



Assisted Listening
Available

HAINESPORT TOWNSHIP COMMITTEE
MINUTES
July 14, 2020
7:00 P.M.

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of July 14, 2020 was included in a meeting notice sent to the Burlington County Times and Courier Post On January 8, 2020 and advertised in said newspapers on January 10, 2020, and January 11, 2020 respectively posted on the bulletin board in the municipal building on January 9, 2020 and has remained continuously posted as required under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the Office of the Municipal Clerk.

1. **CALL TO ORDER** - by Mayor MacLachlan at 7:00 pm
2. **FLAG SALUTE**
3. **ROLL CALL** - present were Mayor MacLachlan, Committeewoman Schneider, Committeeman Costa, Committeewoman Gilmore and Committeeman Clauss was present by phone. Also present were Township Clerk/Administrator Paula Kosko and Attorney John Gillespie.
4. **MINUTES**
 - A. **APPROVAL OF REGULAR COMMITTEE MINUTES OF JUNE 9, 2020**

Motion: Committeewoman Gilmore. Second: Committeewoman Schneider. All yes.
5. **REPORTS**
 - A. **Tax Collector** – June 2020, 2nd Quarter Ending June 2020
 - B. **Code Enforcement** – June 2020
 - C. **Fire Official** – June 2020
 - D. **Construction** – June 2020
 - E. **Emergency Services Reports** – June 2020

Motion: Committeewoman Schneider. Second: Committeeman Costa. All yes.

6. **PRESENTATION**

- A. BURLCO JIF Membership Renewal 2021-2023 by Paul Florenza, Senior Program Administrator for Risk Program Administrators (RPM)

Mr. Forlenza reviewed the history of the JIF Fund and gave an update on new areas of concern such as COVID -19, cybercrime and catastrophic policies. He noted that our three year renewal is due in January.

7. **COMMENTS FROM THE PUBLIC – Agenda items only
(Comments are limited to 5 minutes)**

No Comments.

8. **ORDINANCES**

- A. **ORDINANCE 2020-5** – Establishing a Temporary Process for Permitting Outdoor Dining (**Public Hearing and Final Adoption**)

Motion: Committeeman Costa. Second: Committeewoman Schneider. All yes.

- B. **ORDINANCE 2020-6** – Appropriating the Sum of \$190,000 in Funding from the Capital Improvement Fund for the Projects Known as Sidewalks, Curbs, Warning Surfaces and Striping on Washington and Broad Streets and Various Parks and Recreation Projects (**First Reading and Introduction**) (**Public Hearing and Adoption August 11, 2020**)

Motion: Committeewoman Gilmore. Second: Committeeman Costa. All yes.

9. **CONSENT RESOLUTIONS** - These items will be adopted simultaneously in one vote unless a member of the governing body wishes to separately discuss an item(s).

- A. **RESOLUTION 2020-122-7**– Authorizing the CFO to Refund Fees Paid by Guardian Asset Management

Administrator Kosko explained that these were vacant property fees paid for 14 Delaware Avenue, but there actually is a tenant in that property. We are refunding \$419.79.

- B. **RESOLUTION 2020-123-7** – Authorize Renewal of Liquor Licenses

- C. **RESOLUTION 2020-124-7** – Amend the Adopted Budget for Additional Items of Revenue and Offsetting Appropriation (Chapter 159)

Administrator Kosko explained that every year we receive the Clean Communities Grant which helps us with various programs such as clean up days. This year we received \$13,899.60 and that is added to our budget.

Motion: Committeewoman Schneider. Second: Committeeman Costa. All yes.

10. RESOLUTIONS

- A. **RESOLUTION 2020-125-7** – Authorizing Membership in a Burlington County Mutual Aid and Assistance Agreement with Participating Units

Administrator Kosko described the five-year agreement with the county that all forty of the municipalities are currently adopting. It includes municipal police, fire departments, volunteer fire departments, EMS and emergency management organizations to provide additional protection against loss, damage or destruction by fire, catastrophe, civil unrest and major emergency. It will provide mutual assistance from neighboring towns and the county.

Motion: Committeewoman Gilmore. Second: Committeewoman Schneider. All yes.

- B. **RESOLUTION 2020-126-7** – Awarding a Contract for Repair and Construction of Sidewalks, Curbs, Warning Surfaces and Striping on Washington and Broad Streets

Motion: Committeewoman Schneider. Second: Committeewoman Gilmore. All yes.

- C. **RESOLUTION 2020-127-7** – Authorizing Contract for Virtual Meeting Management LogMeIn USA, Inc.

Motion: Committeewoman Schneider. Second: Committeewoman Gilmore. All yes.

- D. **RESOLUTION 2020-128-7** – Confirming Employment for Seasonal Public Works Employees

Motion: Committeeman Costa. Second: Committeewoman Schneider. All yes.

- E. **RESOLUTION 2020-129-7** – Appointing Class III Member to Joint Land Use Board

TABLED

Motion: Committeewoman Schneider. Second: Committeeman Costa. All yes.

11. BUSINESS

- A. Approval of Business Licenses (See Attached)

Motion: Committeewoman Gilmore. Second: Committeeman Costa. All yes.

12. COMMENTS FROM THE PUBLIC (Comments are limited to 5 minutes)

Ms. Kosko stated that **Sgt. Lalley** from the New Jersey State Police was on the phone and could respond to questions.

Teresa Parzyck, 408 3rd Street – addressed the ongoing issue in the Clermont neighborhood. She has started a petition and given it to the property manager to have the squatters at 104 North Cumberland removed from the home. She said the neighbors are asking for support in getting these people removed. The petition is on the Change.org website. She left a copy of the petition for the Mayor.

Christina Simmons, 211 N. Hunterdon Avenue – asked how we choose our Animal Control Officer. **Mayor MacLachlan** responded that we choose the lowest responsible bid. Ms. Simmons said with all the complaints, why is Hainesport still using New Jersey Animal Control? When her son was bitten, protocol was not followed and they are not doing what they should. This ties in with 104 N. Cumberland, because the dog belongs to them. There is a huge issue in the neighborhood. The kids cannot play outside because they do not feel safe. She said we are hoping that the Committee will support us in trying to remove this family from the property. **Miss Schneider** asked who she had spoken with. Ms. Simmons listed Holly who is one of the Directors of the Department of Health, Jackie Dennis the Shelter Manager, Charles Garrity the owner of New Jersey Animal Control and Paula Kosko several times. **Mr. Costa** asked if it is a family and how many people are there. Ms. Simmons responded that it is a family and other unrelated people. There are at least four adults and some children. Mr. Costa asked the approximate ages of the children and adults. Ms. Simmons said the youngest child looked to be about 10 years old and the adults looked to be in their forties. Miss Schneider asked who the ringleader is. Ms. Simmons responded that it is a woman but did not provide the name.

Tina Atkinson, 301 N. Cumberland Avenue – stated that in addition to the concerns for our children, this is also a public health issue. New Jersey American Water has been out several times. We understand there is no water turned on at the house. The Health Department has been out. In addition to dogs getting out and biting children, the ringleader follows kids and yells at them. The police have been out several times. Most of us are not comfortable walking around our own neighborhood now. It is a major concern. **Miss Schneider** asked if anyone had filed a formal complaint. She said some are starting and this is all over Facebook. Miss Schneider asked if the squatter has threatened the neighbors. Ms. Atkinson said yes, she has threatened to bring “her people” in and take over their homes as well. Many neighbors have put cameras up. We are looking for support from the Township and hopefully we can come to a resolution quickly. It is heartbreaking, especially for our older residents. Miss Schneider asked if they had asked the State Police to patrol the area. Ms. Atkinson replied that the last encounter with the police ended with the police telling the residents to stay away from the squatters. The squatters tell the police that the neighbors are threatening them.

Mike Ewer, 406 1st Street – asked how long will it take to get the squatters out. Is there a procedure that we need to follow? The State Police have been out, they have records. People are getting bit. You cannot walk around the street.

Kevin Stokley, 24 N. Cumberland Avenue – said his father lived in his house for over 20 years. He purchased it three years ago. It may be for sale real soon if something does not happen. He understands that the township’s hands are tied, that you cannot just walk down there and tell them to leave but it has gotten out of hand.

The visits by the State Police are an embarrassment to the neighborhood. He told how he was awakened at 5:30am by people banging on doors. Fifteen black Suburban Tahoe's were there with federal agents raiding the house for whatever reason. The State Police are on our street three times a week at least. He is a supporter of police, fire and EMS. He is a member of the Hainesport Fire Company, but he feels the State Police do not care about the neighborhood's feelings. He has not had an incident with these people as he has avoided it. The other day there was something going on and the State Police were there. Mr. Stokley went out to his front yard to see what was going on. One of the residents came out and started screaming at him using profanity. He responded without profanity. The squatter told him "They'll be down there for you". The police came down to his house and asked if there was a problem. He complied with the police request to go inside and asked the officer to document what he felt was a threat. The officer never asked his name or address to put in a report. He does not feel that it was documented, or that the neighbors are getting the protection they deserve. **Miss Schneider** asked if he had requested a copy of the report. He responded that he had not. She said that he should. Mr. Stokley went on to say a few weeks prior, when the police were contacted about the dog running loose, the police response was "you are really calling about a dog?" Everyone knows the history of the house. The windows were boarded. He notified the fire department. That is a safety hazard to any firefighter that would enter the house because they could get trapped. The one board has been removed. The house was just listed two weeks ago with a realtor for \$123,000. The listing stated "you are not to communicate with the tenants". A week later the listing was changed to \$224,000. His feeling is that the bank is trying to show the house is worth more. He is asking for the police to show the neighbors some respect for what they are dealing with. Mr. Stokley has eight cameras on his house. **Mr. Costa** suggested a group affidavit that the residents could sign and provide their phone numbers. It could be helpful to the Judge. They could make a statement and give it to our Administrator. Mr. Stokley asked the committee to drive by the neighborhood and see what they are dealing with.

Teresa Parzyck, 408 3rd Street – added that she has been trying to take all the legal steps by writing the petition and work with property management. An eviction notice is in the works through the property management company. They need proof that the people have not lived there for seven years. In 2019, there was a permit to remove the pool at that property which shows the squatters were not living there for seven years as they had stated. If the property management company could get a copy of the permit to present to the Judge that would be helpful.

Ginger Thielman, 408 2nd Street – said she can see the property from her house. She can hear them. She now walks with mace and a walking stick to protect herself and her grandchildren. She does not feel the police are protecting the neighbors. The State Police come out if called, and she knows there is a legal process to be followed to get them out, but they sell drugs. You can tell when a drug deal is going down. Why are the police not driving through on sell day? The squatter sets her lawn chair up outside, sometimes with the dogs. It is obvious what they are doing. They will stare you down in the road. They want you to hit them so they can sue. The neighbors do not feel safe and supported. They need daily drive-bys so the squatters know the police are watching.

Robert Bersin, 106 N. Hunterdon Avenue – said that he owns two houses in Clermont. He asked how many officials are elected. **Mayor MacLachlan** answered that there are five committee members. He clarified that our attorney and administrator are appointed. Mr. Bersin asked what the Committee is doing about the squatter situation. Has anyone called the Governor? They took one hundred gallons of antifreeze in to their basement. Could it be a meth lab? Is the house going to blow up? A lot of folks have seen the deals go down. He has made a weapon to protect himself and his granddaughter should their dog attack. He is a dog lover, but this is how frustrated they are. He and his wife have discussed selling their houses and getting out of town. **Mr. Costa** asked if there is a court date. Mr. Bersin said he had heard it had been extended to July 22, 2020 to give the squatter time to get a lawyer. He said the Sergeant has a huge problem on his hands because the natives are getting restless.

Candis Melin, 502 2nd Street – stated that her mom lives in the neighborhood. She is 80 years old and does not feel safe going for a walk. She is very angry that nothing has been done. She asked if it is true that when you change an address, you have to have your driver's license switched over to reflect that address? Has anyone asked them for a driver's license to prove that they have been in that property? She is afraid of the squatters' dogs, their screaming and foul language. They burn things almost every day. There is a disgusting stench that comes from the property at 4pm. They cannot open their windows or enjoy their backyards. She witnessed the young boy be attacked by one of the squatters dogs, animal control did not take that dog. She always thought when there was a child involved, the dog was put down. The aggressive Jack Russell with the aggressive people is still there.

Kevin Stokley, 24 N. Cumberland – added that a state vehicle picks up a child at the house during the school year.

Mayor MacLachlan reported that last week we had three state troopers here for a meeting with **Administrator Kosko** and our **Code Enforcement Officer, Irene Barry**. The police have a lengthy case record about the property. He was surprised at the small window of what can and cannot be done legally. This is probably one of the worst things we as a committee have had come before us. We do take the situation seriously. He does not want the audience to think that the police are doing nothing. He asked that **Sgt. Lalley** say what he is allowed to say about the issue.

Sgt. Lalley, Bordentown Barracks State Police (on the phone) said the police are very aware of the situation. If there are crimes being committed, they are addressing them legally within their rights. He understands the neighbors' frustration. He provided the township with the calls for service. He was shocked that there were limited calls for that area. He stressed to the residents to call if they have a problem. If it is a criminal matter and if you witness a crime please contact the police. They need complaints to be called in. They are being as visible as possible. The police are trying to come to a resolution to fix this problem.

Code Enforcement Officer Barry said as far as the criminal aspect, that is the State Police. As far as squatters living there, we were notified back in January of the problem. The vacant property fee was paid in January and the house was put up for

rent. The realtor put a lock box on the property and they were going to show it. Within 24 hours, the lockbox was cut off and the “tenants” arrived. The realtor called the State Police. They came out and did everything they were supposed to do. The squatters said they had a lease. Back to the criminal aspect, their hands were tied. Now it has to be proven that they do not live there. Unfortunately, squatters have rights. The court date in May was pushed back to July 1st due to COVID. Our Governor put a stay on evictions and foreclosures. July 15th is the deadline and it may be extended. The July 1st court date was postponed until July 22nd, which is date certain. They have until July 22nd to get an attorney and produce a lease, which they will not be able to do. As for code violations in the house, the boarded up window has been taken care of. Mrs. Barry issued them a ticket for not licensing their dog, but there is nothing else she can do. They received a summons for the dog. She will bring the fencing issue to the attention of the Zoning Officer. However, tickets issued for the property go to the bank because they are the owners of the property. The bank cannot go on the property to resolve any issues. If there is no lease, the squatters will be ordered to evict unless the Governor extends the “no eviction” order from the COVID -19 Executive Orders. She reminded the neighbors that police have to have witnesses the crime for them to charge criminal offences.

Attorney John Gillespie added that as a township, there is little we can do. He said someone suggested that we could adopt a disorderly house ordinance that was adopted in some other town. Unfortunately, a few years ago, the Appellate Division invalidated such an ordinance in Glassboro. He said his advice is that we track what happens on July 22nd and the neighbors should show up in the courtroom. The case is set to be heard by Judge Harrington in Mt. Holly in the Landlord/Tenant Court. **Mayor MacLachlan** said he will try to make it to court. Mr. Gillespie asked that the governing body not attend. He said it would be better if the neighbors attend, as first hand witnesses, since we are under social distancing/room capacity restrictions.

Judy Meli, 2615 Fostertown Road – said the State Police are saying to people “you are calling about a dog” and then say they are not getting enough calls about the squatters. She asked why the police were not present tonight. **Mayor MacLachlan** replied that Sgt. Lalley was here on the phone. **Ms. Kosko** added that we are still under COVID guidelines. We have the option for people and our professional staff to participate online with YouTube Live, on the phone, or in person. **Sgt. Lalley** is here on the phone and that is an acceptable means to participate in the meeting during these restrictions. Ms. Meli said they should be here face to face with the people. Mayor MacLachlan expressed that the police are very unhappy with the limits of their authority. He is very sorry for what the neighbors are going through. It is a landlord/tenant situation now. We hope the courts get the tenant out of there if they are not entitled to be there. State police response to crimes when called is pretty rapid and the police are doing the best that they can. We tried to come up with a disorderly household ordinance, but as **Mr. Gillespie** said, those types of ordinances have been shot down in court. We are leaning on the bank. Ms. Kosko and Mrs. Barry have been out there. We feel for the residents and it should not continue.

13. COMMENTS FROM THE ADMINISTRATOR

Ms. Kosko commented that we are very aware of what is going on at 104 N. Cumberland. She appreciates Ms. Simmons' communication and she also received one other call from another resident to date. Mrs. Barry has been in communication with a few of the neighbors. Ms. Kosko has driven through the community. She has experienced the stare downs and people walking in the middle of the road, but not at the severe, frequent level that the neighbors have experienced. She is very sorry. She is aware of this individual. It is her understanding that they are professional squatters and have been in several communities. She assured the neighbors that the township is doing what we can. A lot of what happens now is in US Bank's hands. They own the house and they are dealing with the situation and the court, but the squatters sadly have rights, so due process must be followed. Ms. Kosko stated that she does not respond to social media. Please call her directly. She will respond to every call and work to find the answers. She apologized to the neighbors that have to endure this situation which is, sadly, protected by the COVID situation and Executive Orders by the Governor regarding evictions and not shutting off utilities.

14. COMMENTS FROM THE SOLICITOR

No comments.

15. COMMENTS FROM THE COMMITTEE

Mrs. Gilmore thanked everyone for coming. She said she was impressed by the unity of the neighborhood. We are well aware of the problem and she hopes the Governor does not extend the "No Eviction" order so this can be handled swiftly.

Mr. Costa said he was shocked to hear about the squatter situation in Hainesport. These people are not tenants, they are squatters. The usual procedure to bring would be an ejectment action. That does not go before Landlord/Tenant action. It would go before the Chancery Division and that judge would issue an order for possession. He does not know why that did not happen. He said our attorney should coordinate with the bank's attorney and find out what is going on. It could be transferred to the Chancery Division since there is no lease, which will waste more time. He suggested the neighbors give their phone numbers to the administrator so they can sign an affidavit for the court if necessary in addition to appearing in court. Mr. Costa wants the squatters out as soon as possible. The police can only deal with the crimes. It is really a civil matter to get them out.

Mrs. Barry, Code Enforcement Officer interjected that the squatter said she had a lease and that once it was proven that she does not, an ejectment order could be issued.

Miss Schneider said she has passed by the house around sundown. She asked the neighbors how often they have a firepit in the backyard. The neighbors replied "every day". She encouraged the neighbors to call the police for any problems and thanked them for coming.

Mr. Clauss (on the phone) said that he felt for the neighbors in Clermont and hopes the judge gives relief. He shared information from Mike Lontoc about a new veterans group he wants to start in cooperation with the Township. They want to assist with community events such as Memorial Day, Veteran's Day and with other volunteer groups. Ms. Kosko has the contact information. They are looking to group together all the Veterans of Hainesport Township and anyone else that would like to participate. Mr. Clauss will be participating. The email address is mlontoc@comcast.net.

16. BILL LIST

Motion: Committeewoman Schneider. Second: Committeewoman Gilmore. All yes.

17. EXECUTIVE SESSION

A. RESOLUTION 2020-130-7 - Resolution to Enter into Executive Session

1. Personnel

Motion: Committeewoman Gilmore. Second: Committeewoman Schneider. All yes.

After returning from Executive session, the Committee voted to authorize Ms. Kosko to follow up on the matter discussed in Executive Session and Mr. Gillespie will prepare a resolution to follow.

Motion: Committeewoman Schneider. Second: Committeewoman Gilmore. All yes.

18. ADJOURNMENT @ 9:11 P. M.

Motion: Committeeman Clauss. Second: Committeewoman Gilmore. All yes.

Respectfully Submitted,

Paula L. Kosko

Administrator/Municipal Clerk

OFFICIAL ACTION MAY BE TAKEN ON ANY ITEM ON THE AGENDA