

UPPER TOWNSHIP PLANNING BOARD
STRATHMERE DEANNEXATION MEETING MINUTES
FEBRUARY 26, 2008

A special meeting of the Upper Township Planning Board was held at the Township Hall, 2100 Tuckahoe Road, Petersburg, New Jersey at 6:00 p.m. for the purpose of holding a public hearing regarding the Petition filed by the Citizens for Strathmere and Whale Beach to deannex a portion of Upper Township commonly known as Strathmere and Whale Beach from Upper Township and annex same to Sea Isle City, New Jersey.

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

Present: Daniel Bready, William Brown, James Kelly, Curtis Corson, James Schroder, Donald Kissling, Duane Terwilliger, Susan Ragan, Mayor Richard Palombo,

Absent: Gary Riordan and Renee Scrocca.

Also in attendance were Dean Marcolongo, Board Solicitor; Stuart Wiser, Professional Planner; Shelley Lea, Board Secretary.

Mr. Kelly acted as Chairman. He was not present at the February 2, 2008 meeting but he has read the transcript of that meeting.

Ms. Bittner addressed the Board and called her first witness.

Marion Ingram, 19 Vincent Road, Strathmere, was sworn in. She testified that she has owned her residence since 1973 and has been a year round resident since 1996. She feels the residents of Strathmere are socially and geographically disconnected from the mainland community. The residents go to Sea Isle and Ocean City to church, doctors and shopping. Sea Isle City Recreation Department provides fitness classes, garden clubs, card clubs and bingo day at no charge. She attends free programs given by the St. Joseph's Church in Sea Isle. She discussed Sea Isle's automated phone system for the elderly, disabled and ill. The Upper Township Senior Center is too far away. She believes that Sea Isle City will better serve the health, safety and community social needs of the aging year round population.

Curtis McDaniel, 9 South Bayview Drive, Strathmere, was sworn in. He has been a year round resident for 30 years. He is within 200 ft. from the local bar. The residents can hear the music late at night. He has written letters in 1980 and again in June 2007. The

residents have asked for a noise ordinance to limit the volume of music.

Mr. McDaniel submitted numerous letters from July 14, 1980 to June 11, 2007. The letters were marked as Exhibit S-38.

Mr. Wisner joined the Board at this time and was sworn.

Herb Hollinger, 113 Putnam Road, Strathmere, was sworn in. He testified that he is on the Board of Directors of the Strathmere Fishing Environmental Club. The organization is dedicated to the protection of their fragile environment and to educating children. He stated that there were protected areas for nesting and endangered seashore birds that are now gone along with the bayberries. The dunes are being chewed away by the water and the homes that border the inlet are in danger of being swept away. He is concerned about the sea life.

Mr. Hollinger stated that the Fishing Club has no clear understanding of Upper Township's long-term strategy to protect the dunes and beaches. He is concerned that the prisoners may not be installing the dune fencing properly. He stated that the fencing is ill maintained. He discussed the old Christmas trees that are dropped off and used to help fortify the dunes. He believes that signage is needed to warn people to walk only in the appropriate beach entrances. Dune grass also needs to be planted regularly to save the sand on the dunes. He explained that he is mostly concerned about the lack of maintenance of the fencing.

Mr. Hollinger invited Mayor Palombo to walk with him on the beach to try and put together a maintenance schedule.

Solicitor Marcolongo marked the 3-page packet consisting of the cover sheet of a report by Dr. Farrell from 2005 and pages 26 and 27 of that report as Exhibit S-39.

There was discussion as to whether notarized correspondence from the Sea Isle City Director of Public Works could be offered as evidence.

William Tierney, 46 Vincent Road, Strathmere, was sworn in. He testified that he moved to Strathmere in August 2003. He is concerned about fireworks and campfires. There is a burn mark on his first floor deck. When the fireworks are being set off he calls the police and they show up 45 minutes later or not at all. He wants the houses and beach protected from fireworks. He has night vision binoculars so he can see that everyone at the campfires is drinking. He believes this would not be happening if there were policing on the beach or accesses to the beach.

Mr. Brown joined the Board at this time.

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Mr. Tierney stated that he picks up sharp debris on the beach so no one gets hurt. His main concern is his own personal safety. He feels the Sea Isle police are more convenient to Strathmere for safety issues.

Randy Roash, 124 Prescott Street, Strathmere, was sworn. He is the President of the Fishing Club. He invited the Mayor to Strathmere on March 8th at 4:00 o'clock in regards to fishery management. Congressman Lobiondo will also be there along with Senator VanDrew.

Mr. Roash testified that he has been on the Strathmere Environmental and Fishing Board for 18 years. During that time every spring they have built trash corals at their own time and expense and have used their own trucks to deliver them throughout Strathmere. Over the last ten years the Fishing Club has once a month cleaned the beaches in collaboration with an organization called Ocean Conservancy. Occasionally, in the spring and fall they clean the beach with an organization called Clean Ocean Act.

Retired Chief Ed Kirschenbaum, Lake Como, formerly South Belmar, New Jersey, Monmouth County, was sworn. He testified that he is currently principal of E. Kirschenbaum & Associates, an investigation company and law enforcement consulting firm. He shared his professional background with the Board that began in 1977. He has worked for Avon By The Sea as a patrolman, and Belmar, both beachfront communities.

Chief Kirschenbaum testified that the Citizens for Strathmere and Whale Beach hired him to analyze and assess the law enforcement needs of Strathmere and to determine if the residents would be better served by a local police department. He believes that Strathmere would be better served as part of Sea Isle City for safety and law enforcement concerns. He has taken into consideration his experience at Avon By The Sea and Belmar. He explained the size of the towns and the number of residents. He finds it unique that Strathmere does not have a police force patrolling it full time due to the inherent problems that beachfront communities have especially in the summer. He was not able to find any other coastal community in New Jersey that does not have a police force.

Chief Kirschenbaum further testified that vacationers act different when they go to a seaside resort. There are typically problems with alcohol. If there is no police presence they tend to act out of character. The fires on the beach will continue if there is no deterrent. He gave an example using Manasquan Borough's police. He believes that local law enforcement would notice something out of the ordinary better than the state police. In the places where he was employed they had routine patrols on the beach at night and on the boardwalk. In those towns there were never fires on the beach and there was strict enforcement of fireworks. There was discussion concerning the new State guidelines.

Chief Kirschenbaum testified that in the winter the houses are more open for burglary and destruction. He feels that Sea Isle has the same type problems as Strathmere with the

visitors, the low points in the winter and quality of life issues. He has not researched the number of arrests made for fireworks and fires. He believes Strathmere would be better served utilizing Sea Isle Police Department, as their local police since the State Police barracks are 16 miles away. With a police presence in Strathmere they would know there would be some kind of repercussion.

Chief Kirschenbaum testified that to better serve Strathmere and Whale Beach Upper Township could form its own police department and have a patrol sector to Strathmere or joint service with a neighboring community. In his experience with Monmouth County and throughout the state interlocal agreements don't work for political reasons. He doesn't think an interlocal agreement would be as effective as a patrol. It is more effective when there is an ownership type of agreement. In his experience interlocal agreements don't last but if Upper Township put together an interlocal agreement that would work with Sea Isle City and their agreeable, it could work.

Mr. Kissling discussed an interlocal agreement in Cape May that seems to work. Chief Kirschenbaum testified that he didn't look into any of those towns.

Chief Kirschenbaum stated that in order for Sea Isle to cover Strathmere they would need extra manpower, probably 4 additional officers. He believes that Sea Isle could handle the absorption of Strathmere without hiring new officers if they expanded their sectors.

The board took a short break at this time.

There was discussion as to whether or not to enter an affidavit from the retired Sea Isle City Police Chief into evidence. Solicitor Marcolongo advised the Board that this is hearsay and goes beyond what the Board should hear.

Ms. Bittner asked that the experts retained by the Board not be allowed to ask questions of her witnesses since in her opinion it is inappropriate. Solicitor Marcolongo disagreed with this request.

Major James Fallan, principal of a law enforcement consultant firm, Fallan Associates, LLC, was sworn. He testified that he spent 26 years as a New Jersey state trooper, retiring at the rank of major and commanding officer, active in many roles. He is now a consultant to police forces, security forces, and businesses in the legal community with regard to investigations, policies, management practices, administration and accreditation and security assessment.

Major Fallan testified that he was hired to assess the law enforcement needs of Strathmere and to determine if the residents would be better served by the NJ State Police or the Sea Isle City Police. To make a determination he reviewed response times provided by the state police to the citizens of Strathmere and Sea Isle City response times previously marked S-3.

Ms. Bittner stated that the response times referred to by Major Fallon have not been admitted into evidence.

Major Fallon determined that Strathmere would be a much safer place if Sea Isle City Police rather than the NJ State Police provided police services. He stated that the State Police coming from Woodbine could not get to Strathmere if the bridges were out. Woodbine is further away from Strathmere than Sea Isle. He stated that staffing of the state police is at a critical juncture now and is stretched thin. He discussed the number of patrols utilized at specific times assigned to Woodbine, Upper and Dennis. In an emergency Buena headquarters would respond if needed along with Bass River. Due to the large area that Woodbine is responsible for it is not feasible deployment strategy to assign a patrol specifically to Strathmere. He thinks everyone would agree that a patrol from Sea Isle City would respond to a call for service much faster than a patrol from Woodbine Station unless there was a trooper stationed in Strathmere all the time.

Major Fallon stated that state police do not hire special officers for the summer when the population expands. There are no part time troopers. Redeployment of state police personnel is a possibility but the state police don't see it as requiring that type of redeployment. He was not surprised to read that Strathmere residents were concerned about poor response times. He feels there are not enough troopers to go around and in his opinion they are not going to be familiar with the local roads since they don't go there a lot. A local force would have a better idea where things are located. He discussed the rotation of classes and transfers of troopers. The troopers currently do not have GPS systems in the vehicles. They do have computers and can access google and map quest.

Major Fallon stated that he is disappointed that the residents of Strathmere have to pay for a trooper on weekends in the summer. He is not aware of any other private citizenry in the State of New Jersey that has had to reach into their own pocket to pay for police coverage. He agreed that others might do the same thing if they knew they could but he doesn't agree with the concept.

Ms. Bittner stated that the documents reviewed by Chief Fallon are a result of a record request for public information from the State Police for the year 2007. The information was requested by William Crane, the planner hired by the Township.

Major Fallon testified there are 140 calls on the report with an average response time of 12 minutes and 38 seconds. The longest response time was 39 minutes and 14 seconds. Included in the analysis were motor vehicle stops and motorists aid which are assigned a 0 response time. His opinion is that the motor vehicle stops should not be included since they are discretionary. If these times are taken out there is an average response time of about 17 minutes for Strathmere. There are 118 calls for service in 2007 if the 0 response times are taken out. He thinks there were more calls made by the resident of Strathmere that are not included. The response times are based on the arrival times of the officer.

Ms. Bittner asked for the Board to authorize a subpoena to be issued to Lt. Watkins of the State Police since the Attorney Generals Office objected the subpoena she issued.

Major Fallen confirmed that the dispatch service prioritizes calls for the state police when there are not enough patrols to handle all the calls. He discussed the queuing process and mutual aid. He reviewed the calls included on the report. There was only one burglary in progress, which was on May 6 at 6:07 p.m., and it took 9 minutes and 41 seconds to arrive. He did not see many summer CAD entries. Noise complaints were made on July 3, 4, 6 and 7. On July 4th there was a 3-minute response time. The longest time was 39 minutes 14 seconds to an alarm call on 12/3/087. His opinion is that the state police are reactionary to Strathmere and not proactive. He feels it would be a safer environment if general police service were handled by Sea Isle City. He does not believe the residents have been adequately served. The response times would be cut dramatically if the were served by Sea Isle. The report was marked as S-41.

The next meeting will be held on March 18, 2008 at 6:00 p.m.

A motion was made by Mr. Kissling and seconded by Mr. Bready to adjourn the meeting. The meeting was adjourned at 8:53 p.m.

Submitted by,

Shelley Lea
Board Secretary