

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

November 16, 2015

Planning Board Professional(s):

Solicitor: Christopher Brown, Esq.: (Not in Attendance)

Engineer: James A. Mott, P.E., of Mott Associates: (Not in Attendance)

Planner: Vincent Polistina, P.P., of Polistina and Associates: (Not in Attendance)

Planning Board Deannexation Professional(s):

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

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

A regular 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.

May the record reflect: Chairman Garth asked for a moment of silence for the observance for the people in France.

Roll Call Taken as Follow(s):

Manuel E. Aponte, V-Chair., present

Charles Eykyn, present

James Garth, Sr., Chairperson, present

Frank Kearns, III

Dennis Kleiner, Alt. #1, excused

Robert Levy, another engage.

Mayor James J. McCullough, Jr., * **See below**

Peter Miller, Township Administrator, recused

Committeewoman, Laura Pfrommer, present

Daniel Pittaro, Alt. #II, excused

Paul Rosenberg, 2nd V-Chairperson, present

***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

CONTINUATION OF PUBLIC HEARING(S):

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

Special Board Solicitor Marcolongo stated we are proceeding with matter and believe we can see the end of the tunnel from here. He stated the petitioners have completed their presentation and the Board has called several witnesses and we have heard from them at this point and tonight we will hear from the public. He advised he has received their comments with regards to this deannexation petition. He advised as he stated at the last meeting he does not believe it is appropriate that we hear from any person that has already testified during these proceedings and they have had their opportunity to speak to date.

Special Board Solicitor Marcolongo stated he also suggested we not hear from any person who signed the deannexation petition they certainly had the opportunity to participate in the proceedings to date and their position, their interest has certainly been well represented by Attorney Doyle to date. He indicated he anticipates we will hear testimony from residents of Egg Harbor Township whose interest could be effected, certainly hear from any tax payer of Egg Harbor Township for instance someone who

does not live in the municipality but owns a business in the Township. He indicated he imagines we will hear from residents of Longport, we may hear from residents or tax payers in Seaview Harbor who did not sign the petition and did not testify in this matter to date. Special Board Solicitor stated we may even hear from certain parties that their situation he has not considered.

Special Board Solicitor Marcolongo stated he would like to remind to the public the Planning Board's duties as we proceed. He advised they are to report to the governing body our findings or in other words an impact report where we report to them what we believe the affect deannexation or the refusal to consent to deannexation would; how it would affect the residents of Seaview Harbor and separate and apart from that how deannexation or the refusal to grant deannexation would affect the residents here in Egg Harbor Township. Again, the key is what is the impact and that is what the Board is looking for in your fact finding mission.

Special Board Solicitor Marcolongo advised we welcome everyone to come forward and as you come forward, one at a time, approach the microphone and set forth your name and address for the record and please spell your last name for purposes of transcriber and make it easier for us have our report and then set forth your opinions on the record.

Motion Rosenberg/Eykyn to open public portion. Vote 6 yes.

Attorney Doyle stated he appreciated Special Board Solicitor Marcolongo appreciate setting forth the rules. There may be situations that were not covered or need further discussion. He advised there was a comment at the last meeting, at the end, as to who would testify. He indicated so there were to be no miscommunication he had asked Special Board Solicitor Marcolongo by email that the rule is such and such, which he advised he agreed.

Attorney Doyle stated the language he understood it to be was any person who has not signed the petition for deannexation and is either a tax payer of Egg Harbor Township or an interested party as defined by the Municipal Land Use Law may testify to which he emailed him back and stated "I agree". Attorney Doyle stated to him that is the rule.

Attorney Doyle stated with respect to multiple testimony. As he has said to his clients, if they wish to say something keep it short, to the point, personal and consistent with what the case has been. He would only point out in the Strathemre case and having gone through the 19 transcripts and the index of the names there were nine (9) people who testified, non-experts, on multiple occasions sometime in different roles. He indicated one (1) gentleman at least three (3) times once as the fence permit patroller, once as the fishing club president, and once as a fire chief. He indicated if everyone is short and house does not seem to be larger than it is generally. Regardless who and for how long they speak, through briefly each, we will be out of here before 9:00 p.m. and that would be great.

Attorney Doyle stated the only other thing he would like to say and he said it during the last meeting. He understands the precedence from the Strathmere case and he is not allowed to cross examine citizens. He indicated that was a "split the baby" and not necessarily a precedence but he is sure it is the rule that will be established. He would only say, assuming that, as he asked at the last meeting if he thought the testimony of the witness was insufficiently supported in the conclusions by what went before it. He might ask the Board to ask a particular question and ask from anyone if they are for or against the petition. What is your petition, why is it that and how do you think that position affects you as a tax payer or a resident.

Special Board Solicitor Marcolongo stated he would agree that it is his position that the Board not allow cross examination of witnesses. He indicated allowing that would have a chilling effect on certain parties that feel uncomfortable to come up, set forth their opinion on the record and sometimes it is just going to be an opinion and subject themselves to lengthy cross examination. He stated he does not feel it is appropriate, however, again, as always this is the Boards discretion in these matters and as we proceed through it you may have to make certain decisions on who you might want to hear from or to give a little lead way here or there.

Special Board Solicitor Marcolongo stated he is not sure if ever did respond to Attorney Doyle's email except to say give me a call to talk about it. Because he did not want to put down hard and fast rules because again he anticipates we will have someone tonight who is going to want testify and have a situation or a fact circumstance that is completely new to him that he has not considered. So he believes part of it we will have to play by the seat of our pants.

Freeholder Carman stated he agrees with most of this, but he will say he does not want Attorney Doyle cross examining members of the public. It is their opinion but if you hear something that is blatantly false or something like that address the Board and the Board will take it from there. He stated he does not want to intimidate any public member. Attorney Doyle stated he appreciates this and he would like not to think of himself as intimidating. Freeholder Carman stated it can be for some people that are not use to being up here. Attorney Doyle stated that is absolutely true.

Board Member Aponte stated if you agree or if the Board Members agrees that if you disagree with something maybe you wait until the end of what they say. Write it down and then say you disagree. He advised he does not want Attorney Doyle interrupting them mid-speech and they will stop where they were going. Attorney Doyle stated he does not want to disturb anyone's flow any more then he wanted his in the past.

Special Board Planner Wiser asked if it is the practice to place a time limit on a particular speaker. Chairman Garth not normally but redundancy we do not like. Board Member Aponte stated as he indicated at the last meeting it is distasteful for members of the public who take their time come out here and we place them on a proverbially egg timer it rude but if it drags on, as the Chairman said, it is redundant we will ask if there is anything else add and move on.

PUBLIC COMMENTS:

Renee Bunting, 22 Sunset Boulevard, Longport, New Jersey, Special Board Solicitor Marcolongo stated that would be Seaview Harbor. Ms. Bunting stated yes and she meets the criteria.

Ms. Bunting stated she appreciates the time she is being given to comment about this. Ms. Bunting stated she is in support of the petition for Seaview Harbor to secede from Egg Harbor Township and join Longport. She indicated she is going to share some of her experiences. She has lived in the community since 2008.

Ms. Bunting indicated over the last several years, as many of us know, we have experienced blizzards and snow storms. She advised surprisingly as a newer resident of the community and having moved here from Haddonfield, a small borough, the residents took primary responsibility in clearing the streets not the municipality. Ms. Bunting stated the reasons this is important to her is that she is considered

essential personnel for the organization for whom she works and she needs to get out of her community and respond in a timely way.

Ms. Bunting stated when her finance is in Florida her sense of security is heightened or lack of security. She stated she noticed that contrary to what she is accustomed to from the little Borough of Haddonfield there was very little police presence in our neighborhood and added she is the daughter of a police officer. Ms. Bunting added that was until very recently. She advised curiously over the last several months she has seen more police in their neighborhood than she had in the previous eight (8) years of living in that community. She asked if this is coincidence or strategy.

Ms. Bunting stated she like others who have testified previously have had several pieces of mail delivered very late. She indicated why, because they were delivered to Egg Harbor Township, re-routed and delivered several weeks after their original attempted date. Ms. Bunting provided as an example that she had received an invitation to a charity event, which she was on the planning committee, and the event had already taken place. She added she has received mail back that she had forwarded including bills and the bills arrived late because they had went to Egg Harbor Township and not her directly.

Ms. Bunting stated this situation is confusing at best for people that are trying to find them, for friends who are coming out of town, for people who are addressing mail or important correspondence to us and it can even be an obstacle for someone conducting their personal business.

Ms. Bunting stated she like others were horrified one night when fires flamed in the marina. She indicated they stood in the window, looking out and it was frightening. She advised Egg Harbor Township did not get there to respond to the danger. Instead, the marina's executive director was there and Longport responded. She stated Egg Harbor Township did arrive late. She stated now why. She indicated she absolutely trust and believe Egg Harbor Township wasn't intentionally ignoring the safety of its residents. She believes that Egg Harbor Township wants the best for its citizens. But the fact remains that; that response team is much further from our little community when Longport is two (2) to three (3) minutes away. Ms. Bunting asked if you lived where we live would you not want a solution that ensures the safety of your loved ones, your family, your home, your property.

Ms. Bunting stated it is her opinion that most residents, like herself, identify as Longport or down beach residents. She indicated she has worked in this community, she advised she actually works in Egg Harbor Township, for more than eleven (11) years and she did not even know she lived in Egg Harbor Township she always thought she lived in Longport. She indicated they identify for all the reasons heard over the last several months. The geographical proximity, the mailing address issues that she spoke about and the many others before her, socialization, recreation, church schools, and most important the safety issues.

Ms. Bunting stated respectfully, it is an extraordinary expenditure of your time, Egg Harbor Township's time and money to pursue a course that is fundamentally illogical. Keeping a small, geographically, distant and non-contiguous community that for the past many years has received its services for the most part from Longport. Ms. Bunting stated she for one would like the peace of mind knowing her protection, that of her friends and neighbors is a couple of minutes away not 20 minutes away.

Ms. Bunting stated finally the Board asked for personal testimony and it does not get any more personal than this. She advised Mr. Miller falsely quoted Ralph Henry as saying and Mr. Henry emphatically

advised he did not say. She advised she believes she is in a unique position to judge this. Ms. Bunting stated she can assure you and anyone that knows Ralph Henry, who served this Township for many years can vouch for his honesty and integrity. Ms. Bunting stated she resents and is dishearten that people must resort to altering facts to support a position. Ms. Bunting advised she supports the move by the Seaview Harbor community to secede from Egg Harbor Township and she trusts each of the members will consider the wellbeing of the residents first and foremost and not the politics that too often prevail over common sense solutions. She advised she respectfully submit her comments to the Board.

Special Board Solicitor Marcolongo apologized advising he does not believe Ms. Bunting was duly sworn and asked Ms. Bunting if the testimony she gave to the Board was the truth so help her God. Ms. Bunting stated I do.

Board Member Rosenberg stated he believes Ms. Bunting meant by personal activities that were directly related to the individual giving the testimony rather than personal between two (2) individuals. Special Board Solicitor Marcolongo stated personal came from Mr. Doyle. Attorney Doyle stated he did not testify. They were Ms. Bunting's comments. Board Member Rosenberg stated we should lay down the ground rules for this segment. He asked if we could have a clarification on this.

Special Board Solicitor Marcolongo stated what he thinks Attorney Doyle meant was if a person had some events or incidents that occurred in their life or experiences that they wanted to present to the Board they would have the opportunity to do so. Board Member Rosenberg stated so it is personal to the individual than personal between individuals. Special Board Solicitor Marcolongo stated he agrees, yes.

Board Member Rosenberg stated Ms. Bunting covered a lot of territory. He asked how strictly are we applying the repetition rule. That was police, fire, mail, Mr. Miller. Special Board Solicitor Marcolongo stated it is at the Board's discretion especially the Chairman in terms of what repetition and what is not. Board Member Rosenberg stated before he gives up the microphone in his humble opinion he would like to hear from as many people as possible, but he does not want to drag along. He stated those following should keep this in mind and focus on one or two items rather than disqualifying some people.

Attorney Doyle stated he is sorry. He needs to take a little umbrage and objection. He was told he should not cross examine because it could have an intimidating and chilling effect. He stated to tell after one witness everyone else not to be repetitious is premature. Board Member Rosenberg stated he is sure we said this before the first witness. Attorney Doyle stated it was before you had someone testify and at that point you did not have repetition you have had one person testify. He indicated until the second, third or fourth persons comes up it does not become repetitious. Chairman Garth stated he will proceed as Attorney Doyle suggest. Freeholder Carman stated with all due respect he has to agree with Attorney Doyle. We will err on the side of hearing the testimony. Board Member Rosenberg stated he does too. He indicated he advised he wants to hear from as many people as possible but wanted to reiterate we are not repeating everything over and over.

Dian DaBeck, 36 Sunset Boulevard, Longport, New Jersey, duly sworn: Ms. DaBeck thanked the Board for listening. She advised she moved into Seaview Harbor as a full time resident in June, 2013. She indicated that was five (5) years before their intended move but because of the tax burden after the revaluation and our taxes were increased to \$28,000.00 they were unable to carry their family home

that was only a mile away from her father and her sister. Mrs. DaBeck stated she did have a 10 minute drive to her father and now she has an hour.

Mrs. DaBeck stated however, the most appalling and disturbing thing she learned during these hearings is that the municipality she relies upon for the safety of her, her family and her neighbors has no cares as to whether there is enough water or water pressure in the fire hydrants in her community to keep them safe. She advised as a citizen of this Township it would have never entered her mind that whatever town she was living or for that matter staying in would not take the protection and safety of her and her neighbors so lightly.

Ms. DaBeck stated when Mr. Miller testified that the water was insufficient in our hydrants and his solution was to not pay the bill, frankly she was speechless. She indicated they never received one letter or notice of any kind that we were possibly in danger when calling a first responder and there not be enough water to save life or property.

Ms. DaBeck stated just two (2) weeks ago a plane fell into an apartment building. She explained banner planes fly over their neighborhood all day long in the summer. She advised as the evidence showed a former fire chief appeared twice and requested Township Committee to pay for another water source, a dry pipe, over the bridge into Longport to safe guard our community in the event of a great catastrophe and twice it was never addressed and as of today we do not have additional protection and no explanation as to why this was not reviewed and considered when the bridge construction was taking place. Again, this is another example of the lack of services to this high tax paying community. Ms. DaBeck asked are they wrong to believe in trust of our local government to look out for our public safety.

Lynn Fiore, 5 Seaview Drive, Longport, New Jersey, duly sworn: Ms. Fiore stated the home belongs to the estate of Evelyn Fiore, but she is living there and it belongs to her brothers and sisters. Ms. Fiore stated they are all for the secession of Seaview Harbor from Egg Harbor Township to belong to Longport.

Ms. Fiore stated she had lived in her mother's home for nine (9) months. She advised when she goes to the post office or the library she goes less than a mile over to Longport. Ms. Fiore stated she would not think of going further away and when she goes to vote she has to go all the way to Scullville Fire House instead of going less than a mile over to Longport. She stated she finds it strange to go so far away when right next door there is another community.

Ms. Fiore stated it does not seem very logical to be so far away from the center of the Township. She stated she does not see any reason why to be so far away. She indicated it does not make any sense to her that we are a part of this other community.

Sandra Readding, 13 Oak Haven Lane, Egg Harbor Township, New Jersey, duly sworn: Ms. Readding stated she lives in Egg Harbor Township but she is for the realignment of Seaview Harbor. Ms. Readding stated she lived there for a while. She explained she was a caretaker for her mother. Ms. Readding advised the Doctors she went to were in Ocean City and so was her church. She indicated any type of information they needed for training or shots she needed they would send us in the area where to go and never did they send us to Egg Harbor Township we were sent to Margate, to the library things of that sort.

Ms. Readding stated her mother was also a member of the Ocean City library. She indicated everything that was done there was done in that coastal community. Ms. Readding stated loving Egg Harbor Township, Egg Harbor Township has had nothing to do with that community. She advised she does not believe they are treated fairly just because they are too far away.

Ms. Readding stated they tried looking at some senior social things for her mother. She advised they went to the Egg Harbor Township Community Center, which she is sure is well liked and wonderful, but by the time they got there she had to cox her out of the car and it took a while. So they went back home and the next day they went to Margate and Ventnor and found things suitable there in the coastal area.

Ms. Readding stated it is just very different forms of living. She stated there are different things necessary in judging. She stated she remembers when her Father, years ago, would go door to door as part of the association in Seaview Harbor to raise funds to dredge the canals because the Township would have nothing to do with it. She indicated it was like a blind eye to it and that the responsibility was personal.

Ms. Readding stated thank goodness it all turned out. Mr. Clayton wanted to erect a marina and between the association and Mr. Clayton they arranged an agreement that he would he would keep the canals open and dredged. Again, Egg Harbor Township did not step in at all and yet the canals were very much a part of, run off of that area.

Ms. Readding stated recently they have been trying to sell the property and of course it has been difficult. She stated for all sorts of reasons. She advised she had an appointment with a family who was going to look at the property but when they found out their children would be attending school in Egg Harbor Township they cancelled the appointment. She stated that is not anything against Egg Harbor Township schools. Her children went to school in Egg Harbor Township and currently she has grandchildren going to school in Egg Harbor Township but the thing is it has nothing to do with that coastal area. She stated it has nothing to do with environment over there.

Ms. Readding stated after seeing what happen with the dredging and things like that and the community left holding the bag. She stated she believes Egg Harbor Township is a different type of community and she does not believe they have the logistics in how to handle a coastal area like that. She thanked everyone so much for letting her speak and she is definitely for the realignment.

Special Board Solicitor Marcolongo asked Ms. Readding's mother lives in Seaview Harbor. Ms. Readding stated her mother has passed. She noted both here mother and father lived in Seaview Harbor. They were Victor and Evelyn Fiore.

Frank Grimes, 104 Hospitality Drive, Longport, New Jersey, duly sworn: Mr. Grimes stated he is a Pennsylvania resident but he has owned a home in Seaview Harbor since 1997. He advised he fully supports the petition that has been submitted by the community.

Andre Khoury, 28 Seaview Drive, Longport, New Jersey, duly sworn: Mr. Khoury stated support joining Longport because to him it is logical all his activities are in Longport and Seaview Marina. He advised he strongly supports the condition.

Ralph Rubert, 6 Point Drive, Anchorage Poynte, duly sworn: Mr. Rubert stated he wanted to mention all the struggles of being on the water and being self-contained and 90% of their business is in Longport and he is also for it. He indicated he has been listen to different stories over the months and he believes it is the right decision.

Kevin Kohler, 8 Sunset Boulevard, Seaview Harbor. Special Board Solicitor Marcolongo stated Mr. Kohler had spoken before, if he recalls, he was the first witness. He indicated at this point we are not taking additional testimony. Mr. Kohler stated at that point he was giving the history of Seaview Harbor but he did not give his opinion. He would think he should be entitled to give his opinion. Special Board Solicitor Marcolongo stated Mr. Kohler did have the opportunity to given that and he set forth clearly on the record a relatively long history. Advised he had the opportunity previously.

Mr. Kohler stated he was providing the history more than his opinion. Special Board Solicitor Marcolongo stated he will leave it up to the Chairman. Attorney Doyle stated he does not know what Mr. Kohler has to say and of all the people that came to the microphone he did not know any of them. He indicated he knows Mr. Kohler and he did testify before and he accepts his representation that he will speak about something different than what he spoke about. He stated he would assume he would be very limited. Attorney Doyle stated he has counted that we just had four (4) witnesses in two (2) minutes. He indicated we have taken longer to discuss Mr. Kohler speaking when he may only take two (2) or three (3) minutes.

Board Member Aponte stated he is aware Mr. Kohler has been here through the process the whole time and he thinks Mr. Kohler has heard the Board say, on more than one occasion, no second bites of the apple. Attorney Doyle stated he would ask the Board to defer at this point and let every first time speaker, speak first, and if we have not used much of the time and someone has something new to say to what they may have said before they be given that opportunity. Special Board Solicitor Marcolongo stated the difficulty with opening that door you are opening it all the way. He stated at this point let us have Mr. Kohler step down and we will proceed later on, if there is additional time we may go back him.

Dave Filarski, 127 Bevis Mill Road, Egg Harbor Township, duly sworn: Mr. Fliarski stated he is a resident of Egg Harbor Township and a slip owner. He indicated he supports the move. He stated taxes have went up considerably at the marina, as well as, Egg Harbor Township over the years. He indicated he does not see the tax funds being allocated to support Seaview Harbor. He asked if those tax funds are not going to Seaview Harbor where are they going. He asked why are they being charged as a community for support of that area police, fire, and other services such as garbage collection things like that. Where are those funds going. He indicated if you get rid of Seaview Harbor you should be able to lower the taxes because you do not have a community you are responsible for and you can lay a couple people off.

Jim Fraiser, 7 Otter Lane, Egg Harbor Township, duly sworn: Mr. Fraiser stated he has nothing to do with Seaview Harbor but he is for their petition. Mr. Fraiser stated he has not been to all the meetings but he would like to compliment all the professionals and the Planning Board for the way he has seen this conducted. He advised he has been to a couple meeting and this is a compliment. He stated there has been some rough testimony at times but everyone is handling themselves very well. He stated certainly different then Township Committee.

Mr. Fraiser stated when he first heard and read about this he was pretty. He stated he is a business person and Mr. Miller, our Township Administrator the first thing he said in the paper was Longport

didn't want them before way would they want them now. He stated that seems to him, he indicated everything in life is a negotiation, and it is a very negative way to start off for something that could may be negotiated. He indicated it appears to him the sides were either drawn before that and certainly after that because he has made some comments in the paper, listened to his testimony and he was pretty disrespectful as far as he is concerned to the people who are here trying to accomplish something.

Mr. Fraiser stated from a business standpoint what he understands and he has not looked at that closely the tax burden to us, and the point was made, without Seaview Harbor the burden would generally be .33 cents a day or about \$100.00 a year. Mr. Fraiser stated there are 92 homes in Seaview Harbor and 20 are for sale. They are luxury homes and we know there are not a lot of homes selling and others are in foreclosure. Mr. Fraiser stated it is very, very difficult to sell anything over \$250,000.00 in Egg Harbor Township so it might help a little bit. Mr. Fraiser stated he believes they made a great case and not to be repetitive but the Seaview Harbor resident lifestyle is Longport, Ocean City, so for those reasons he supports the petition.

Lucy Byrd, 33 Zion Road, Egg Harbor Township, duly sworn: Mrs. Byrd stated she is a loner in this group. She has been in the Township for almost 60 years and her family over 100 years. She indicated Freeholder Carman was her babysister when he was growing up. She stated she is looking at this in a different perspective. First she stated someone noted taxes will go down. She advised they were definitely wrong. She indicated the taxes in the Township are very high and someone asked where do the taxes go. She stated the schools.

Mrs. Byrd stated her taxes are almost \$8,000.00 and they live in farm area. She indicated when they purchased in 1959 or 1960 their taxes were \$200.00. She indicated her taxes have went up a bit. She stated of the \$8,000.00 almost \$5,000.00.00 is for the schools. So to those sitting out there, if you leave us you are taking away your part of that tax dollar that you are contributing to the schools and taking it with you. So whoever thinks the taxes are going to go down they are not going to go down. Mrs. Byrd stated you are helping contribute to the tax dollar in Egg Harbor Township, granted, but so are all of us.

Mrs. Byrd stated she is going to address this differently. She stated she has three (3) very personal friends that liver over there with you. She stated they have been friends of hers for 50 years. She stated she is going to read a different perspective. She stated let use first recognize what the goal of separation is and it is a wish of some of the home owners to incorporate with the City of Longport a very wealthy community. Could this be reason as some have suggested is the goal of separation putting distance between the wealthy individuals in our community and the financial average in the community?

Ms. Byrd continued by stating or the struggling individuals who that have to pay the taxes in that community and can ill afford it. She stated you are craving to put distances between those hard working families that have supported Egg Harbor Township and yourselves. She indicated some of you have the temerity, saying it with a straight face, that your desire to separate has nothing to do with class association in the area.

Mrs. Byrd stated she does not want to repeat this but someone did say this Egg Harbor Township, with a frown on their face. She indicated Egg Harbor Township owned most of Longport, owned most of Atlantic City and periodically it was sold off many years ago. We just by chance had this little piece over there. She indicated when she moved into the community they had no water. She stated it cost us

\$70,000.00 and another \$90,000.00 to give you water. She stated most of you were not around you did not live there. She stated it was us that saved you and it was us that paid the bill. You did not.

Mrs. Byrd stated we have helped you. You talked and addressed you cannot get to the library, you can't get to this, you can't get to that. She stated she lives 6 miles from the library, 7 miles from the Township Hall, and 7 miles from the police department and some of you live that far too. She indicated Egg Harbor Township is 62 square miles and there are probably people out there that live further than you and her.

Mrs. Byrd stated we cannot use this as an excuse. She stated you are a very upscale community and very wealthy and you pay your share of taxes but so do we that live out where you look down upon us. She indicated the residents of Longport are the upper end of a social economic scale and many of the residents in your Egg Harbor Township community are not. She added is the tax rate very appealing to you and a priority in you choosing to leave Egg Harbor Township. She stated it is her personal opinion that it is. Mrs. Byrd stated is it not enough that you live in a very affluent, trendy, upscale housing community with magnificent views, beautiful sunsets, boats, docks and privacy. She indicated this is what some of your tax dollars go for.

Mrs. Byrd advised they do not live where she lives. She advised she lives in a farm area. She stated she lives in an area where they can have other things like tractor trailers. She stated does she look down upon those no. She is not that kind of person. She stated beautiful sunsets, boats, docks and privacy this is what some of your taxes pay for. She stated don't complain. Mrs. Byrd stated 90% of Egg Harbor Township's population does not have your luck. You feel your image and you have a price tag and you have to pay for that image. She stated you can appeal to this Board and this Board may side with you and they are wrong in doing that. She stated it is your duty to help pay for those taxes.

Mrs. Byrd stated her children were out of high school in 1995. Someone here mentioned the high school or the schools. She stated her daughter went to three (3) different high schools and never moved from her house. Absegami, Oakcrest and Egg Harbor Township all because it was overcrowded and they kept moving her from one to the other. She indicated the schools are good in the Township don't think otherwise. She indicated she begs them to think about this before you make your decision and give your plans to Township Committee.

Betsy McCloy, 6 Marigold Circle, Egg Harbor Township, Special Board Solicitor Marcolongo asked who is Molly McCloy. Mrs. McCloy advised it is her daughter and she was duly sworn. Mrs. McCloy stated she had the pleasure of living in Seaview Harbor for ten (10) years. She indicated all these people were here friends and neighbors. She indicated their taxes went up when they were reassessed. She indicated she and her husband decided it was too much money for them. She indicated they had three (3) girls and they would rather give their money to them. So we moved into an over 55 community within Egg Harbor Township, the Village Grand and the homes there are priced between \$200,000.00 through \$300,000.00 and they are very happy.

Mrs. McCloy stated she also worried about her neighbors and how they are going to be able to stay there. She indicated we are on a fixed income. She stated her community is very concerned about this secession and she is in the middle. Mrs. McCloy stated she loves Seaview Harbor and she can see their plight but she also loves the Village Grand and Egg Harbor Township. Mrs. McCloy stated she is concerned about taxes and how much they are going to go up. She advised as the lady said before she is paying about \$8,000.00 a year for a \$200,000.00.

Special Board Planner Wiser began to ask a question and Attorney Doyle objected. He stated he is not allow to cross examine. This is a citizen. Special Board Solicitor Marcolongo asked let us find out what the question is. Special Board Planner Wiser asked if Mrs. McCloy has a position one way or the other concerning the petition.

Mrs. McCloy stated she really is torn between the two (2). She stated she is concerned about taxes in New Jersey like anyone else who lives here, especially Egg Harbor Township, because she lives here. Attorney Doyle stated he sees from the list of petitioners a Molly McCloy. Mrs. McCloy stated that is her daughter who had lived there with them. Attorney Doyle asked Mrs. McCloy based upon the assessment of her house based upon the testimony that has been given by Mr. Costello the impact the deannexation would have on her house. Mrs. McCloy stated it was her house and they lived together there at the same time. She stated their taxes went up and we wanted our taxes to go down. She advised she sold the home for more than what it was assessed at.

Special Board Solicitor Marcolongo asked if her daughter still lives there. Mrs. McCloy stated no her daughter does not live there anymore. Special Board Solicitor Marcolongo stated the reason why he asked is because a Molly McCloy has signed the petition. Mrs. McCloy stated that was years ago. She advised the daughter never owned the home. She was 18.

Donald Berger, 26 Sunset Boulevard, Longport. Special Board Solicitor Marcolongo stated Dr. Berger has testified on two (2) occasions. Dr. Berger stated this is correct. Attorney Doyle stated he would raise the same concern as he understood it any person who has not signed the petition for deannexation and is either a tax payer in Egg Harbor Township may testify. He stated Dr. Berger did not sign the petition albeit he testified twice and he believes people should have the right to the microphone within a reasonable time. He stated this is how he understood it to be. He advised we have deferred Mr. Kohler he would assume we will defer the gentleman. Again, according to his calculations we have went through 11 witnesses in 43 minutes.

Board Member Aponte advised to Chairman Garth he does not care if they are one (1) minute or six (6) minutes to him that is not the issue. The issue is everyone has been here and you cannot have second, third bite of the apple and Dr. Berger has heard him. Again, he has the same objection. Attorney Doyle stated before the night ends and all the first timers have went through he would like the Board to vote on whether they are going to listen to people tonight.

Ivan Tancredi, 24 Sunset Boulevard, duly sworn: Mr. Tancredi stated first he is favor of the petition to go to Longport and secondly after hearing the police commissioner speak he would like to bring a few things out. Mr. Tancredi stated Longport police department is about one mile away from Seaview Harbor and it takes them less than in favor to move to longport secondly after hear police. Longport police is one mile away and less than two (2) seconds to get to us. He stated depending where the police car is for Egg Harbor Township it could be a couple minutes or ten (10) or more than that. He stated we all know during the summer months it is difficult to go through Somers Point. He stated so the dispatch being with Egg Harbor Township he has a big concern as to how that is going to be handled going forward. He stated he has a concern with his family, his friends and neighbors. He indicated if a police car is dispatched from Longport it takes less than two (2) minutes to get there. He stated we are one (1) mile away right over the bridge. We never know how long it takes for an Egg Harbor Township police car to get to us. Again, it depends where that car is whether it is winter or summer.

Board Member Rosenberg you made point of Egg Harbor Township police car and the concern that Longport's police department is much closer but you indicated you had a concern with Egg Harbor Township taking over Longport's dispatch. He asked if he could clarify concern. Mr. Tancredi stated he has been in Seaview Harbor for four (4) years and most of the cars he has seen have been from Longport. He stated according the commissioner the cars are now going to be dispatched and they will be Egg Harbor Township police cars are going to come into Seaview Harbor. He stated we are no longer going to have, the way he heard it, Longport police dispatched. He stated maybe they will but that is the way he heard it.

Board Member Rosenberg stated he believes there may be a bit of misconception and without testifying himself. He stated he believes the Chief indicated Longport's dispatching will be taken over by Egg Harbor Township not the elimination of the Longport police.

Larry Berkowitz, 21 Sunset Boulevard, duly sworn: Mr. Berkowitz stated he is new to the neighborhood and has been there for about 2 ½ years. He indicated he does not have the same bonds and ties as everyone else, but has made some great friends and this is a great group of people. Mr. Berkowitz stated he does not have the history as everyone else does so what he has is a fresher view point.

Mr. Berkowitz stated he does not live here full time and is a vacation property. He stated where he lives the police are coming up down the street. He state in Seaview Harbor he does not see the Egg Harbor Township police in the neighborhood. He stated he has seen Longport. He indicated it is disturbing not seeing Egg Harbor Township police especially since he does not live here full time and it worries him who is watching the house. He indicated his neighbors do watch the house and it has saved him a few times when they did have some problems.

Mr. Berkowitz advised another thing that disturbed him was about a year ago the house across the channel from them caught fire. He indicated maybe it was within ten (10) minutes the Longport fire department was there but Egg Harbor Township's fire department had taken may be 25 to 30 minutes. He indicated that is upsetting. He stated thank goodness Longport showed up, but what would happen to his home if he was just counting on the Egg Harbor Township fire department. He stated he certainly does not want to count on that.

Mr. Berkowitz stated as far as the taxes go. He stated he believes he feels bad for everyone in Egg Harbor Township. He did add he thinks Egg Harbor Township is a fantastic Township. He does know a little bit about it and he does not look down on the Township as was mentioned earlier. He indicated he does not believe this petition has anything to do with a negative toward the Township or the people that live there. The services offered for the people in the Township are great. He stated he does not think it makes sense for this neighborhood to be part of the Township because it is so far away.

Mr. Berkowitz stated with referenced to the taxes he lives in Bala Cynwald. His home is 50% larger than the one he has here. He indicated his taxes at home are \$15,000.00 a year and his here \$27,500.00 and they just went up again from last year. He indicated the taxes are out of hand and maybe they are for everyone in the Township. He stated he can only speak for himself but in his opinion it is not good for land values. He indicated he already sees land values going down. He stated he saw a lot for sale in the neighborhood and they were asking \$400,000.00 and it is his understanding it just sold for \$100,000.00.

Board Member Aponte asked if Mr. Berkowitz purchased the home pre or post revaluation. Mr. Berkowitz stated he purchased the home believing his taxes were \$15,000.00. He indicated the day they

did their settlement walk through the neighbor asked if anyone told him they were going to raise and they may be double. He indicated this turned into a long road with realtors and some lawyers and at the end of the day he was too far down the road. He indicated his wife fell in love with the house and we have looked for a long time and we wanted a neighborhood that we could come to and our kids but not be in the hustle and bustle of some of the shore towns. So we decided to take our chances and hope this petition works. He indicated they learned about the petition at that point.

Mr. Berkowitz stated it makes sense to secede especially since they have been there for 2 ½ years. He indicated the tax issue did not deter him from purchasing the home at the time but he hopes maybe this will. He stated he was willing to accept the taxes and this is his point. He indicated now that he is in the neighborhood and see some of the issues he understands where everyone is coming from. He indicated there is something missing in this neighborhood as far as support and services from the Township it belongs too.

Linda Berger, 26 Sunset Boulevard, Longport, duly sworn: Mrs. Berger stated she is kind of sick and tired of hearing, seeing in the newspaper, and other people saying they are an extremely affluent neighborhood. She stated granted they have quite a few very nice homes. But she advised there is a core of them that are very hardworking families and she thinks it is very wrong to judge them by this affluent mindset that has been given by Mr. Miller in the newspaper. Mrs. Berger stated it makes her extremely angry when she sees a lot of her neighbors that have been there for many years and are existing.

Mrs. Berger stated everybody states this is not about taxes, but it is to a point but there is another point. She advised if you take a look at the neighborhood and this is what some of this is. Mrs. Berger stated her husband's creditability was questioned by Mr. Simerson. He walked the streets and he questioned. He advised the potholes were not there, the streets were not bad and he questioned about the pictures that were taken. She stated he took the pictures, as well as, another one of her neighbor's. Mrs. Berger advised she has since walked the neighborhood, if you would see the conditions of the streets, it is disgusting and dangerous.

Mrs. Berger advised that goes also to everything else that everyone has said the fire, the police. She indicated they just need to secede. Mrs. Berger stated we need to know that we are safe. She indicated they are a neighborhood that is aging and when her grandchildren come down, god forbid, if we have a problem she wants to know someone is going to come within five (5) minutes not 15, not 20 or that she has to place them in the car and take them somewhere. Mrs. Berger stated there have been instances when they have had to go to the hospital but they have done it because they know not to wait. She stated thank god it was not this past summer they made it through.

Mrs. Berger advised there was a mentioned in Mr. Miller's testimony about the residents in Harbor Pines do not maintain their center island. She stated they maintain their center islands because they own them. She stated they do not own their center island but they maintain. Mrs. Berger stated she thinks there were a lot of things that were said that are not correct and this makes her very angry and we are not allowed to, sitting in the peanut gallery and maybe we have been disrespectful a little bit and rolled our eyes a little bit, but it is very hard to keep quiet to hear people sit and not tell the truth. Mrs. Berger stated come take a ride through the neighborhood, is it beautiful, yes.

Mrs. Berger asked does she see a lot of policemen coming through on patrols. No, but do you know when she saw one of the first one's come. She thinks it was one of the day's right after this. She

indicated it was the police chief in an unmarked black van, not in a uniform, and she got a wave. He went through and that was it. She stated that was the extent. Mrs. Berger stated recently there have been a few maybe a few more patrols coming through.

Mrs. Berger stated take a look at the age. They are not elderly but we have families and she does not believe it would that much of a hardship of they are allowed to secede.

Ms. Fiore asked if she could speak again briefly. Special Board Solicitor Marcolongo advised Mrs. Fiore that she was still under oath. Stated in the home where she lives the people who had children that were going come, the reason why they didn't want to come and see the house was because the children would have to go to Egg Harbor Township schools and they are so far away. She stated it was not because they considered Egg Harbor Township lower than us. She indicated that is what they said. It was too far away where the schools was.

Ms. Fiore stated when she said it was quick to get to the library where we are. She stated there may be places in Egg Harbor Township that are farther away from different things like we are but they may be isolated where we are not isolated. She stated we are right next to a town.

Attorney Doyle stated a resolution was submitted into evidence by Mr. Miller and there was a Fiore listed. He asked if they were related. May the record reflect several members of the Board indicated Victor Fiore was listed, the home was Mr. Fiore and yes they are related.

Special Board Solicitor Marcolongo announced if anyone else would like to come forward. May the record reflect no one else came forward. Special Board Solicitor Marcolongo stated absence this Attorney Doyle has asked at a minimum request reconsideration for Mr. Kohler and Dr. Berger.

Attorney Doyle stated he would like to formally ask and not a few things. He stated under the Strathmere procedural case the planning board's role was to be neutral, objective, take facts and determine the impact. He indicated it is not to take a side or in his judgement shut the microphone off. Attorney Doyle stated yes, Kevin Kohler testified. He indicated he testified on March 31, 2014, which is nearly two (2) years ago. He further noted that yes Dr. Berger first testified on June 2, 2014, almost a year and a half ago. Attorney Doyle stated maybe its new maybe it is different.

Attorney Doyle indicated in the Strathmere case he took great interest in reading the transcript when a Mr. Bennet got up and Special Board Solicitor Marcolongo asked had he not already spoken twice already and Mr. Bennet stated no just once. Attorney Doyle stated Mr. Bennet went on to say that he sat there for a year and devoted his time, he is not paid for this, and he has remained silent and he has heard many issues discussed and he has not been able to reply so he is waiting for the appropriate time and he will not be long. Attorney Doyle stated Mr. Bennet then reminded Special Board Solicitor Marcolongo that Mr. Hollinder was allowed to speak three (3) different times on for three (3) different entities and Mr. Sarracco said he hoped he would be brief. Mr. Bennet said he would be and he was allowed to testify.

Attorney Doyle stated he would hope they make the same judgement here. He indicated as President Regan once said "I pay for this microphone". Attorney Doyle stated he does not but the people here through their taxes and by being petitioners pay for that microphone. Attorney Doyle noted it is 6:24 p.m. and if the Board were to hear from two (2) more people the Board would still adjourn earlier than any meeting other than when someone did not show up. He indicated for all of those reasons. He

stated he knows rules are rules and some are of those rules are usable and given by the above. He stated this is a person made rule and should think a discretion for two (2) people should speak for a few minutes.

Attorney Doyle stated the one (1) gentleman who testified in the Strathmere testified several times including during the affirmative portion of the presentation. He advised he kept coming up wearing different hats. Special Board Solicitor Marcolongo stated his concern is that these two (2) gentleman come up and speak to the Board it opens the door for everyone else who wants to come up and speak again and how can you say no to that. Attorney Doyle stated he would like to hear from Mr. Kohler unless the Board wants to tell him he cannot speak at 6:30 p.m.

Board Member Aponte explained he still states his case as we go along. He advised when he chaired the meetings during this process he noted 2nd and 3rd bites of the apple should not be heard especially if they become antagonistic because they have been sitting there and they thought they were mischaracterized, misrepresented by whomever along the way than it becomes a blame show. He indicated for those reasons he respectfully would say no

Board Member Rosenberg advised he certainly cannot speak for the rest of the Board but to give his colleagues here a snap shot of his thinking. He would be inclined to allow Mr. Kohler and a few other people to again come to the microphone with the understanding of the strict adherence to repetition. He indicated to him that would be the compromise.

Board Member Eykyn stated he is o.k. with the two (2) as long as doesn't, like he said, opens it up and now everyone else is going to come up and speak. Township Committeewoman Pfrommer stated this is here concern. Board Member Eykyn stated these two (2) have gotten up and asked to speak. He stated if this is not the case he is against it.

Freeholder Carman stated he believes at this point everyone who spoke has spoken. He stated he would be more incline to follow the advice of our attorney on this one. Township Committeewoman Pfrommer asked other than Dr. Berger and Mr. Kohler is there anyone else. She then noted Mr. Henry from the audience. She stated now we are going to start.

May the record reflect other individuals were trying to address the Board from the audience when Special Board Solicitor Marcolongo asked them to please stop. He noted they are not being identified and it creates a bad record.

Chairman Garth stated Mr. Henry has spoken before. Board Member Aponte stated yes, he had. He stated again, Chairman, everyone has been noticed. We have told them, they have been here, they respectfully understood and he would respectfully say that we close it off.

Board Member Rosenberg asked if there is an opportunity to discuss in executive session. Special Board Solicitor Marcolongo stated no, you must make a decision in open session. Attorney Doyle stated Chairman he would implore the board not to have the record tainted or arbitrariness. He indicated this Board has met over 20 times and have been patient and patient with him. He stated for all but two (2) of those meetings we met up to 9:00 p.m. Attorney Doyle stated it is 6:29 p.m. and we finished the last witness at 6:20 p.m. He stated we have spent 9 minutes saying could a handful of people speak, at most, two (2) original.

Attorney Doyle stated we have average 4 minutes per person. He stated if you are going to cut off the microphone to these citizens then please do it by a roll call vote, but he hopes they do not vote that way. Attorney Doyle added Chairman Garth you have been most reasonable and he would hope discretions hopes discretion allow for another half-hour. He indicated we have only spent half the meeting we have and you have heard from everybody. He indicated there is no issue on the record and the microphone has been closed to everyone.

Board Member Rosenberg asked Chairman Garth is he correct in thinking this is the first opportunity that the public that is not in favor of the deannexation have the opportunity to speak. Special Board Solicitor Marcolongo stated this is the first time we have opened the matter up. Board Member Rosenberg stated he would suggest and he knows it may complicate things but if folks that are not pro-petition than we should have an equal number who are against the petition. He stated we are breaking the rules if your request goes through. He stated they are rules you put together so now he has to apply fairly unless we are going to open up again to folks who may not want this petition. Than how else are we going to do this fairly?

Attorney Doyle stated he cannot manufacture people to be against the petition. He stated it appeared in The Current and the other major paper. It was clear that people could come. He stated one (1) person testified against it. He advised it is not a race of numbers or minutes. Board Member Aponte stated this is an issue of notice. He stated everyone has been noticed. Attorney Doyle stated it has been a year and a half since those persons testified. Things have been said since then, things may have changed, and reasons may have changed.

Freeholder Carman asked is there anybody in the audience who has not testified in this matter and wants to testify. Freeholder Carman stated seeing none. He asked for the Board to call a vote.

Chairman Garth stated he will ask for a motion to, or call a vote rather, to open it up to the two (2) people that were named to speak and it would be those two (2) people and only those two (2) people am I correct. Special Board Solicitor Marcolongo that is the motion, is that the motion. To close the public portion except for Dr. Berger and Mr. Kohler.

May the record reflect there were a number of people in the audience, speaking out of term and speaking over the members of the Board. Special Board Solicitor Marcolongo asked a gentleman not to yell out. Freeholder Carman stated with them just yelling out was the point. He indicated there were six (6) to seven (7) that raised their hands that wanted to speak. So the motion has to be that either they can all testify or not. Chairman Garth stated he understands.

Attorney Doyle stated he hopes the Board in its voting puts on the record why it is so important to get home by two (2) people's worth at 6:45 p.m. than to listen to the people who want to speak. Special Board Solicitor Marcolongo stated that is not the issue here. He indicated the Board is recognizing the fact that if they open it up at this point multiple other people will be speaking. So.

Attorney Doyle stated in any event the meeting is going to finish tonight, period, end and it was planned to go to 9:00 p.m. Freeholder Carman stated we do not know that and he advised he would like to make a motion. Special Board Solicitor Marcolongo stated we have a motion to close the public portion.

Motion Carman/ to close public portion. Board Member Aponte stated this motion is to just close the public portion. Special Board Solicitor Marcolongo stated this is correct. Board Member Aponte stated

it has nothing to do with speaking, correct. Special Board Solicitor Marcolongo stated no. He advised it is to end the testimony and close the public portion. Attorney Doyle asked this is to even Dr. Berger and Mr. Kohler who spent two (2) hours to get here because they thought they could testify. Board Member Aponte stated this is what he is trying to clarify. Attorney Doyle stated neither of them signed the petition.

Again, May the record reflect various members of the audience were speaking over members and professionals. Chairman Garth gavelled the audience. Freeholder Carman stated his motion was to close the public session. It is either leave it and if they vote in the affirmative the public session is over and there is no more discussion. Board Member Aponte stated he seconds that motion. Freeholder Carman stated if the motion is turned down it opens up the floor again.

Motion Carman/Aponte to close public portion. Vote: Aponte – yes, Carman - yes, Eykyn – yes, Pfrommer – yes, Rosenberg – yes.

Special Board Solicitor Marcolongo stated the public portion has been closed.

Attorney Doyle stated the Board has voted and the record will speak for the arbitrariness of that decision. He stated he would like to add one final thing. He indicated Board Member Rosenberg suggested that Mr. Tancredi got his facts wrong. He indicated he would direct both Board Member Rosenberg and the Board's attention to page 135 of the transcript, which he believes is the second night. Attorney Doyle stated: **Question.** "I appreciate your proprietary desire to have them take it down (meaning the fact that people in Seaview Harbor have the Longport Police number by their phones) and just call 9-1-1 and put it in the hands of Egg Harbor Township. To the degree distance equals time and time can make difference I am surprised you would tell them that". His stated **Answer:** "that is where they live, that is the jurisdiction. We are the ones that they should be telling us that. We'll make the decision on whether or not someone needs to go out there. Time and distance is not the only factor that should be involved with an emergency call". **Question:** "is it not true that a second saved can save lives". **Answer:** "it depends on the situation, but yes".

Township Committeewoman Pfrommer asked if Attorney Doyle could provide a date. Attorney Doyle stated we have two (2) transcripts when Chief Davis testified and he believes it was the second night and it was page 135 lines 1 – 14. Township Committeewoman Pfrommer stated we do not have transcripts. He stated he could furnish.

Attorney Doyle stated he would like to make a third appeal, if the Board could sit in place and he could have two (2) minutes with Special Board Solicitor Marcolongo. Chairman Garth stated he will go into a brief recess and return.

May the record reflect the Board returned from recess:

Special Board Solicitor Marcolongo stated the next thing the Board needs to do is to begin discussing our schedule going forward. He advised the next witness he anticipates calling forward will be Special Board Planner Wiser who will be providing us with his planning report. Special Board Planner Wiser stated it will be effectively two-fold. He indicated one will be a pure planning report not dissimilar to what Planner CuvIELLO had provided months ago and the other would be a summary of all of what we have heard with his evaluation and recommendation analysis based on that. He indicated it is a little more than just a planning report.

Board Member Aponte asked what is meant by summary. He stated we have had all this time. Are we talking 50 or 100 page's. Board Member Aponte stated he is not holding him to pages. He needs to know sitting up here what has to put aside to digest it. Special Board Planner Wisner stated it will be a healthy document. He stated if he tells the Board it is 100 pages it may be 200 pages. He indicated honestly he does not know. Board Member Aponte stated it will be voluminous. Special Board Planner Wisner stated voluminous. Board Member Aponte stated fair enough.

Special Board Solicitor Marcolongo asked what is the time frame to complete this. He indicated he knows that Mr. Wisner has been working on this. Special Board Planner Wisner stated he has some stuff floating around. He indicated right now he has the League of Municipalities and then we go into Thanksgiving week. He stated he cannot imagine he would not have the report done and ready to go out by the end of the year, by the end of December. He stated he knows the Board would like to have it and Mr. Doyle would like to have it ahead of time to review it and prep before he makes his presentation.

Special Board Planner Wisner stated when you are into December you are into crazy schedules. He would love to tell the Board he will have it done by the 31st of December. Special Board Solicitor Marcolongo stated he has promised Attorney Doyle that he would have the report in his hands at least ten (10) days in advance of any meeting.

Board Member Aponte stated we must see what is available. Board Secretary Wilbert stated if we use December 31st as the receipt date and then provide at least ten (10) days prior too it brings us into the middle of January and the next available dates where the deannexation could be handled solely would be December 19th. Special Board Solicitor Marcolongo stated the second week of the month he has a meeting every night of that week. Special Board Planner Wisner stated he has standing meetings on the 19th and the 20th of January. May the record reflect after a brief discussion between the professionals and the Board concerning the dates of January 25th and January 26th were established for this matter.

Special Board Solicitor Marcolongo asked Attorney Doyle if he is available for January 25th and January 26th. Attorney Doyle stated he is available. He further noted that Special Board Planner Wisner's report in Strathmere was 65 pages. He stated he has a feeling this will be a little longer, but he does not know. Attorney Doyle stated he has to make a point not so much negative Special Board Planner Wisner but pro-petitioners. He advised there have been significant gaps between the various hearings. Obviously, when he reads the impact report in Strathmere he is sure it is an appropriate outline of testimony. All of that but for tonight could have already been in the can.

Attorney Doyle stated we had purposely and appropriately so had the public testify before the planner. So the planner could incorporate what the public said either pro or con, which we have received this from the 14 people. So he would have hoped and thought that we would have a meeting November 30th and we are not having it because of the amount of public. There is a regular meeting on December 21st with a minor subdivision that we could be on but is not going to be available. He stated with the exception of December 29th through January 6th he will be on vacation and now we have January 25th and 26th and he can be available if the Board would like to do back to back. He stated it does make it a little difficult for a cohesive cross examination, however, he will make it work. He indicated he wishes it would be earlier but it is what the Board will decide.

Freeholder Carman stated with that being said the report will be provided 25 or 25 days ahead of time. Special Board Planner Wiser stated that is correct. Freeholder Carman stated less your vacation. Attorney Doyle stated it will be going with him. Freeholder Carman stated he finds that hard to believe. Attorney Doyle stated he did not say he would open it. Attorney Doyle this is with the thought a vote will be taken a second night. Special Board Solicitor Marcolongo stated yes. Freeholder Carman he cannot make a decision in one night when it ends that night. He indicated it would not be due justice for everyone.

Motion Aponte/Carman to and Tuesday January 25th and 26th.

Motion Aponte/Carman to carry public hearing to Monday, January 25, 2016, 5:00 p.m. prevailing time and Tuesday, January 26, 2016, 5:00 p.m., prevailing time. VOTE 6 yes: Aponte, Carman, Eykyn, Garth, Pfrommer, Rosenberg

SUMMARY MATTER(S):

SECTION I: Discussions of matters pertaining to the Board:

A: General public discussion: Motion Aponte/Pfrommer to open public portion

Joseph Stewart stated if you had a professional sitting here during your public planning board meetings during the whole period, through the whole testimony. He asked why could a report not be made up until they heard the public comment. He stated not this particular instance, but any public planning Board meeting. Now to extend a meeting for another month or so seems absurd that a professional could be sitting here at your planning board meetings. Board Member Aponte stated let me stop you right there. He stated we are talking about a veiled way to talk about the same issue. He stated he wants to respectfully cut that off.

Chairman Garth he stated if it is a single night meeting the planner is hearing everything abbreviated. Freeholder Carman stated the Attorney and Planner are hired by this Board as experts for this Board. So he wants to see a summary from him of all the testimony whether he agrees with it or not is a different matter. Freeholder Carman stated he wants to see a summary because he was hired for his expertise in the matter.

Mr. Stewart stated the report; summary could have been done up until tonight's testimony and he could have added that and it would have been completed within that short duration. Freeholder Carman stated he does not know if has started it to be honest with you. Mr. Stewart stated that is absurd. Special Board Solicitor Marcolongo stated he has had an opportunity to speak with Special Board Planner Wiser and he does know that he needs additional time to put 18 months, almost two (2) years of testimony together. He indicated to do anything less would be a disservice to the Board.

Attorney Doyle when you say additional time you're not meaning beyond December 31st. Special Board Solicitor Marcolongo stated no.

Board Member Aponte asked if anyone wants to speak to anything other than this. Board Member Aponte stated seeing no one he will make a motion to close.

Motion Aponte/Pfrommer to close public portion

Motion Pfrommer/Aponte to approve planning board regular meeting minutes of May 18, 2015. Vote 6 yes: Aponte, Carman, Eykyn, Garth, Pfrommer, Rosenberg

Motion Pfrommer/Aponte to approve planning board regular meeting minutes of June 15, 2015. Vote 6 yes: Aponte, Carman, Eykyn, Garth, Pfrommer, Rosenberg

Motion Carman/Pfrommer to approve planning board special meeting minutes of June 29, 2015. Vote 6 yes Aponte, Carman, Eykyn, Garth, Pfrommer, Rosenberg

Motion Aponte/Pfrommer to adjourn at 7:05 P.M. VOTE 6 yes: Aponte, Carman, Eykyn, Garth, Pfrommer, Rosenberg

Respectfully submitted by,

Theresa Wilbert, Secretary