,000 sq. ft. building will be located it requires only 260 parking but overall the site has 746 parking spaces which is beyond what is needed.

Engineer Nassar stated there is also a variance for handicap spaces. He provided the Board a copy of the site plan that was previously approved indicating the orange line is where the subdivision line is going. He explained there are no handicap spaces on the site where the 52,000 sq. ft. building is going due to the subdivision line but physically there are handicap spaces where they are properly located for this building, however, they are on the other side of the proposed property line.

Board Member Eykyn asked if there will be an agreement so that further down the line the other site will not be able to advise you cannot use parking spaces. Attorney Gemmel advised as a condition of this approval there will be an agreement. Engineer Nassar advised this is something that occurs all the time. He advised when you have large commercial site with pad sites there are cross access easements. He advised these easements go with the property not the ownership.

Board Member Rosenberg asked the purpose of the subdivision. Attorney Gemmel stated it was the owners. He indicated currently the existing building is older and when the 52,000 sq. ft. building is constructed it will be obviously be new. He indicated when you have a condominium you are responsible for all the maintenance of the exterior. He indicated the new building will be minor the maintenance of the exterior of the existing building may be significant and we have people who do not want to share in expenses of maintaining an older building when they are moving into a new. He

advised this was the best way to keep everyone happy and giving them a chance to construct a second building. Board Member Rosenberg stated it gives you a legal delineation between rents, leases, financial issues. Attorney Gemmel stated some if not all of these items, yes.

Board Planner Polistina stated they went through his report dated August 21, 2015 and he has no objections with respect to the checklist waivers being requested. Board Planner Polistina stated there are no improvements proposed with this application. He further advised all variances discussed are required. Board Planner Polistina stated with the cross easements being filed to have the ability to use the other lot is not really an issue, but created technical variances, because the site is being utilized as one. Board Planner Polistina stated there are comments on both his report and Board Engineer's report and he would assume the applicant does not have an issue with these comments.

Attorney Gemmel stated there was only one question concerning comment #4. He indicated they are not changing the site plan. He indicated all they are doing is placing the site plan(s) are two (2) lots versus one (1). Board Planner Polistina stated he has no objection. He advised the Township should just have an accurate record of the site plan of the newly created lots and this can be handled administratively especially since the Board may be granting variance relief for the parking.

Attorney Gemmel advised the only other item they would like to discuss is when the site plan for the second building was approved one of the conditions of the site plan required a contribution in lieu of installing curbs on Aifram and West Atlantic Avenue's. He advised it was his understanding this was something they were to do at the time we construct the second building. He advised the applicant has not constructed the second building and understands their obligation to make that contribution but would still like to keep it timed with the construction of the second building not with the subdivision being sought.

Board Engineer Nassar interjected and advised the curb was installed along Aifram Avenue so the request would only be for West Atlantic Avenue. Freeholder Carman stated he has no problem this request. Board Planner Polistina stated he also does not have an issue. He sees no reason to require if the building does not get constructed. Attorney Gemmel stated this was the only item, otherwise, the applicant agrees with the comments outlined within the professional's reports.

Motion Kearns/Pfrommer to open public portion. Vote 5 Yes.

May the record reflect no one came forward.

Motion Carman/Pfrommer to close public portion. Vote 5 Yes.

Motion Carman/Eykyn to grant requested checklist waivers. Vote 5 Yes: Carman, Eykyn, Kearns, Pfrommer, Rosenberg.

Freeholder Carman advised all four (4) variances should be granted because with the cross easements in place the site will general work as one and you will not see any difference. He advised he sees no detriment to the zone plan.

Motion Carman/Eykyn to grant requested variance relief. Vote 5 Yes: Carman, Eykyn, Kearns, Pfrommer, Rosenberg

Motion Eykyn/Pfrommer to grant conditional minor subdivision approval. Vote 5 Yes: Carman, Eykyn, Kearns, Pfrommer, Rosenberg

CONTINUATION OF PUBLIC HEARING(S):

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

Board Member Aponte advised for the record this portion of the meeting began at 5:31 p.m.

Special Board Solicitor Marcolongo advised tonight's witness is Chief Davis again. He indicated Chief Davis had presented a power point presentation during the July 28, 2015 hearing and the August 17, 2015 hearing was devoted to the cross examination of Attorney Doyle. He advised he had spoken with Attorney Doyle and they're hoping Chief Davis' cross examination will be completed tonight.

Special Board Solicitor Marcolongo advised tomorrow night the Board has another hearing concerning this matter at 5:00 p.m. He indicated Kathy Bechtel, the Business Administrator for the Egg Harbor Township Board of Education will be making a presentation, as well as, Dr. Richard Perniciaro, Director of the Center for Regional and Business Studies at Atlantic Cape Community College.

Attorney Doyle stated he was aware of the School Board person testifying for the last several weeks and only was aware of the economist during the last meeting. He indicated he was then only told whom the economist would be last Thursday. Attorney Doyle advised we had previously discussed sharing reports and have received some in the past, however, he does not have the benefit of a report from either the School Administrator or economist.

Special Board Solicitor Marcolongo indicated he had explained to Attorney Doyle that he does have documentation from both witnesses with him this evening and was prepared to provide it to him earlier. Special Board Solicitor Marcolongo stated the School Business Administrator does not have a report but has presented the documents she will be testifying from tomorrow. He noted as for the Dr. Perniciaro he does have a four (4) page document that is not overly detailed and believes Attorney Doyle can digest easily before tomorrow night's meeting. Attorney Doyle advised he stands corrected that there is information and he will look at it tomorrow.

Special Board Solicitor Marcolongo advised Chief Davis is still under oath:

Attorney Doyle indicated Chief Davis had testified from his report, as referenced on Page 29 (Exhibit B100), that mutual aid is significant and as big brother sometimes the Township provides assistance to the 16 municipalities that surround it. He advised in Chief Davis' power point presentation on Page 30 there are numbers reflected that include Longport for which the Township has provided, over the past four (4) years on 30 occasions, mutual aid. Chief Davis indicated this was his testimony.

Attorney Doyle stated at the August 17th hearing Chief Davis testified the information, with respect to all 30 occasions, was assistance rendered for incidents that occurred other than those in Egg Harbor Township. Chief Davis stated he would have to look at this but he believes so. Chief Davis advised the intention of the 30 calls were Assist P. Chief Davis advised, as explained on the first day and on the second day of testimony, the Assist P included the address/zip code of Longport. However, in the second day of testimony, based upon Attorney Doyle's questioning that there were several he discovered that were not Longport Police Department related. Chief Davis indicated the reason being is

the zip code used incorporated the Seaview Harbor area. So some, even though they were not Longport related, were in the area of Seaview Harbor.

Chief Davis explained there are at least three (3) he is aware of. He advised one was for Teaneck, which was a mutual aid assist, there was one for Galloway and one that he is not sure of the location, but it appears to be Northfield because it has a notation of Cresson Avenue and Tilton Road.

Attorney Doyle asked if the report stands corrected. Chief Davis advised he believes there is one (1) more and it was an erroneous call for service. He indicated it had Assist P but it was for the fire department with a medical call. He indicated it should have been an Assist F or Assist E. He indicated this had actually happened in Seaview Harbor with Longport coming to assist our EMS.

Attorney Doyle asked Chief Davis if he has the ledger sheet provided to Special Board Solicitor Marcolongo listing all 30 incidents. Chief Davis stated yes. Attorney Doyle indicated notated on the incident reports along the left hand side there is an area that says "call type" and it indicates ASSTP. He asked what this means. Chief Davis stated this means assist police, which is assisting another agency. He stated as explained during hearing one and two the only way we could get mutual aid was to look at the zip code for calls that we handled originating with a zip code outside of Egg Harbor Township's.

Chief Davis advised we used the Longport zip code. Attorney Doyle asked whomever compiled this report know that 08403 was a Seaview Harbor/Egg Harbor Township zip code. Chief Davis stated his crime analyst did not know this when she prepared this and he did not realize in the mapping software it would do this. He advised he has contemplated changing it to make it accurate but he would have to discuss with the IT personnel because it could change historical records and this would have to be explored.

Attorney Doyle asked if anyone were to do research, until it is corrected, it would show Seaview Harbor is not in Egg Harbor Township. Chief Davis stated if you look up the address it will place them in that data base but on the mapping software when he looks up Seaview Harbor it is Egg Harbor Township, as well as, the Longport Boulevard and the adjoining area. However, when we do the query based on the address/zip code it will show up in the Longport information, which it should not and he has no way of separating it out. Chief Davis added that he knows the mail goes to Seaview Harbor with 08234 or with 08403.

Attorney Doyle stated the testimony has been if you do not have the zip code correct the mail does not get there. He advised the comment that you send to 08234 is not correct. Chief Davis stated he believes this is counter. He advised he believes the post office said if you send it to Seaview Harbor with 08234 it will go to that address. Attorney Doyle stated he believes they are both stepping out of their expertise.

Attorney Doyle asked Chief Davis of the 30 incidents which ones happened in Egg Harbor Township with the exceptions of Teaneck, Galloway, Northfield and perhaps one other. Chief Davis stated the four (4) are the ones he picked out himself because when he looked at the address and found 41 Sunset Boulevard that is when he realized what was going on with the query. Attorney Doyle asked if the Chief Davis looked at all 30. Chief Davis stated he did not. He reviewed the address on the spread sheet and some of comments referenced.

Attorney Doyle indicated there is no question that the four to five canine sniffs and the Spanish interpreter were provided to Longport, as well as, one other call that went physically to Longport. Chief Davis indicated he would agree with these calls. Chief Davis advised there are other calls on this such as another Canine Sniff that went to Longport that is not counted or rather he advised he is not sure if it was counted. He stated he does not know who made this or their expertise in interpreting or vetting these calls. Attorney Doyle advised for Chief Davis' convenience and before he questions anymore it is acknowledged that calls #2, 3, 4, 5 and 20 are all rendered assistance to Longport.

Special Board Solicitor Marcolongo explained that for clarification Chief Davis is discussing what was marked as Exhibit S124 for identification only. He advised the Board has not received this document yet. But this is the line of questioning currently being discussed. Board Member Aponte asked what a canine sniff is. Chief Davis stated Longport does not have canines but the Township will send theirs to do narcotic searches in cars or homes, perform a drug search and provide canines for searches associated with suspects. Attorney Doyle advised he has no problem placing this document (Exhibit S124 for identification only) into evidence, however, Special Board Solicitor Marcolongo had objected to.

Attorney Doyle advised he has reviewed it, Chief Davis has, adding also that it has been around for a month and he would like to cross examine from it. Special Board Solicitor Marcolongo stated he has no difficulty with this at all. But he wants the Board to know where these numbers are coming from and why they have not seen it. Board Solicitor Marcolongo stated he will mark this information as S124 for identification purposes only not into evidence. Freeholder Carman asked who generated this report. Attorney Doyle stated this document was prepared by Mr. DeBak and the source of the data is the incident reports themselves. He advised these reports were part of the Chief Davis' power point presentation and were obtained via an OPRA request.

Attorney Doyle stated with respect to the first item (S124), which is the Teaneck matter, they called Longport because of a motor vehicle issue and the driver lives in Seaview Harbor but shows them as a resident of Longport with a 08403 zip code. Chief Davis stated he does not know this. Special Board Planner Wiser asked Attorney Doyle if he could go over the numbers that are to come off of this spread sheet. Attorney Doyle recommended everyone go to the third page of S124 where there is summary based on their interpretation.

Attorney Doyle referenced certain items on the report such as Route 152, Ocean Drive, and the fishing piers, which he advised are geographically in Egg Harbor Township. Chief Davis stated yes. He added however, it could be someone was fishing off the Longport Bridge on the Longport side. Chief Davis advised the devil is in the details with a lot of these calls. He indicated we rely upon this information and we pull the queries. But when you are looking at a call for service that is a priority and as explained before it may not necessarily be a priority. Chief Davis used as an example a call for suspicious noise advising the noise from a party next door is going to be different than a woman screaming.

Chief Davis then explained it is the same thing is for this when you look at the nuances of the fishing pier without knowing and vetting the comments for each one. He could not say where it occurred without looking at that particular report and it may or may not have the information needed on it. He advised with this being said it is a possibility it is the Longport Bridge itself on Longport's side and actually that is what it referenced.

Chief Davis explained a few of these incidents occurred in the water. He indicated he remembers reading there were swimmers within the intercostal water way and they were actually found o.k. on the Longport side. He advised this was a mutual aid request but a mutual aid request for the State Police and the Coast Guard. He stated anything in the water is not going to be Longport's jurisdiction or Egg Harbor Township's but we will certainly assist. Chief Davis provided another example advising there was a boat pump that stopped working during a heavy rain and the boat began to sink. Chief Davis stated he knows Egg Harbor Township was out there but he is not sure if Longport was also. He stated the comment was something about notifying the State Police about it and the homeowner was there and was taking care of it. Chief Davis stated again the devil is in the details with many of these and you have to have some expertise when you are looking at the basis of them.

Attorney Doyle noted even so there were some of the 30 incidents that did not happen in Longport. Chief Davis stated that is correct. Attorney Doyle stated the two (2) mentioned in the water was not mutual aid to Longport but was mutual aid. Chief Davis stated this is correct. Attorney Doyle asked Chief Davis if he has the 30 incident reports with him. Chief Davis stated yes. Attorney Doyle asked if Item #6 from S124 happened in Longport. Chief Davis reviewed the incident report dated 7/14/11 advising we backed-up Longport on a car stop. Attorney Doyle asked where this happened. Chief Davis advised it just says Longport. Attorney Doyle stated the top of the report says location Longport Boulevard/Ocean Drive.

Chief Davis advised this would have been a generic address they would have used. He indicated it could have been on their side. He presented as an example the testimony from the second day concerning the spread sheet that was originally sent to him had Longport's information with the same address. Attorney Doyle stated if every answer is going to refer to previous testimony we will be here longer than need be. Chief Davis stated he is just trying to provide the full information and a full explanation. He realizes not everyone here is an expert as to how the addresses are going to be placed within the reports and it would be erroneous to tell people that just because it says that; that is exactly where it is. He stated it could be on both sides of that bridge and we would have placed that as the address just as they did.

Board Member Aponte asked if Chief Davis is saying someone was speeding on the Longport side and they came over and that is where they stopped them. Chief Davis stated frequently looking at the reports from Longport we have it on Longport Boulevard but it is their car stop so we were putting that same address in there. So they could have come over and stopped them because it is an infraction in their town. They were in ours because they crossed the border and we stopped and helped them. Attorney Doyle stated, however, Chief Davis does not know. Chief Davis stated it could have been vice versa but he does not know. But we provided the service. Attorney Doyle asked what was the service. Chief Davis stated we backed them up on a car stop.

Attorney Doyle than asked, based upon report, it was for 20 seconds. Chief Davis stated if that is what it says, yes, it could have been ending. Special Board Solicitor Marcolongo asked if he found that information within the report to answer Attorney Doyle's question or was he guessing. Chief Davis stated he did not look at it. Special Board Solicitor Marcolongo asked Chief Davis if he could look at the report. Chief Davis stated the dispatch time was 20:43:33, which would have been the officer called out with the car at the car stop so he is there at the same time and he clears momentarily after that so it is 20:43:55 when cleared from the call. Board Member Aponte stated S124 says 20:43:33. Chief Davis advised he is not looking at the sheet provided he is reviewing the reports. Board Member Aponte stated there is already a mistake. He asked Attorney Doyle who verified this information. Attorney

Doyle stated there is commonality of the 20:43:33 on the sheet and this is the same kind of call that Chief Davis referred to before, in effect, a few seconds don't count in the response time but he does not know if it is inaccurate.

Board Member Rosenberg stated Chief Davis just advised the time was not accurate. Chief Davis stated the time we are on the call is 20 seconds. He advised S124 shows the response time as 0:00:00 because if this is an officer initiated call there is not going to be a response time it will be -0- he advised the officer calls out because he is there and not responding to the scene. Chief Davis stated the officer is on scene for 20 some seconds based upon the report.

Attorney Doyle advised Call #7 (S124) again has the address as Longport Boulevard/Ocean Drive. Attorney Doyle then began to read the particulars concerning the call and was advised by the Board members that it is not Call #7 but Call #8 on S124. Attorney Doyle apologized and Chief Davis began reviewing the report for Call #8. Attorney Doyle asked if this call happened in Egg Harbor Township. Chief Davis stated no, but there were multiple jurisdictions looking for this individual, with Longport also being one of them. He indicated it was not a service provided to Longport but was a mutual aid assist. He indicated the Assist P is correct and the location is correct. He advised it is not our jurisdiction nor is it Longport's. Attorney Doyle asked if Chief Davis's report wrong by including this in. Chief Davis stated it is because of the address and zip code, yes.

Attorney Doyle referred to Call #9 at Dog Beach but then referred to Call #11 dated 2/22/13. Chief Davis stated this is one of the reports mentioned previously. Attorney Doyle stated the confusion is because of the zip code. Chief Davis stated yes. He then began reading onto the record the report for Call #11. Attorney Doyle stated this should not have been among the 30. Chief Davis stated yes and this should not have been included earlier.

Attorney Doyle then referred to Call #13 within S124 dated April 30, 2013. He asked what suggest this was in Egg Harbor Township. Chief Davis referred to the report for this item. He advised it occurred 4/20/13 at 22nd Avenue in Longport for a canine assist for a narcotics search of a vehicle and it has everything to do. May the record reflect after some confusion concerning the calls Attorney Doyle noted he agrees with Chief Davis with respect to his comments concerning Call #13. Attorney Doyle than asked Chief Davis the same question concerning Call #14. Chief Davis stated it is an Assist P and it came from Longport for a CDS search with the K-9 being requested and the K-9 unit went.

Attorney Doyle asked Chief Davis of the 30 how many actually happened outside of Egg Harbor Township and where Egg Harbor Township specifically provided mutual aid to Longport. Chief Davis stated he cannot provide a number unless he reviews this information. He advised he knows there are at least five (5) so he believes we are at 25 out of the 30.

Attorney Doyle directed Chief Davis to Call #17 he asked what provides the basis that this happened outside of Egg Harbor Township and you were called in by Longport. He advised it is dated 8/18/13. Chief Davis explained it is a call from Longport PD of an individual stealing bikes, however, we were 1019, which is cancel, because the individual turned around and ran towards Margate. Attorney Doyle asked what service was provided. Chief Davis advised we were assisting them with a subject who was fleeing a bike theft and they had turned around and went in another direction. We had been cancelled but we were responding to assist with the search of a perpetrator for a theft.

Attorney Doyle then ask about the incident dated March 3, 2014. Chief Davis advised this is one mentioned earlier. He indicated it has Assist P and it should be Assist F because the Longport Fire Department went out to this location. Attorney Doyle asked when there is a medical call does the police department also go to the site of the ambulance call. Chief Davis stated no. Attorney Doyle asked if it is the Township's protocol when a fire comes in the police go out also. Chief Davis stated no not automatically. He stated it depends upon the situation and again the devil is in the details. Attorney Doyle asked Chief Davis if he knows Longport's protocol for police response at time of a fire or ambulance call. Chief Davis stated he is not sure.

Attorney Doyle referred to Call #27 he asked, what comes out of this, that Longport requested mutual aid from Egg Harbor Township. Chief Davis stated this was the 100 block of 2nd Street. We were looking for a car that came into our jurisdiction. Board Member Rosenberg stated this call is Ocean City. He advised 2nd Street in Longport has not existed in a long time.

Board Member Aponte asked if Longport was going after a speeder and they crossed over into Egg Harbor Township and then Somers Point or Ocean City would they call each municipality for assistance along the way. Chief Davis stated not unless they needed it. He advised if it were just a generic stop no. Chief Davis explained if it is a felony stop at night and Longport has one officer working he will call whomever they need for back-up. He did add if the pursuit approaches Somers Point or Ocean City then something is going on and they would automatically call this over the County where it goes out to all jurisdictions.

Attorney Doyle referred to Call #28 that makes reference to Longport Boulevard and Ocean Drive which by address are within Egg Harbor Township. Chief Davis indicated, by address, however, he is not sure where this occurred because it says Ocean City is also out with it. Attorney Doyle noted there is no mention of Longport. Chief Davis stated there is no mention of Longport other than the address and it being out in that area. Chief Davis stated he is not sure this would be one.

Attorney Doyle indicated Chief Davis had placed the number 30 in without sufficiently checking, because had he, it would have been some lesser number because he believes we are now at 24. Chief Davis stated if he had gone through this he would have done so, but he did not go through each and every query. He reminded Attorney Doyle of the mountain of OPRA request that came through from him concerning Longport. He stated he relied upon the query and unfortunately with the zip code, errors were found.

Attorney Doyle stated during these hearings there has been testimony provided that if there is a fire in Seaview Harbor Longport is called first. He indicated there were two (2) fire chief's that testified Longport is called first because they can get there faster. He asked if Chief Davis had any reason to doubt this. Chief Davis stated no. Attorney Doyle stated similar to fire, if there is an ambulance call in Seaview Harbor, Longport is called first. He asked Chief Davis if he has any reason to doubt this. Chief Davis stated no.

Attorney Doyle asked Chief Davis so that from all he knows he is satisfied that for fire and ambulance there is a set criteria that Longport goes first. Chief Davis stated yes, he believes so. Attorney Doyle then referred Chief Davis to Page 25 of Exhibit B100. He advised this page shows Seaview Harbor being in the Longport fire district and for basic life services it is also in the Longport District. Chief Davis reviewed Page 25 (Dispatch call screen) advising Attorney Doyle is correct and this was noted within his power point presentation.

Attorney Doyle asked Chief Davis not only as the Police Chief but as a person with the background experience he has. Is he satisfied that the ambulance and fire personnel have made the decision for years that these services can come from Longport because it will be faster than Egg Harbor Township response and that is why the policies has been established. Chief Davis stated he does not know why they established them. He stated one of the major reasons would have been a consideration is because they are a volunteer organization. He advised the police department is not and work 24/7 with a minimum manpower of eight (8) officers on the street at any given time which includes the supervisor. Chief Davis stated this is the minimum and he cannot go below this. He advised Longport is down to one (1).

Attorney Doyle asked how many does Longport have. Chief Davis stated there minimum mandatory is one (1) officer. Attorney Doyle asked if this information was established by Chief Culmone, who is present this evening. Chief Davis stated he was speaking with a spouse of one of the Longport officers who had to work by himself the other day. He indicated the spouse is an officer here. Attorney Doyle stated he previously asked Chief Davis as being a new and given this petition had he reached out to Chief Culmone. Chief Davis stated yes. Attorney Doyle stated if the nature of the conversation not be subject to OPRA he will not ask the question. However, if he is able to tell did it bare upon who would respond in times of emergency. Chief Davis stated no.

Attorney Doyle indicated that any given time the minimum police car staffing is eight (8) cars on the road. Chief Davis noted he said officer. Attorney Doyle asked Chief Davis if there are one (1) or two (2) officers to a car. Chief Davis stated it depends upon the situation. He indicated a trainee would not be counted as additional staffing since we still have to have the full officer present. Attorney Doyle asked if it is Chief Davis' understanding that Longport's staffing level of officers at any given time is one (1). Chief Davis stated it could be one (1). Attorney Doyle asked again how Chief Davis came about this information. Chief Davis advised it is based upon one of his officers here, who has a spouse that works for Longport and it was mentioned that they were down to one (1) minimum officer. He advised he is not sure what shift or how often it happens.

Attorney Doyle began asking Chief Davis if he would be satisfied that the source of information for a critical detail such as how many police were in a municipality at any given time were from a spouse. Board Member Aponte stated this line of questioning is irrelevant. Board Member Rosenberg advised it could be verified Chief Culmone is present. Township Committeewoman Pfrommer stated Chief Davis is responsible for our police department not Longport's. Attorney Doyle advised he did not ask, Chief Davis compared the number of officers. Board Solicitor Marcolongo stated hearsay rules do not apply if he is acting as a police officer at that time and Attorney Doyle's follow-up is great and the point and information came out and the Board can give that information proper weight.

Attorney Doyle stated he agrees with Board Member Rosenberg that it can be verified. He indicated he would like to call Chief Culmone. Board Member Aponte stated he is not a relevant witness. Special Board Solicitor Marcolongo advised the affirmative presentation in this case is over. Attorney Doyle noted Chief Culmone address issues with respect to response times and other details. Board Member Aponte stated at this time he would say no but the Board will discuss with counsel.

Attorney Doyle asked that the services provided to Seaview Harbor by the Longport Fire Department and ambulance squad are an example of mutual aid. Chief Davis stated yes. Attorney Doyle stated when Longport provides police services it is also an example of mutual aid. Chief Davis stated yes.

Attorney Doyle then read onto the record a testimony from Chief Davis during the July 28, 2015 hearing and based upon what was read he then asked Chief Davis, based upon Chief Davis' own words, faster response is critically important. Chief Davis stated in certain circumstances absolutely. He indicated in a life or death situation than a quicker response is going to be critical as he indicated in his previous testimony. Chief Davis advised something such as burglary call that happened within the last three (3) weeks then quicker service is irrelevant.

Chief Davis stated better service is what you want. We are highly trained and better equipped. Chief Davis advised this is not a slight to his counterpart whom is in the room. He advised Egg Harbor Township, however, does have evidence technicians, crime scene van and other services. He advised we can bring forces to bare that would provide better service than what he believes they would be able to bring in and time is irrelevant in most of the calls.

Attorney Doyle stated of all the police calls that came in the only ones where Chief Davis believes it would be beneficial for Seaview Harbor to receive the services of Egg Harbor Township whether they are quicker or not is life and death situations. Chief Davis advised also included serious bodily injury, it may not be death. He stated if you have serious injury or harm in progress, time would be of an essence.

Attorney Doyle asked Chief Davis about stacking calls when Egg Harbor Township has no available police department units and rather than have them pend for a long time. There are times when Longport is called. He asked if this is correct. Chief Davis stated yes. Attorney Doyle noted these are not life and death so why is Longport called out. Chief Davis stated to assist us. Attorney Doyle asked how often does this happen. Chief Davis advised he does not have this information. Attorney Doyle stated there was another time where Chief Davis advised Longport is only out in Seaview Harbor on 4% of the calls. Attorney Doyle asked if Chief Doyle would like to re-examine this percentage.

Chief Davis stated he does not recall providing a percentage, however, if it is within the testimony than he has no reason to doubt his prior testimony. Attorney Doyle asked Chief Davis how he came through with 4% rather than maybe 8% or any other number. Attorney Doyle asked what statistic(s) were reviewed for this percentage. Special Board Solicitor Marcolongo questioned Chief Davis noting that he advised he does not remember saying 4%. Chief Davis stated this is correct. Attorney Doyle indicated Chief Davis said it was correct. He noted if they would like him to take the time and read the transcript to Chief Davis he will. Chief Davis asked if Attorney Doyle could. He further asked if all the information could be provided not just a snippet. Attorney Doyle stated he will. Attorney Doyle then noted for the record he appreciates the Board and in the interest of time he will come back to this.

Attorney Doyle stated Chief Davis also testified that if Township had a car tied up for a minute the Township will call Longport to start a car out to Seaview Harbor. Attorney Doyle asked if a minute could make a difference. Chief Davis stated it depends upon the circumstances of the call. He stated if we feel it is prudent to have someone provide a quicker response to ascertain the circumstances of the caller. Then yes, we would, if we don't we would not. Attorney Doyle asked how would Chief Davis know Longport can provide a quicker response. Chief Davis stated we don't. We would ask. If they can't, they can't we are still going regardless. Chief Davis stated we do not assume.

Attorney Doyle stated Chief Davis testified that time and distance are not the only factors that should be involved in an emergency call. He asked what the other factors are given that time and distance were the only factors for ambulance and fire. Chief Davis stated he does not know for the ambulance and fire the only factor is time and distance. Attorney Doyle stated the ambulance and fire personnel stated

yes. Chief Davis stated he still does not this because he was not part of it. He advised as far as police it is not only that. It is the quality of the service, the forces that we can bring, if it is not a time of essence call he believes we are going to provide a quality service and we do. Attorney Doyle asked Chief Davis if is suggesting Longport would not. Chief Davis stated he is making no suggestion towards Longport. He advised the Township has a bigger department, more resources and we can bring those force and resources to bare at any given moment. He indicated more than the capability of his partner in Longport.

Attorney Doyle stated he would like to ask about the dispatch setup after October 1, 2015. He asked if this has been established since the time Chief Davis testified advising it was still a work in progress. Chief Davis stated it is still a work in progress but we have a dispatcher that will dispatch Longport's calls. He advised as we see their needs we will make adjustments, based upon the needs of Longport's police, fire and EMS and ours. Chief Davis explained we will not know for a few more weeks. Special Board Planner Wisner asked if the switch has been made. Chief Davis stated no. He advised we are going to try tomorrow during business hours when our IT people and the vendors are available rather than midnight on Thursday to address any mechanical issue. Chief Davis indicated we do not believe there will be but we need to be prudent.

Special Board Planner Wisner asked if there will be a test period. Chief Davis stated there will be a dispatcher still in Longport just for this quick transition and then the Township will pick-it-up. He advised we have did this for Linwood and Northfield also. He indicated we do not anticipate any problems but it is prudent to be sure. Attorney Doyle asked that Longport presently handles their 911 calls, correct. Chief Davis stated for themselves, yes. Attorney Doyle asked that this will stop as of tomorrow at midnight. Chief Davis stated no, he advised the call is going to come here. He stated Longport is going to have the same response. Chief Davis indicated he is not aware of anything different that they are going to do.

Attorney Doyle asked so after October 1 if Northfield has a call come into the Township the dispatch will be Northfield police department. Chief Davis stated dispatch is here and they will tell the Northfield officers of a call in their jurisdiction. Attorney Doyle stated this is similar for Linwood and now Longport. Chief Davis stated yes. Attorney Doyle asked if this has been discussed with the Longport police department at all. Chief Davis stated he has had his Captain who is charge of the Services Bureau, his IT person who is in charge of the technical portions of it and he has spoken with Chief Culmone, briefly today, advising that the Township IT personnel would be calling him to work out some final details.

Chief Davis further noted that he advised his Captain to speak with Longport's officers, Chief Culmone, or his assignee just to go over the radio transmission protocols to make sure that any nuances they have to the way they speak and do their radio transmissions to the dispatchers that were accustom to what they are going to be. Attorney Doyle asked under the new system fire and ambulance calls for Seaview Harbor will still automatically go to the Longport fire department and Longport ambulance squad. Chief Davis stated he believes so.

Attorney Doyle noted for the record previous testimony provided by Chief Davis concerning dispatch. He asked if Longport would be independent or will it be with a dispatcher from the other jurisdiction. Chief Davis stated there will be four (4) dispatchers and it is a team. He advised if Longport has a major situation more of the dispatchers will be a part of it assisting in either police communications, fire or EMS communications. He stated if it is quiet in Longport and one of the other jurisdictions has a major

incident the primary Longport dispatcher would and could assist the other jurisdictions. He advised he believes this will be mutually beneficial to all jurisdictions.

Attorney Doyle read onto the record a portion of a transcript from a previous meeting (which was not identified) concerning testimony Chief Davis provided dealing with the subject of a quicker response and quality of service issue. Chief Davis responded based upon what was outlined by Attorney Doyle. He advised the dispatcher is now in the chair next to the Egg Harbor Township dispatcher, or the Linwood and Northfield dispatcher so if a call came in from Seaview Harbor and they are calling the Longport line because their refrigerator magnet is not the right one and they call the Longport line today that call is transferred or it is a radio communication in some way letting us know or telling the person they called the wrong place. He advised they will now be able to turn and talk to the Egg Harbor Township person and say they have a call for us. He indicated the quality of service for the Egg Harbor Township Seaview Harbor is going to improve because those people are now going to be in the same room.

Chief Davis stated albeit it would be the same thing if something goes on in Longport. He advised often times we have an erratic driver complaint and they are going into Longport. He stated they will be able to turn and tell the Longport dispatcher to give it out or the Longport dispatcher themselves would give it out because it will be accessible for them to do that so the speed to this will be enhanced. Attorney Doyle stated what if the driver is going the other way. Chief Davis stated it would be the same thing. Chief Davis added if Longport is tied up and we are not on the boulevard we could tell Ocean City and Somers Point that there was a complaint of an erratic driver. Advising we are heading out, we may miss it, but you may want to have someone look for it. He stated this is standard practice and not just between Longport and Egg Harbor Township. He advised we border just about everyone in Atlantic County and this is what you would see/do in a call like this.

Attorney Doyle then read another section of this transcript (again not identified) concerning testimony provided by Chief Davis concerning an immediate response. Based upon what Attorney Doyle noted Chief Davis stated with respect to the time and distance, if it is an immediate life or death or serious bodily injury in progress call and if we are there we will handle it and we will have other cars coming out. He stated if we are not immediately there we will call them to see if they are available to assist. Attorney Doyle asked Chief Davis so when he says immediate he is only speaking of life and death and serious bodily injury. Chief Davis stated there could be another scenario.

Attorney Doyle asked when a call comes in from Seaview Harbor with Linwood, Northfield, Longport and the mainland portions of Egg Harbor Township there is an automatic. He advised if it is Linwood it goes to Linwood, if it is mainland Egg Harbor Township it goes to Egg Harbor Township. Attorney Doyle stated Seaview Harbor presents a different situation. Chief Davis stated no. Attorney Doyle stated in Northfield you do not call two (2) different police departments but if the call happens on Route 152 do you put it into both. Chief Davis stated no. He indicated if we know it is our jurisdiction we are going to go and if it is in their jurisdiction we will dispatch it to them.

Attorney Doyle then read another section of transcript (unidentified) stating "my patrolman happens to be there and he is close to that area than he is going. Otherwise, we request assistance for the benefit of the people of that community". Chief Davis stated this is anywhere. Attorney Doyle stated he is limiting it to here. He asked how does the dispatcher know who is closer Longport or Egg Harbor Township when the call comes in from Seaview Harbor. Chief Davis stated the dispatcher would give the call out to Egg Harbor Township because it is our jurisdiction. He indicated if the officers or the supervisors know the car is further away and they believe it is prudent, given the situation of that call

and given what they know, they would ask another jurisdiction that may be in that area to assist. He advised that other jurisdiction may or may not be able to assist. He advised this would be Longport or anyone else. He advised this would be the same as for Pleasantville if it were West Atlantic City. Attorney Doyle stated he is trying not to get into Pleasantville, Margate. Attorney Doyle advised he is dealing with this situation. Chief Davis stated how can Attorney Doyle asked questions like this, because they are all the same.

Board Member Aponte asked someone has an accident by the light on the Boulevard and you do not know what kind of accident, but they call it in and someone is really hurt. You would call the police for emergency service and Egg Harbor Township would come. He stated this is what he understands from the testimony. So he does not know what this line of questioning is from Attorney Doyle. Chief Davis stated the accident would be investigated by us and if it was an accident serious in nature, depending upon where it is on Longport Boulevard, because we can also ask Somers Point, if it is closer to them. But should we ask Longport to assist by sending someone out. He stated in that situation you would have EMS and possibly fire if it is a Jaws of Life, which would be Scullville, coming out for that situation also.

Board Member Aponte asked if this helped. Attorney Doyle advised not particularly. Attorney Doyle advised he is trying to put himself in the place of a Seaview Harbor resident who makes a 911 call. Attorney Doyle stated what he is hearing is that there is a discussion between the caller and dispatcher. If there is a question the dispatcher will then peak with the supervisor and they will make a determination, based upon what they perceive to be the emergency, as to who to send.

Chief Davis stated yes, and we would do the same thing in Egg Harbor Township. He advised the discussion is the 911 call where the caller is giving the information to the dispatcher. He advised the dispatcher is trained to get the vital information from them and then dispatch this information as best as they can and as quickly as they can to the appropriate entities. He advised a judgement will be made as to whether it is immediate or questionable immediate because we do not know and we are going to decide whether or not to request assistance to it. Board Member Aponte stated he believes over the number of days that Chief Davis has testified he has been crystal clear that Egg Harbor Township will respond to something in Egg Harbor Township if something is immediate or urgent they call others.

Attorney Doyle what is the difference between knowing someone's availability and their location. Chief Davis stated if they are available they will respond to a call. Attorney Doyle asked if this is regardless as to where they are. Chief Davis stated he would say if Longport were coming through Atlantic City and they're not available to do it; then they're not available. He advised if they can go then they can go and it is the same for anyone else that surrounds us. He further noted if we are asked to provide a service and if we can go we will assist. He advised if we cannot then we would tell them we are tied up.

Attorney Doyle indicated there was a map introduced as Exhibit B3. He asked Chief Davis to draw a line on this map that is Area 5. May the record reflect: Chief Davis outlined on Exhibit B3 Area 5. Attorney Doyle noted this area is bounded by the river along Somers Point-Mays Landing Road to the border of Hamilton Township, then down Ocean Heights Avenue, to Zion Road, Zion Road to Bargaintown Road, up to the border of Somers Point, and the borders along Patcong Creek.

Board Member Rosenberg asked of all the jurisdictions dispatched to do the police vehicles have GPS. Chief Davis stated none of them. He indicated they have the capability through the Verizon Air Card but we do not have it on but we are exploring the services to. Board Member Rosenberg asked of the

training given how does the 911 center determine the closest vehicle to an incident that is deemed emergent. Chief Davis stated when an officer signs on he will sign on in a particular area. He explained in this area it would be the Area 5 car and if there is a second Area 5 car it will be 5A. He indicated if there is a traffic officer he signs on by his dispatcher number and he geographically can go wherever in Egg Harbor Township. Chief Davis advised knowing the fastest car they're going to dispatch would be the area car(s) and if not available the Sergeant would send the next available unit and it would depend upon whom it is.

Board Member Rosenberg stated Egg Harbor Township dispatches to both Northfield and Linwood. He asked if we had a call for an emergency on the Linwood/Northfield border, but it is actually in Northfield and Northfield has no close available units but a Linwood vehicle is just near the border. Would you send Linwood into Northfield. Chief Davis stated if Northfield requested we would send Linwood into Northfield. Board Member Eykyn asked if the situation you have in Longport/Seaview Harbor is the same situation you have in Anchorage Poynte/Somers Point. Chief Davis stated yes.

Chief Davis gave for example an accident, with injuries, that occurred on the west side of the Dolores Cooper Bridge. He advised we would give this to the Area car(s), the traffic unit if it is working and they will begin to respond. He stated if it is a serious accident with serious injury and the vehicles are in the roadway we would ask Somers Point. However, Chief Davis stated if the officer says he is on the boulevard, because he was in Seaview Harbor for a property check, then we would not.

Board Member Eykyn indicated that this is not unique to Longport. Chief Davis stated this is what he is stressing, it is not. He advised it is the same protocol whether it is West Atlantic City, mainland Egg Harbor Township if it is along the northern section of Fire Road down by Absecon. He advised it is prudent to do this and the other jurisdiction do the same. Board Member Kearns indicated previously you were being questioned about 911 calls going into the dispatcher. He stated he believes the comment was if a person tells them where they are someone types it in but does it not come up automatically. Chief Davis indicated it depends on the situation. He advised if they call on a non-911 number such as 927-5200 it is not going to come in that way. He advised the dispatchers are trained, because there are errors especially with a cell phone, to say 911 where is your emergency. He noted this is the most important part because we need to know where to go.

Board Member Kearns stated so if someone calls from Seaview Harbor the first thing the dispatcher will ask is where it is. Chief Davis stated we are still going to ask where it is at even if it shows up on the screen. Special Board Planner Wiser asked if there is a situation that you deem to be an emergency and you call Longport to Seaview Harbor, however, Longport officers are occupied. Will you seek a next level of mutual aid for response such as Somers Point, Margate or Ocean City. Chief Davis stated he does not know of a circumstance that we have done this but would not say it would be beyond the scope and if it is a big emergency and Longport could not go to assist then yes we would put this out.

Attorney Doyle stated in response to Board Member Rosenberg's question Chief Davis advised if the Area 5 car was not available you would check Area 4 car. Chief Davis stated it is a neighboring zone area to 5, however, it could be an Area 3 if the car were here at the municipal building. He advised again, it depends upon who is available from Egg Harbor Township, what the call is and who is where. Attorney Doyle asked if available means not having a call. Chief Davis stated they could be on a call and they could clear it. Attorney Doyle asked why would you send Longport if it is Seaview Harbor. Chief Davis stated we would ask them if we felt prudent to do that. Attorney Doyle asked what would make Chief Davis feel it was prudent to ask them.

Chief Davis advised he has said this a thousand times, sir. He indicated it is about the expedience of that service and time is of the essences whether it is life or death or serious bodily injury. Attorney Doyle stated there are two (2) types of calls emergent and non-emergent. He stated emergent you will call Longport maybe, if it is non-emergent you're not going to call Longport at all. Chief Davis stated this is correct. Attorney Doyle then read a section of a transcript from a previous meeting (again, no date given) onto the record concerning testimony provided by Chief Davis surrounding response to an alarm call. Chief Davis stated he does not know circumstances of certain calls and it could be an expedient call. He advised it could be a burglary in progress or a severe problem and we do not know this and it would be prudent to have them go there.

Chief Davis advised we have had a lot of alarms in Seaview Harbor and none have turned out to be anything, but we do not want that one to happen and not provide an adequate response. Attorney Doyle asked why call Longport out when that alarm goes off, thankfully not a real alarm, but a false alarm. Chief Davis stated because we do not know what the true circumstances of it. An alarm is going off for something. He indicated luckily most of the time it is weather related or human error. He advised in relationship to the human error ones, if we have the alarm company call in advising there is someone there without the passcode then we know someone is there and there may be a problem. Chief Davis stated if his car is coming from the station then they may ask Longport, if they have anyone available to roll in quickly, to make sure everything is o.k. He advised he does not know if it is life threatening and he does not want to take the chance.

Attorney Doyle stated he thinks Chief Davis would frequently call Longport because it is either a non-alarm and he does not want to waste his own men's time or it is serious and they can get there quicker. Chief Davis stated we call them because we do not know the circumstances of it and he wants to provide a quality service to the people living out there and he does not want a delay in the response. Again, noting if Longport is available and if they can get there quicker than his units can. Attorney Doyle then quoted from a section of transcript (again undated or titled) concerning Chief Davis' testimony. Based upon this testimony he asked Chief Davis how can Longport not get there quicker if Chief Davis' available car is anywhere in Area 5 other than the donuthole surrounding Route 152.

Chief Davis advised it is hypothetical but they may have an officer who went to the County jail with a prisoner and they are tied up and cannot respond or they have another who is on call in their jurisdiction. He advised time, location and distance would be irrelevant. He stated they could not and would not go. Attorney Doyle stated if there is an available Longport police officer and you do not happen to have an officer from Egg Harbor Township on Route 152 just by time and distance Longport would be closer. Chief Davis stated the jurisdiction of Longport is closer to Seaview Harbor than this building but the time and distance is largely irrelevant for most of the calls.

Board Member Aponte stated the Board has heard about emergent and non-emergent situation and he would asked we move on from this line of questioning. He advised the Board understands and they get it.

Attorney Doyle asked Chief Davis if the petition were granted and Seaview Harbor became a part of Longport none of the discussion concerning availability would ever happen. Chief Davis stated if Seaview Harbor were to become part of Longport than Longport would be the responding jurisdictional agency. Attorney Doyle stated as Chief Davis just said that they could get their quicker, assuming availability, than Egg Harbor Township.

Chief Davis stated he did not say this. He advised again, we could have a car out there and they could be there quicker. Attorney Doyle stated this is a coincidence that an officer happens to be there. Chief Davis stated this is our jurisdiction and we patrol out there. He indicated he does not know why Attorney Doyle would call this a coincidence. Chief Davis stated the last time they were present he advised there 1,498 calls on the Boulevard itself. He indicated there was 600 plus property checks documented. He advised this is not a coincidence. He further noted there was also 257 motor vehicle stops.

Attorney Doyle advised the Board, based on an earlier conversation, that Chief Culmone, whom he has never met before or talked to and who is not here at his request is present. Attorney Doyle stated during the break he asked Chief Culmone if he had any interesting or relevant information to give to the Board based upon the testimony given from his knowledge and perspective of what has occurred and the circumstances that have been discussed. Attorney Doyle advised Chief Culmone stated he does and he is willing to testify. Attorney Doyle stated he has had a conversation with Special Board Solicitor Marcolongo who advised if this is going to happen it will not happen this evening.

Attorney Doyle stated he will renew his request now for discussion at this meeting about the right and ability to call him. Board Member Aponte stated he would like to express his concern about calling witnesses. He stated first it will be this one and then it will be another, so on and this proceeding will go on for two (2) years. He indicated if the Special Board Solicitor finds this would be necessary and the Board also it would be for this one discrete thing only. Special Board Solicitor Marcolongo advised he feels the Board would be opening a tent flap and that would be of great concern. He advised, however, if Attorney Doyle prepares a proffer as to what that testimony will be. Then he will review it, provide the information back to the Board and get a feeling if they would like to hear from the Chief of Longport.

Board Member Aponte stated he does not want to open Pandora's Box. Attorney Doyle stated he understands and he appreciates and he will try to construct the proffer before tomorrow night's meeting or if not certainly before the end of week in writing.

Attorney Doyle stated he appreciates the Board has understood everything he has said, however, the people in Seaview Harbor have not. He then asked Chief Davis to excuse his questions advising he does not mean to be repetitive. Attorney Doyle stated based upon the last several years, in emergent situations, understanding Egg Harbor Township's jurisdiction includes Seaview Harbor. Who has been the primary first responder in police calls if an emergent situations arising in Seaview Harbor. Chief Davis stated Egg Harbor Township. He indicated Egg Harbor Township is the primary police first responder.

Attorney Doyle asked Chief Davis if he has any statistics that affirm his statement that Egg Harbor Township goes more often. Chief Davis stated the first two (2) days of his testimony he provided. Attorney Doyle stated he is not sure the testimony on the first two (2) days covered what happened.

Attorney Doyle stated just to be clear if a Longport police officer was available to respond and Egg Harbor Township did not have a police car in the Route 152 area would that Longport police officer go as a matter of course and be called by the Egg Harbor Township dispatchers. Chief Davis stated we would ask them to assist us if it were an emergent situation or unknown. He advised depending upon what Longport is doing they may or may not be able to get there faster than us. Attorney Doyle stated there is no question the Longport boundary is about a half mile away and the police department is nine-tenths

of a mile away, so with sirens and lights going 55 or 60 mph they could physically be there in a minute. Chief Davis stated he does not know this. Attorney Doyle stated there is no way a mainland police officer from Egg Harbor Township can get to Seaview Harbor in a minute or seven or eight minutes. Chief Davis indicated within seven or eight minutes he would say yes. He advised not in a minute from the Egg Harbor Township police department.

Attorney Doyle stated when Chief Davis constructed response times within his testimony the second night, officer initiated calls were eliminated. Attorney Doyle stated he agrees in retrospect, however, also taken out were calls that were less than two (2) minutes. He advised given the fact that Longport police officer can get there in less than two minutes physically. Why is it not appropriate to use a minute thirty or a minute forty. Chief Davis stated we took out under two (2) minutes because statistically speaking when you are looking at those calls for service and a response time is less than two (2) minutes it's the happenstance of an officer being at that location. Chief Davis advised it is not a true averaging of a response time to take something less than two (2) minutes or more than 20 minutes. He advised taking more than 20 minutes is either not a priority call or it was an error in recording.

Attorney Doyle stated it is not a happenstance that Longport is a minute away. Attorney Doyle asked why these calls would be eliminated other than the purpose that their response time is not better than Egg Harbor Township's. Chief Davis indicated he just provided an answer to Attorney Doyle as to why. Board Member Aponte stated he understands it to be the information was taken out so there would not be an anomaly. Attorney Doyle stated it is because Longport is a minute away. Chief Davis stated just as Attorney Doyle has brought up the size of Egg Harbor Township numerous times. It applies equally in Longport. He indicated if you have one or two officers on duty at any given point and they are at the border of Margate is it still one minute to get to Seaview Harbor. He asked if it is one minute throughout the borough of Longport or just at the border. Attorney Doyle stated he would be glad to ask Chief Culmone this question, if he is able to ask.

Board Member Rosenberg stated he would like to move on with this line of questioning concerning response times. He advised the Board understands. Committeewoman Pfrommer stated whether it is Longport or Egg Harbor Township every call is different, every police officers location is different. She advised every single call that both these gentleman receive is different, as well as, the circumstances. Attorney Doyle stated there are no variables with the assumption of the availability of the Longport police officers. He indicated once you know what the distance is and the ability to cover that distance in a fraction of a minute or a minute plus but less than two.

Board Member Aponte asked and suggested to Special Board Solicitor Marcolongo that we have heard from Chief Davis a couple times and he has been pretty clear. He indicated we have been going over the same type of questioning over and over. Board Member Aponte stated he respects Attorney Doyle but he is trying to build a quilt but this part of the quilt we understand. It has already been stitched. He asked if we can move on to something else.

Attorney Doyle stated Chief Davis advised the Township's response times were better than Longport's at the last meeting. Attorney Doyle stated this was a conclusion as to what the times were based upon an undescribed universe of calls. He indicated he submitted an OPRA request as to the document that was relied upon for these calls and received a response that there was no such document. Chief Davis explained he used the spread sheets provided by Attorney Doyle the Friday before his testimony. He stated he used the same methodology that he used with his presentation and applied it Attorney Doyle's. He advised the times he testified to are the times. Chief Davis stated he took apples to apples,

using Attorney Doyle's wording, and compared everywhere out on Longport Boulevard and this is where he came up with the 1,498 calls and added in the officer initiated calls which skewed the times, which was done on purpose, to educate that if you are going to legitimately do it you are going to need to take out the outliers and take out the things that are too small.

Chief Davis stated he took out the Egg Harbor Township calls that were less than two (2) minutes also and anything over 20. Attorney Doyle stated the record will speak for itself. Attorney Doyle asked if the copulations are based solely on priority 1 calls that were in Seaview Harbor and excluded all parts or the non-mainland part other than Seaview Harbor. Chief Davis asked if this is the new spread sheet that was sent to him. Attorney Doyle stated yes. He asked if Chief Davis reviewed. Chief Davis stated he perused a couple of them and he had some questions. He advised he is not sure what they really are. Attorney Doyle stated they reflected response times on average from Longport in the two (2) minute range and from Egg Harbor Township in the 12 minute range.

Chief Davis stated the OPRA request was seeking a document and he used Attorney Doyle's document and this document was explained during his testimony previously. He indicated he did not have the time to look at the new spread sheet. Attorney Doyle asked if the two (2) minutes is based on anything other than Chief Davis' own thoughts. Chief Davis stated it is based upon the training of his Crime Analystist whom came up with the methodology and the reason why. He advised she is going for her Master's Degree in criminal analysis and she has a bachelors in crime analysis. He trust her judgement and that is what she is hired to do. Attorney Doyle asked as Police Chief does he believe it is possible for a car in Longport to get to Seaview within two (2) minutes. Chief Davis stated yes. Attorney Doyle stated based on a number of things why Longport would not have been the presumptive first responder, regardless of what town they are in times of emergency. Chief Davis stated we are the first responder. He indicated this is our jurisdiction and you cannot waive jurisdiction so we have to go.

Attorney Doyle stated he would like to offer into evidence an incident that involved a stabbing early in the morning, this year, within Seaview Harbor. Chief Davis stated he remembers the case he is not sure it was stabbing. He advised it was a fight with girls and another individual out there. He advised he does not remember if Longport was out there or not, they might have been. Special Board Solicitor Marcolongo marked Exhibit S-135 which is a 13 page document of an incident occurring on 2/7/15. Attorney Doyle asked Chief Davis if Longport responded and where they there first. Chief Davis stated yes and yes. Attorney Doyle asked if the call came from Egg Harbor Township. Chief Davis stated no the call came through Longport so they received the call first.

Chief Davis stated it was a female calling advising she was stabbed and bit and Longport was sending a rig. Attorney Doyle asked from the time Egg Harbor Township's first car was dispatched to the time it responded how much time transpired. Chief Davis stated the dispatch time for Egg Harbor Township is 10:38:10 and arrival time is 10:46:46. Attorney Doyle stated this would be 8 minutes and 26 seconds.

Attorney Doyle stated Chief Davis had testified at the last hearing while reviewing the incident reports he had perceived violations of the mutual aid jurisdiction committed by the Longport Police Department. Chief Davis stated he questioned whether or not that was occurring based upon some of our CADD comments and theirs (Longport). He indicated while looking at calls that matched up he did not see a notation in ours that we requested them and he did not see they were going with an acknowledgement. Chief Davis added he did not see in theirs (Longport) a notation that we had requested them. So absent this he does not know if we did ask them or if they said we are going and we acknowledged they were going. Chief Davis stated absent that he does not know if this took place.

Attorney Doyle stated he submitted an OPRA request that gave rise to this and notified Special Board Solicitor Marcolongo that he had done so and received nothing in response. Chief Davis stated the request was for a report and during his testimony he had explained he was viewing all the information that Attorney Doyle had given him which was the information he actually provided to Attorney Doyle. Chief Davis stated there were circumstances where no indication was reference by the departments for the same call. Attorney Doyle stated these were not his records they were public records from Egg Harbor Township's police department and Longport's police department. He stated he asked for what report gave rise to this conclusion.

Chief Davis then read onto the record the OPRA request from Attorney Doyle concerning the aforementioned testimony. He noted this OPRA requested a document and he did not prepare a document he provide an explanation under testimony based upon it. Chief Davis stated he did not prepare a document thus there was nothing to provide under OPRA. Special Board Solicitor Marcolongo included that Attorney Doyle was previously provided all the incident reports.

Attorney Doyle stated Chief Davis provided 1,480 incident reports and he provided an answer that he reviewed some and he found some that led him to the conclusion that something improper happened. He advised it is an appropriate question to outline which one's they were. Attorney Doyle stated when he did not get an answer; and he does not believe Chief Davis' answer tonight is sufficient to the inexplicable response times given the distance. He indicated he feels it is fair to ask that testimony be stricken because it is a net conclusion without a foundation and when he asked for the foundation it was not available. Special Board Solicitor Marcolongo stated the foundation is that he said he reviewed the reports and found several that seemed to have questions in his mind. Nothing more. He did not come to any conclusions. He said it raised some questions in his mind.

Attorney Doyle asked Chief Davis what were the several. Chief Davis stated he did not write them down. He stated there are two (2) calls for service per page showing the information Attorney Doyle provided him from Longport. He indicated he provided Attorney Doyle the information he originally asked for and it is more than what he is referencing.

Attorney Doyle asked Chief Davis f throughout the years as a member of the Egg Harbor Township police department has it acted and has provided effective and efficient services consistent with your present mission and vision statement. Chief Davis stated yes. Attorney Doyle asked if this takes us from 1987 to present. Chief Davis stated the vision statement was written by him. Attorney Doyle asked given the language of it. Does he feel the department, through his tenure here, is of the same quality expressed in the vision statement.

Chief Davis stated absolutely. He advised the members here both past and present are extremely dedicated to the individuals behind us and every one of the 40,000 plus residents that are here. He advised they try to provide as equable as possible the best police service that they can. He added, as best as Attorney Doyle noted previously, humanly possible. Attorney Doyle stated in terms of the service highlighted by Chief Davis as community service such as D.A.R.E, night out, Halloween, which are listed on page 13 of Exhibit B100. Attorney Doyle asked when these programs generally start. Chief Davis stated he would have to review.

Special Board Solicitor Marcolongo asked if they are finished with Exhibit S135. Chief Davis stated he was not, but he could not blankly testify off of this, but if there are questions he could provide more

information on this case. Attorney Doyle stated he has no further questions on this. Special Board Solicitor Marcolongo stated Chief Davis began to say this is a "fine example of". He asked what he was trying to say. Chief Davis advised as he explained we have a call for service out in the Seaview Harbor area and it is an emergency and time is of the essence where we feel there will be someone injured or is being injured and it is life threatening, which this call came in as. He advised this came in as an assault and a stabbing we are going to ask for assistance on getting out there unless we are immediately there and even then we will call in whether or not it is the ambulance or whomever else to back-up officers.

Chief Davis stated in this instance this call came in like that. He stated in reality no one was even arrested off this case. He advised the original call for service was much more expedient by provided the extra service in getting out there as fast as possible asking Longport to assist for us and mitigating until we could get there. He indicated we then took over and did the interviews, we spoke to the people and there were actually no charges or arrest made in this case. He advised this is fine example of one of those cases where the devil is in the details. Where it comes in emergent, we ask for the assistance, we take it over when we arrive, and it turned out not to be emergent. Chief Davis stated this would have been a priority call for service even though the nature of it was ultimately not.

Attorney Doyle asked Chief Davis who was there first. Chief Davis stated Longport. Attorney Doyle stated Chief Davis' prior testimony indicated through recollection, which he will find, is that Longport was not called on any of the calls. But they were called on this one and they got there first. He asked Chief Davis how long had it taken them. Chief Davis stated he does not recall saying that for the priority calls that Longport was not on any of them. He stated he does not think he would have said this. He advised on this one they were and they were present before us. He further noted this call came into them first and if they started out as we were being told about it they have a little head start and this is fine. He advised that is the way it came in and we know they're going because in that case you will see in the comments "Longport is starting out".

Chief Davis stated his concern discussing the cases matching up is Longport going out there and they would not tell us they were. He stated he does not believe they are actually doing this but without knowing those cases, which go back years, we do not have enough detail to say that for sure. Attorney Doyle stated the one being discussed only goes back a few months. Chief Davis stated this is not the problem. He stated there are comments in this one that we know they are going and this is fine. May the record reflect: after discussion and review with Chief Davis, Attorney Doyle of the ledger sheet marked for identification purposes, continued with another line of questioning.

Attorney Doyle referred back to community services and asked when the programs were started. Chief Davis stated were at various times. He advised it was about 1992 when community policing became a philosophy nationwide and we embraced it so it was after 1992 going forward. Attorney Doyle asked if any were eliminated for budgetary reasons. Chief Davis stated it is a possibility but he does not know. He noted this would have to be researched. Attorney Doyle asked if the list has grown for community services. Chief Davis stated since 1992, yes. Attorney Doyle asked Chief Davis if he is familiar with a report from 2006/2007 addressing the force strength. Chief Davis stated no. Attorney Doyle stated it was a report submitted by the Egg Harbor Township police department and was part of the 2006/2007 budget presentation from Administrator Miller. Chief Davis advised he has never seen it. He advised if it was from 2006 it would have been presented by Chief Coyle.

Attorney Doyle stated in 2006 there were 96 officers authorized and 95 existed and the report suggested 119 be budgeted for. Attorney Doyle asked if this happened. Chief Davis stated no. We were

at 101 in 2007. Attorney Doyle advised this document outlined there were 44 patrol officers and 66 were recommended. He asked how many are there now. Chief Davis stated he would have to look at the roster to give a firm number. He stated there are 84 officers currently and it would be about the same. Special Board Solicitor Marcolongo marked Exhibit S136 portion of budget report/manpower from calendar year 2006.

Attorney Doyle stated the police force went from 101 dipping down to the high 70's. He asked when this occurred. Chief Davis stated in 2010 he believes. Attorney Doyle stated so from 2007 to 2010 the number of officers went from 101 to roughly 79, which is the difference of 22 officers. He asked if the police budget was cut in order to drop that amount of officers. He then noted an educated estimate of an officer's salary during those years would have been \$50,000.00. Chief Davis stated he is pre-dating him as the Chief concerning the budget information. He advised he would be hesitant to throw out a number. He stated without doing research on this he would not know but believes \$50,000.00 would be low taking into consideration pension, benefits.

Attorney Doyle stated he does agree but wanted to utilize a conservative number so if you lost 22 officers over the years the budget was cut roughly by 1 million dollars. Chief Davis stated it could have been but it was a circumstance that hit all and that is an expectation that the community has that the economy will ebb and flow and that businesses will come and go. Chief Davis stated your tax base will fluctuate on this and it is beyond your control. What you do not have, expect, or budget for is a section of your town to just leave. He advised as previously noted this has not happened since 1904 that someone left Egg Harbor Township.

Attorney Doyle stated clearly the department sustained a million dollar contraction and as Chief Davis testified that throughout this time maintained the mission, the vision and efficient service. He asked if this is correct. Chief Davis stated yes. Special Board Solicitor Marcolongo asked Chief Davis does he not have any personal knowledge that there was a million dollar contraction. Chief Davis stated he does not know what it was. Attorney Doyle stated Chief Davis did say he believed the \$50,000.00 number was a conservative and he acknowledged 22 police officers. He stated 22 police officer's times \$50,000.00 comes to 1.1 million. Freeholder Carman stated he would like to add that the Township also lost jurisdictional areas such as the airport and the schools. He advised there are no school resource officers. He stated there are other reasons not just budgetary for the manpower cuts.

Attorney Doyle stated he understands this and as discussed in the beginning of these meetings the Board is present to listen not to research, do investigations or to testify. He indicated he appreciates the information. Attorney Doyle asked if the present police strength is 84 full officers. Chief Davis stated yes. Attorney Doyle stated looking at the budget Chief Davis indicated he had one brief conversation with Mr. Miller and came to the conclusion he would be looking at a ratable loss, if Seaview Harbor were the only consideration, of \$175,000 to \$200,000.00.

Chief Davis stated he did testify to this and then he obtain new information from the Chief Financial Officer and he underestimated. He advised the police budget is 40.2% of the overall budget which places him over \$200,000.00 in loss. Attorney Doyle asked how he came to 40.2%. Chief Davis stated this comes from a report prepared by the Acting Chief Financial Officer for Egg Harbor Township. He provided Attorney Doyle with this information. Attorney Doyle asked Chief Doyle other than the report does he understand the numbers within it. Chief Davis stated it is a breakdown of the budgetary cost of the police department, which includes a number of items that effect the overall 38.5 million dollar budget. He stated if you take out the police departments 40.2% of this it will put him over \$200,000.00.

Attorney Doyle stated he is not going to allow this in unless the person who prepared or the person from the Chief Financial Officer's office or Mr. Costello can testify. He advised what this combines is expenditures and revenues. Chief Davis advised he did not prepare the report he is going by what the Finance Office provided and that his part of the budget is 40.2%. Special Board Solicitor Marcolongo stated Mr. Costello will be present at next Tuesday's special meeting so this information will be provided at that time.

Attorney Doyle stated there are line item in the department of police for salary and wages and a line item for other expenses. He advised there is a line item for department of police dispatch salary and wages and a line item for other expenses. Attorney Doyle asked Chief Davis if police dispatch is within his budget. Chief Davis stated yes. Attorney Doyle stated these numbers total 9.813 million. He asked if there are any other line items Chief Davis would want to discuss. Chief Davis stated we have pension and health care contributions also. Attorney Doyle asked where Chief Davis had originally came up with the 35% from. Chief Davis stated Mr. Miller, however, this information counters that from the Acting Chief Financial Officer for Egg Harbor Township.

Attorney Doyle stated based upon information submitted tonight in 2007 there were two (2) community policing officer but testimony given indicates there is now one (1) community policing officer. Chief Davis stated this is correct. Attorney Doyle asked when this occurred. Chief Davis stated he is not exactly sure. Attorney Doyle stated regardless of this reduction the programs that were instituted since 1992, based upon Chief Davis' testimony, are still in place. Chief Davis stated since 1992 we started the community policing philosophy but when these programs occurred he could not advise. He indicated D.A.R.E. is one of the longer ones but without going through the research to advise when they started and the evolution of them. He can only advise that these are the community police events that we have.

Attorney Doyle advised he would like to place into evidence subject to the Chief Davis' review and comments from Special Board Solicitor Marcolongo material that was submitted based upon a compilation of reports not draw from Route 152, Dog Beach or other parts of non-mainland Egg Harbor Township but just from Seaview Harbor. Special Board Solicitor Marcolongo stated on Thursday at approximately 4:25 p.m. he received an email from Attorney Doyle with seven (7) attachments to it and they were compilations of certain records that existed and Attorney Doyle advised he wanted to move them into evidence at this meeting.

Special Board Solicitor Marcolongo indicated he assumes this information was to refute the testimony of Chief Davis during the last two (2) meetings. He advised he was leaving on vacation the next morning and did not have a chance to review. Special Board Solicitor Marcolongo explained that had simply forwarded them to the Police Chief and Special Board Planner Wiser asking them to take a look at the information and he would discuss with them when he returned on Tuesday. He asked for nothing more.

Special Board Solicitor Marcolongo stated he had no time to review these documents then or today upon his return and compare them to whatever incident reports that may have existed previously that would have supported the compilation. Special Board Solicitor Marcolongo stated he is o.k. with all the records that have been discussed. He indicated his concern is when you have all these compilations you have some unknown person who is creating documents that have no foundation, as far as, he can see he does not know what the foundation is and he has no clue if all the information contained in them is accurate. He advised as seen tonight with regards to S124 that there were errors within the document.

Special Board Solicitor Marcolongo indicated he has great concerns admitting any of these compilations into evidence. He indicated he has no difficulty just as he did with S124 in marking them for identification and having Attorney Doyle question Chief Davis on them and see what information can be gleaned out of it. But from a compilation he does not know what information Chief Davis may be able to give us.

Special Board Solicitor Marcolongo added they are not footnoted, there is no reference to anything, they're simply numbers on a page. Attorney Doyle stated this is not accurate. He advised there are numbers on a page and next to each number is a report, incident date, date of call, dispatch time, arrival time, etc... Special Board Solicitor Marcolongo stated the best evidence is the incident report itself. He advised he has no problem marking them into evidence and having Chief Davis testify to as many as Attorney Doyle would like. Again, he believes the records should be submitted not the compilations.

Attorney Doyle stated he would like to remind Special Board Solicitor Marcolongo and the Board that when he submitted, he submitted with a detailed email about his continuing efforts since October, 2013, to gather information and to hopefully through discussion, which was discussed at the August 17th meeting and follow-up emails between himself and Special Board Solicitor Marcolongo to somehow examine the records so they could come to a common basis.

Attorney Doyle stated Chief Davis indicated his response time records were based upon all 1,480 reports subject to his exclusions such as officer initiated calls, the -0- or 2 second responses and the taking out the 20 minute plus, which he agrees with. He stated we submitted this information taking this information out and he acknowledges it was on Thursday. Attorney Doyle stated he did not know that Special Board Solicitor Marcolongo would be away. But at that point not getting the items he asked for in OPRA, for the reasons the Police Chief gave, we prepared a report. Attorney Doyle further noted the two (2) volumes represent the Egg Harbor Township reports and Longport reports.

Special Board Solicitor Marcolongo stated as indicated by Mr. Doyle they have had this information since late last year while they were going through their affirmative presentation. He indicated they had the opportunity to present the documentation to us at that time and we are beyond that now. He indicated to allow this to come in as rebuttal argument at the end of hearing is problematic. Special Board Solicitor Marcolongo stated he would prefer the compilation reports not be admitted into evidence and they simply question Chief Davis on any individual matters that they want.

Board Member Aponte stated he would tend to agree with Special Board Solicitor Marcolongo. Attorney Doyle stated he would only point out that by the time he finished his case and the evidence as was presented. We had not heard from a police officer, let alone this Police Chief, because we were to hear from the other Police Chief. He indicated not that the reports would have been different necessarily, but if you recall not only the citizen testimony but what Mayor McCullough said, what Mayor Russo said and what Mr. Miller affirmed, which Chief Davis advised were all wrong. When the Mayor said there is a 911 call Longport comes, they're closer. Attorney Doyle stated Chief Davis indicated that is not accurate so he thinks it is rebuttal, if you will, but it comes as a surprise that the town, two (2) minutes down the road, average time of response is more and is something that he absolutely disagrees with based upon the facts and it comes in disagreement with what the Mayor, the other Mayor and the Administrator said.

Attorney Doyle stated he did not want to put his case, you, the record through all of this. Board Member Aponte stated he would agree with Special Board Solicitor Marcolongo. Attorney Doyle stated he would like to have, so it is at least on the record, and would be potentially usable here or wherever else it may need be necessary to use it for identification only. Special Board Solicitor Marcolongo stated he has no difficulty with that.

Attorney Doyle asked Chief Davis if Seaview Harbor were not a part of Egg Harbor Township it would reduce in some degree your work load. Though he understands geographically Chief Davis will still have Route 152, Anchorage Poynte, and the immediate area. But there are a number of calls that come out of Seaview Harbor are there not. Chief Davis stated yes. Attorney Doyle stated as part of Exhibit S136 which is from 2006 there was an average time for a call, as documented by the Police Department, as being .94. He asked if there is such a statistic now. Chief Davis advised he believes the formula that was used is a national formula or a formula that comes from another entity that is used for manpower. He advised this is going back to 2006 and the first in which he has seen it. Attorney Doyle asked if there is a current formula. Chief Davis advised this formula is still in use.

Attorney Doyle asked on average, over a year, how many calls Egg Harbor Township makes to Seaview Harbor. Chief Davis stated he did not take the calls for service that Attorney Doyle asked for and break them down per year. Attorney Doyle asked Chief Davis if he has been asked to or has he prepared a report indicating what if any savings would be accomplished for Egg Harbor Township by losing this portion of your jurisdiction. Chief Davis asked what is meant by savings. Attorney Doyle advised if Chief Davis did not have to send police out to Seaview Harbor you would save money spent on them or allow them the additional hours to be spent on the balance of Egg Harbor Township. Chief Davis advised he has not done any cost saving analysis like this and he has not been asked.

Board Member Aponte referred to Exhibit S136 page 14. He asked from the Police Chief down to the motor vehicle unit which ones are no longer. Chief Davis stated we no longer have the airport unit, we do not have 5 lieutenants there are 4, K-9 is the same, traffic officers has been reduced to 3, one of which is a supervisor, the community policing officers have been reduced to 1, the logistics officer is a civilian, detectives are reduced to 9, there are no school resource officers, the juvenile diversion officer does double duty as the community policing officer, we do not have airport units it was abolished when the State Police took over jurisdiction at the airport and the motor vehicle unit is 1 officer.

Attorney Doyle asked if the detail incident reports created by Chief Davis' department is a standard form based upon the computer service used. Chief Davis stated yes. Attorney Doyle asked to the best of Chief Davis' knowledge and belief that his officers and dispatchers put in the information accurately and properly. Chief Davis stated as humanly possible. Attorney Doyle stated he believes Chief Davis testified before, whichever calls you used, the response time is by subtracting dispatch time from arrival time as the appropriate basis. Chief Davis stated yes.

Attorney Doyle stated dispatch time is not the same as call time. Chief Davis stated correct. Attorney Doyle asked what happens between the time the call is made and the police officer dispatches. Chief Davis stated when they create the call and they hit enter, in theory, it will time stamp for that time. They could still be typing and taking that information from the individual so there could still be that delay between that and the tone for the officer to respond. So the time the officer is dispatched and in route to the call may be different, which is usually different than the time the call came in.

Attorney Doyle used for example the call time of 14:24.51 and dispatch is 14:27.47, which is about a 3 minute lapse. He asked what happens during this time. Chief Davis advised this is what he just said. Attorney Doyle advised he has looked at another and it took less than a minute. Chief Davis stated based upon the reviews they are pretty quick but it depends, again as he articulated, getting that information from that caller. He advised when someone is calling 911 especially when it is something that is going to be an emergency situation, depending upon that persons capabilities to keep calm, and getting that pertinent information out of them. He advised it is going to take some time but meanwhile that dispatcher is still starting that call that is going to be time stamped with the most accurate time the phone is ringing. He advised it is not going to be instantaneous but that is going to be the closest to the actual call being received. Attorney Doyle stated the dispatch is going to be based on all the information derived and the decision making about who to dispatch, where and who is available. So the dispatch time is actually the time the call goes to for example car 5A go to 32 Sunset, correct. Chief Davis stated he believes he understands what Attorney Doyle is saying and yes.

Attorney Doyle asked if a Longport call comes in; a 911 in Longport. He indicated there is no decision to be made is there. He advised you call Longport and they send a police officer and if they do not have anyone available they will get back to you. Chief Davis stated yes. Attorney Doyle asked if the call comes in from Seaview Harbor in Egg Harbor Township than there has to be a determination, as he understands it, whether it is an emergency or non-emergency, the availability of cars and whom is the best to send. Chief Davis stated these determinants would be the same for Longport in their case. He stated if they have an emergency and are tied up they're going to make those decisions on who to ask for help. Attorney Doyle stated they will make it. Chief Davis stated correct and we would do it for our jurisdiction.

Attorney Doyle stated this decision is made between the time the call comes in and the police officer from wherever was dispatched. Chief Davis stated if a call comes in for Longport, Longport is going to make their decisions on how to best respond to it and they will be told to respond. He advised we are going to do the same thing in Egg Harbor Township. He advised if a call comes into Egg Harbor Township we will make the decision as to how best to respond to them. He stated whether it is sending the area car or asking for assistance from another jurisdiction for whatever reason. If it needs that emergency response and a quicker response and we believe we can get it elsewhere we will do that. Chief Davis stated he is sure the other jurisdiction will do the same thing.

Attorney Doyle questioned Chief Davis calling it assistance. He stated are there not calls in the past that Egg Harbor Township has called on Longport and Longport has gone, gotten there, been first and by the time they have concluded the call and gotten back to you; you did not have to go at all. Chief Davis stated yes. Attorney Doyle asked what percentage of calls where this has happened. Chief Davis stated no, but predominately with the burglary calls because they are unknown entities, even though, he is not aware of a burglary alarm coming in that was a problem. But they come in steadily and asking Longport to assist with that because we do not know if it is an actual problem and they get there, speak with the home owner and everything is fine. We may or may not, at that point, go out to that call.

Chief Davis further noted if there was response "we have an open door, an open window, there is someone here that does not know the code" we are coming because we need to address it. He advised they would assist us. They would standby but ultimately we would have to do this. Attorney Doyle advised he understands this happens with alarms calls and non-answers. He asked if it ever happened with priority calls to his knowledge. Chief Davis stated not ultimately with a priority call because if it turned out to truly be a priority call we have to go. He advised there is not a priority call they handle

since they cannot investigate because they do not have the jurisdiction to do that. Chief Davis explained they would standby, help mitigate it, preserve life and property and we would handle the case.

Attorney Doyle asked Chief Davis if he had done a statistical analysis of what percentage of calls Longport Police Department were on for Seaview Harbor. Chief Davis stated no. Attorney Doyle stated while looking at the incident reports from both towns it is noted in the Longport reports that they were at an incident in Egg Harbor Township and so were you. He advised the corresponding Egg Harbor Township incident report does not mention the presence of Longport. He asked why it would not be mentioned. Chief Davis advised he would have to look at the totality of why that call occurred and may not even get those answer because we are discussing something that happened in 2011, 2012, or 2013. He stated if the dispatcher was free enough to place that comment in they would. Chief Davis stated it was few and far between where there were cases where there wasn't a comment from us about Longport going and there was not a comment from Longport saying we asked them to go.

Attorney Doyle asked in Chief Davis' conclusion he spoke about the dollar loss and a list of horrors that would happen such as a loss of officers, reduction of community policing events, reduction/elimination school programs, increased response time, increase of UCR part I crimes, and an increase of crashes. He also noted Chief Davis advised that the police force with whatever cost it was lost over 20% of its manpower between 2007 and 2010 but despite this it maintained its mission, vision, and its efficient service. He asked if this is correct. Chief Davis stated yes.

Attorney Doyle referred to page 48 of Exhibit B100 indicating Chief Davis noted on this page if the petition were to go through it would be a "breach of social contract with community in which each homeowner purchased their property". Attorney Doyle asked what is meant by social contract. Chief Davis stated as he explained this on the first and second day. You have an expectation when you move into a community, again, that you are going to share the pain and the fortune of an economy in the country we are in. There is an expectation that businesses will come and go. That there will be growth and contraction based on individuals leaving a community. He stated you don't, as a member of the community, expect a whole section of your town to up and leave. He advised this is realistically something that you cannot plan for.

Chief Davis stated this is something that he finds as a breach of contract. He indicated if you are going to buy within a community and then decide, well I don't want to be in that community anymore, and grab your neighbors and leave. He mentioned the fact in one of the slides where he lives and how long it takes him to get here which was in a mile and 2 minutes of Seaview Harbor. But he never went to his neighbors and suggested they should leave. He indicated there is an expectation that people would not do that.

Attorney Doyle asked Chief Davis you feel the people that are breaching this contract are the petitioners. Chief Davis stated yes. Attorney Doyle asked if the law allows them the right to leave does it no. Chief Davis advised Attorney Doyle asked what that was and his position and he gave it to him. Chief Davis stated he is not disputing they are allowed to do this. This is their legal right to do so and we are here. Attorney Doyle stated a contract means there are corresponding rights and responsibilities correct. Chief Davis stated yes. Attorney Doyle asked it is not the right of a citizen to expect from their municipality that municipality will take care of their public health, safety, welfare, wellbeing and security. Chief Davis stated yes.

Attorney Doyle asked if it is not true with respect to fire and ambulance services they do not receive it from the community where they live, pay their taxes and vote for the officials. Chief Davis stated yes they do. The services offered to the residents on the mainland, West Atlantic City, Longport Boulevard, Seaview Harbor are the same services. He advised depending upon your situation whether or not you partake in those services is an option of the individual and it is their right to do this. Attorney Doyle stated third response for fire services is not the same as everyone on the mainland. Chief Davis stated it is a volunteer fire department. Attorney Doyle stated the volunteer fire department gets money out of municipal budget in part paid for by Seaview Harbor taxes. Does it not. Chief Davis he indicated he believes so, yes.

Attorney Doyle stated the ambulance services is a million dollar revenue generator and cost about \$700,000.00. He stated Seaview Harbor pays their proportion of taxes for that and they don't get that service as a primary. Chief Davis stated they receive the service but not as a primary. Attorney Doyle indicated unlike the mainland in Egg Harbor Township. Chief Davis stated yes. Attorney Doyle stated has not Egg Harbor Township breached their responsibility. Chief Davis stated absolutely not. He advised it is prudent that if we are going to have a volunteer fire department and an ambulance squad that is further away those responding agencies, fire companies and medical, have made arrangements to provide a good service through them with the assistance of other jurisdictions. Chief Davis stated it would be erroneous and breach of the contract for them to say no we do not want anyone crossing the border we know it is further and it will take a while to get the ambulance there but we do not care because someone may want to leave and we are going to send our ambulance first.

Chief Davis stated he believes this would be a breach and what they are providing in fire and EMS a quality service since they recognize a need and a time sensitive issue for a fire or medical emergency to get there. He stated with the police department being 24/7 all the time we provide a great service also. Attorney Doyle stated the quality service that is being provided by Egg Harbor Township police and fire is basically to subcontract it out and not have to pay for it. Attorney Doyle then corrected himself and said fire and ambulance. Chief Davis stated he objects to that word and he does not believe this is a proper characterization. He advised they still have the authority and go as need be.

Attorney Doyle stated with that authority the Seaview Harbor people pay taxes for what they don't get a response for and they don't have a right to vote for the people who provide those basic services. He stated Longport provides basic fire, ambulance and a portion of police and they cannot vote in Longport.

Attorney Doyle thanked Chief Davis and advised subject to placing evidence in or anything else develops.

Board Member Aponte asked Chief Davis that he feels we have adequate services to service our residents. Chief Davis stated absolutely. Board Member Aponte stated he went through the report concerning staffing. He advised the airport unit we had no control over and that was six (6) officers. Chief Davis stated correct. Board Member Aponte advised than there were three (3) resource officers, which was managerial. Therefore, 9 of the 12 which is 75% were either managerial or not within your control. Chief Davis stated this is correct.

Special Board Planner Wisner advised he had some questions concerning Chief Davis' report. He asked on Page 3 of Exhibit B100 it noted the Egg Harbor Township Police Department was established in 1968. He asked who had control before this. Chief Davis advised the State Police and they still did in 1968 when they incorporated the police department because it was only one (1) individual. Special Board Planner

Wiser than referred to Page 8 stating Chief Davis referenced a community-oriented police department and sustaining a high quality of life in a manner of transparency and accountability. He asked if not all police department's community oriented.

Chief Davis stated he wanted it to be a focus of our police department to be community-oriented and this is why it is specifically put in there. He advised it is not only the community policing but the officers getting out there into the community engaging them and getting their input. He stated this is why he spoke with several people in the audience during his testimony to get a feel for the concerns out there and he was enlightened. He advised we are committed to providing excellence in delivery of law enforcement services. He indicated this goes to expanding the scope of what we can provide and then gave examples of the types of services that are provided by the Egg Harbor Township Police Department.

Chief Davis indicated these services are based upon the goal to reduce crime, apprehending the criminals and sustaining a high quality of life. He indicated these are the fundamental pillars that he wanted stated in writing to his members of the police department. Chief Davis again noted they carry this on their person when they are working. Chief Davis stated he did this to reinforce. He advised he wants them to believe in it, know it, own it, and buy into it in order to benefit the people in the room and outside of here. Whether on the mainland or not.

Special Board Planner Wiser referred to Page 9 concerning Motto and Goals. He stated Chief Davis just noted through this process he met with the Seaview Harbor residents and have been made aware of their concerns. Chief Davis stated he has spoken with a few people here. So he could obtain a feel for the culture and what the concerns are. Chief Davis stated he felt it would be viewed as being a bit disingenuous to have held a crime watch meeting or something while this was going on but it is something that is contemplated for the future. He advised based on the feedback that perception is lacking with them. He stated this was part of things from the last testimony where he noted they say we are there but we are there and he presented documented times when we are doing property checks, car stops and things like that.

Chief Davis stated it is very difficult as a police officer, and he encountered it for a long time, where it is said I never see a cop they are never there. But they are there. Chief Davis the Seaview Harbor neighborhood has had their Chief of Police in it, patrolling more in the last three (3) to four (4) months, than any other neighborhood in town and he stated he does drive specifically around the neighborhoods. He indicated when he goes out he looks for people to wave to so they can see there is a police officer present. However, most of the time he does not see people.

Special Board Planner Wiser asked if it would be fair to say that the police department did not have a relationship with Seaview Harbor before but as a part of this there may be an opportunity to build a relationship. Chief Davis stated it would be to build better relationship, which we are always striving to do. He stated he is sure that if he went into other neighborhoods there would be concerns that would be different and some the same as the residents in Seaview Harbor. Special Board Planner Wiser stated in relationship to Page 19 where it discusses community forums he asked Chief Davis if there was ever a community forum at Seaview Harbor prior to this. Chief Davis stated not that he is aware of. He indicated there may have been a long time ago, but he does not know.

Special Board Planner Wiser asked if the community forum is held because the police department suggest or the community comes in and ask. Chief Davis stated it is usually someone from the

community coming forward interested in doing a crime watch or asking for the police department to speak at community function. Special Board Planner Wiser stated then you are invited in. So you have not been invited into Seaview Harbor. Chief Davis stated no. Special Board Planner Wiser asked if there is a neighborhood watch in Seaview Harbor. Chief Davis stated no.

Special Board Planner Wiser stated on Page 18 (exhibit B100) there is mention for certification for dispatch. He asked what does a certification for a dispatcher entail. Chief Davis stated any party that answers a 911 line has to have certification through the State for dispatch. He advised in order to take a medical call you need a separate certification for EMD. He advised he could not just place a police officer in place of dispatcher and tell them to answer the phone. He indicated they have to be trained specially as a 911 operator.

Special Board Planner Wiser asked if all the Egg Harbor Township dispatchers trained and have both certifications. Chief Davis stated yes they are. He advised in addition to this the Township started and MCO, which is a Master Communications Officer program where they meet certain criteria in continuing education and this allows them to reach a Master Communication Officer status. He advised we have several of those and we also have a TCO which is a Training Communication Officers. Chief Davis stated when we have people coming into our dispatch center that are new even if they are new to our center but have experience somewhere else they go through a training program in Egg Harbor Township to ensure they are providing a proper service to the Township in the way we would need them to do. Special Board Solicitor Wiser asked if this includes geographical training such as street names, locations. Chief Davis stated yes and they are brought out on tours of the Township, which includes Seaview Harbor. He stated even if they have lived in Egg Harbor Township their whole life they are still taken out.

Special Board Planner Wiser stated before the CADD system, which he believes Chief Davis indicated was ARC GIS Enforces. Chief Davis stated Enforces is the CADD system used by Linwood, as well as, Longport. He indicated Egg Harbor Township uses New World, as well as Northfield. Special Board Planner Wiser asked before the technology existed how would a dispatcher reference a police car to a certain location. Chief Davis stated we still had the geographical map of Egg Harbor Township and it would have been broken up into the areas. He advised the patrol officers knew the areas they were responsible for and the dispatchers knew what the areas were and if they received a call they knew what car to send. He advised they had a paper list of the cross street's and locations. He stated Township obtained its first CADD system in 1989. He stated before that it was punch a card where you literally punched a card with a time stamp and write the information on it. Special Board Planner Wiser stated even without the mapping all the dispatchers were knowledgeable about the geography of the town. Chief Davis stated yes.

Special Board Planner Wiser than referred to pages 31 (operations bureau) and 32 (criminal investigation bureau) (B100) stating there are number of specialties listed for the police department. He asked if Chief Davis knows if Longport police department has any of these specialties. Attorney Doyle objected. He stated the question is not to compare Longport and Egg Harbor Township. He stated the petitioners have decided what is in their best interest. Special Board Planner Wiser stated Attorney Doyle has been comparing Longport and Egg Harbor Township since this started. Attorney Doyle stated we have said what has happened and why that was our preference. He indicated he made his object.

Special Board Solicitor Marcolongo asked Chief Davis to answer the question. Chief Davis advised he knows they have a member on the emergency response team for the County. He stated they do not have a K-9 unit, he does not know if they have a hostage-crisis negotiation team, he believes they have a bicycle officer, he knows they do have a motorcycle officer. He advised he is not sure about a field training officer. He believes the Township gave training on this recently, but not sure if Longport was one of the places we did this for.

Chief Davis stated he is not sure if they have a gang reduction unit, physical fitness unit, he indicated he is sure they would have firearms training, he stated he does not know about a peer support team, or accident review and awards. Special Board Planner Wiser stated where he is going with this is....based upon the capabilities of what Longport does not have does Egg Harbor Township help them out with mutual aid in the other direction. Chief Davis stated any of these units under the operations bureau, if Longport were to call, because they needed that, we would send. Special Board Planner Wiser stated this is all the questions he has and thanked Chief Davis.

Attorney Doyle stated there is an opening for a position within Egg Harbor Township. Chief Davis stated he is shy one (1) lieutenant. Attorney Doyle stated when this was mentioned it was met with a level of laughter between the people who know and it is a budget negotiation correct. Chief Davis stated yes. Attorney Doyle stated so when you speak of losing \$175,000.00 to \$200,000.00 these numbers are not written in stone they are negotiated with the Township Committee correct. Chief Davis stated he will prepare a budget proposal, it will go to the Township Administrator and what he does with it Chief Davis indicated he does not know, but ultimately it goes to the Township Committee Members for their approval and adoption of the budget.

Attorney Doyle stated Chief Davis did not have a budget before that was presented because he has only been the Chief since February 1st. Chief Davis stated he was part of the last budget because it was being developed at the end of the year and he was here. Attorney Doyle stated there is no automatic that you will get 40% or 38% of the budget. Chief Davis stated he is going by the percentage noted by the Township Administrator and the 40.2% coming from the Chief Financial Officer. Attorney Doyle stated ultimately it is Township Committee making the decision concerning the budget and Chief Davis has the right to address them and get what he thinks is adequate services.

Attorney Doyle asked if the budget in Egg Harbor Township has always been sufficient to provide adequate services as referenced in your mission and vision statement. Chief Davis stated sufficient would be subjective to what he believes is sufficient and what they believe is sufficient, but we have been able to make do and he still believes we give a quality service that is consistent with his vision and mission statement.

Attorney Doyle stated Chief Davis indicated it would be disingenuous to meet with Seaview Harbor. He asked Chief Davis if he read the minutes where the citizens testified as to what their concerns were with the police services. Chief Davis stated no, not yet. Attorney Doyle indicated Chief Davis advised he has spoken with a few of them, if he read the minutes he would have read comments that the police did not know where we lived, not sure where we were, when they did arrive they came later, we do not see police on a regular basis, we don't think we have been served regularly well. Attorney Doyle asked if all of these arguments from a point of jurisdiction, service or your own appreciation he would reject. Chief Davis stated yes.

Attorney Doyle indicated so in terms of talking to them and making them understand it better it is not going to happen is it. Chief Davis stated no, he did not say this. He advised he stated it would be disingenuous because he felt it would have been perceived that way to be doing it during this hearing. He advised going forward that he will try to meet with them or have his community policing address some of those concerns, if they can. He indicated because/due to this hearing he respects their right to petition and he respects their opinion. He advised they have a reality that he does not believe is based on fact because we have the reports and he believes is a bit unfair to the police department. He advised there could be motivation by some but they can be assured, not only the people in this room, but to their neighbors also we will continue to be there for them and will continue to provide quality service that is consistent with the mission statement and the vision statement of this police department because it is our duty and we are professionals and we will continue to do that for them.

Attorney Doyle stated amongst the variables geography, time, distance you cannot change. Chief Davis stated correct, but again, he has said how far is too far. Attorney Doyle stated the availability of cars you are not changing. He stated Area 5 is as big as it is and it will have two (2) cars like the others. Chief Davis stated there are no immediate plans to change the areas at this point but that is not beyond the scope of possibilities and we will have to take a look at this. He stated we have discussed the DEDAC zones of where the crime and crashes are occurring. He stated if the crime and crash statistics showed it was outside of Seaview Harbor and Longport Boulevard this is where his DEDAC people would be. By putting the “cop’s on the dot” so to speak where the crimes and crashing are occurring so we can get our best value for their dollar.

Attorney Doyle stated Seaview Harbor itself or combined with the other non-contiguous parts of Egg Harbor Township would not justify the cost of establishing a substation. Chief Doyle stated it would depend upon the amount of the substation. He indicated if there was a spot being given to us. Attorney Doyle stated he is not here to negotiate. He advised the Mayor has indicated in West Atlantic City there is one (1) car there all the time. Chief Davis stated we had the “cop’s on the dot” and at one time it was much worse than it is today. He advised even though that is a geographical area a car is not always out there now because they are on the mainland servicing where the crime and crashes are occurring.

Chief Davis stated again we would shift it, if there were a spike or a need out in Seaview Harbor. Chief Davis indicated let us hope not. He advised Seaview Harbor is a safe community and you are welcome. Attorney Doyle stated has a low crime rate and it is not going to change. Chief Davis stated let us hope it does not. Attorney Doyle stated given the amount of priority calls and calls overall compared to the 80,000 calls Egg Harbor Township gets in a year. That is not likely to change as you look to the future. Chief Davis asked if he means call volume. Attorney Doyle stated Seaview Harbor’s portion of the call volume or priority call volume. He stated any of the numbers we have looked out. Chief Davis stated barring some major change in environment he would say no but it would fluctuate as any other part would.

Attorney Doyle stated he has no more questions. Board Member Aponte thanked Chief Davis. Board Member Aponte asked Attorney Doyle that he rest for the Police Chief, correct. Attorney Doyle stated yes.

Motion Carman/Pfrommer to carry public hearing to September 30, 2015, 5:00 p.m., prevailing time.
VOTE 6 Yes: Aponte, Carman, Eykyn, Kearns, Pfrommer, Rosenberg

Attorney Doyle stated Chief Culmone is still in the audience. He will renew his request and understand that he will have a discussion with Special Board Solicitor Marcolongo. Board Member Aponte stated he believes where this was left off that Attorney Doyle will submit a profferto Special Board Solicitor Marcolongo. Special Board Solicitor Marcolongo stated this will be something that Attorney Doyle will do between now and possibly tomorrow or before next Tuesday night. Board Member Aponte stated Special Board Solicitor Marcolongo will review this and then advise the Board on this.

Attorney Doyle stated so as to be clear we will provide Special Board Solicitor Marcolongo with the item which are a number of documents to be given an I.D. number but he will do this tomorrow. Special Board Solicitor Marcolongo stated we will start off that way. Attorney Doyle stated o.k.

MEMORIALIZAITON OF RESOLUTION(S):

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| 1. <u>SD 06-15</u>
 Egg Harbor Township | Minor Subdivision
3801/30.06 & 30.13
Carmel & Citation Drive |
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Motion Rosenberg/Pfrommer to memorialize resolution granting conditional minor subdivision approval. Vote 5 Yes: Aponte, Eykyn, Kearns, Pfrommer, Rosenberg. **1 Abstention:** Carman

- | | |
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| 2. <u>SPPF 23-00 (Amended)</u>
 Spencer Gifts, LLC | Amended Prel./Final Major Site Plan
2112/4 &58
Black Horse Pike and Spencer Avenue |
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May the record reflect: Spencer Gifts, LLC, resolution could not be memorialize. Will be rescheduled for memorialization on October 19, 2015.

Motion / to memorialize resolution granting requested checklist waivers, variance relief, and conditional amended preliminary and final major site plan approval. Vote: Aponte, Eykyn, Kleiner, Levy, Pittaro,

SUMMARY MATTER(S):

SECTION I: Discussions of matters pertaining to the Board:

A: General public discussion: Motion Carman/Eykyn to open public portion

May the record reflect no one came forward

Motion Pfrommer/Carman to close public portion

Motion Rosenberg/Eykyn to approve special planning board minutes of March 24, 2015 and April 20, 2015. Vote 6 Yes: Aponte, Carman, Eykyn, Kearns, Pfrommer, Rosenberg.

Motion Pfrommer/Eykyn to adjourn at 9:15 P.M. VOTE 5 Yes: Aponte, Carman, Eykyn, Pfrommer, Rosenberg

Respectfully submitted by,

Theresa Wilbert, Secretary

