
FW: Following Up - Parking Issue - 11 Brighton Avenue

1 message

Timothy Gibilin <tgibilin@springlakepolice.org>

Fri, Sep 25, 2020 at 2:46 PM

To: 'Dina Zahorsky' (dzahorsky@springlakeboro.org) <dzahorsky@springlakeboro.org>

One more reference emails

From: Edward M. Kerr <ekerr@springlakeboro.org>

Sent: Friday, September 25, 2020 2:29 PM

To: Timothy Gibilin <tgibilin@springlakepolice.org>

Subject: Fwd: Following Up - Parking Issue - 11 Brighton Avenue

----- Forwarded message -----

From: <lakeviewnj@aol.com>

Date: Thursday, September 3, 2020

Subject: Fwd: Following Up - Parking Issue - 11 Brighton Avenue

To: "ekerr@springlakeboro.org" <ekerr@springlakeboro.org>

Chief Kerr -

Thank you for following up with our concern over the parking violation in front of our mother's home, it is nice to finally get a response after 1 1/2 months of waiting. Needless to say, we are extremely disappointed to learn of the outcome of your investigation. Some may say, why are they pursuing a matter such as this so vigorously? Because we are confident that a parking ordinance was indeed violated, and we are frustrated to learn that a ticket will be issued for any future infractions - but not this one.

When the officer arrived at the residence, he almost immediately informed us with confidence that as much as he would love to write a ticket, he could not because no law had been broken. After your investigation, it turns out that "you may have had probable cause to issue the traffic summons". There should be no grey area, either the ordinance was violated or it was not. We strongly believe that the parking ordinance was violated and a ticket should have been issued. The officer informed us that we could initiate a citizen's complaint which we certainly plan on doing. We have also filed an OPRA request with the borough for CAD responses to the residence because we recall at least one or two summonses being issued for even lesser violations than this occurrence.

Additionally, when we observed the angle which the officer was taking his photo, we realized immediately that from his vantage point it would make the vehicle appear as though it was not impeding the driveway. Upon his departure, we decided to take our own photos showing that indeed the driveway was partially blocked and the vehicle was at least two feet over the yellow "courtesy line". The individual who parked in this fashion had no regard for the residents of the home trying to navigate the driveway safely. As we explained to you previously, our 91 year old mother fell on the back porch and broke her hip and needed emergency surgery. EMS had to access the rear of the property in order to render her aid. God forbid there was a vehicle blocking the driveway in the event of another emergency and vehicles needed to gain access to the rear of the home.

Once again, we are very disappointed with the outcome of your investigation and plan on pursuing a citizen's complaint. It would have been nice if the officer used his discretion and issued a summons at the request of the long-time homeowner who pays \$28,000 per year in real estate taxes, rather than giving the benefit of the doubt to the inconsiderate individual who partially blocked the driveway in order to be closer to the beach.

Sincerely,

Colleen (O'Day) Rozzi

Ellen (O'Day) Goodman

-----Original Message-----

From: Edward M. Kerr <ekerr@springlakeboro.org>
To: lakeviewnj@aol.com <lakeviewnj@aol.com>
Cc: jerbe@springlakeboro.org <jerbe@springlakeboro.org>; rtrashoff@springlakeboro.org <rtrashoff@springlakeboro.org>; dfrost@springlakeboro.org <dfrost@springlakeboro.org>; bludge@springlakeboro.org <bludge@springlakeboro.org>; msagui@springlakeboro.org <msagui@springlakeboro.org>; swhalley@springlakeboro.org <swhalley@springlakeboro.org>; Jennifer Naughton <jnaughton@springlakeboro.org>; Timothy Giblin <tgiblin@springlakepolice.org>; W. Bryan Dempsey <bdempsey@springlakeboro.org>
Sent: Fri, Aug 28, 2020 2:07 pm
Subject: Re: Following Up - Parking Issue - 11 Brighton Avenue

Ms. Rozzi and Ms. Goodman, Mayor and Council,

After being made aware of this issue by the Mayor, we here at the SLPD looked into the matter. See the attached picture from the responding officer on that day. The officer used his discretion and decided not to issue a summons as he felt the driveway was not actually blocked even though it was parked over the painted lines and partially over the apron to the driveway. I understand the frustration, but the officer handled the matter as he saw fit. After reviewing the picture he took, I can understand why he chose not to issue a summons. I also contacted our legal advisor at the Monmouth County Prosecutor's Office to inquire if it would be lawful for us to issue a parking ticket in this situation. The Assistant Prosecutor did get back to me the next day who advised that in this situation we may have had probable cause to issue the traffic summons. In the future, most likely a parking summons will be issued if the vehicle is parked over the driveway apron.

If a similar situation happens again please call 732-449-1234.

Thank you and have a great day.

Sincerely,

Ed Kerr

On Wed, Aug 26, 2020 at 10:21 PM Edward M. Kerr <ekerr@springlakeboro.org> wrote:

All,

This issue has not been ignored at all and the Mayor and I have had discussions about this matter a few times, most recently yesterday. Mayor Naughton has not ignored your concerns, I can assure you of that.

Ms. Rozzi and Ms. Goodman, please let me know what time would be good for you to discuss the matter. Please provide me a phone number and convenient time to contact you.

Sincerely,

Ed Kerr

On Wednesday, August 26, 2020, <lakeviewnj@aol.com> wrote:

Unfortunately, we are contacting you regarding a parking issue we experienced at our mother's home on July 17, 2020 (please see below correspondence to the mayor). She responded to our first email regarding our "reasonable concerns" and said she would be communicating with Chief Kerr regarding our complaint, but has not answered either of our two follow-up emails. It would appear that we are now being ignored. We feel extremely disappointed that lifelong residents of the town who pay \$28,000 annually are apparently being ignored like this. We have a very narrow driveway and it was clearly partially blocked by this inconsiderate driver. What if an emergency vehicle had to gain access to the home? They would have had great difficulty gaining access to the rear of the property.

We look forward to your response.

Thank you.

Colleen (O'Day) Rozzi

Ellen (O'Day) Goodman

-----Original Message-----

From: lakeviewnj@aol.com

To: jnaughton@springlakeboro.org <jnaughton@springlakeboro.org>

Sent: Wed, Aug 19, 2020 3:12 pm

Subject: Fwd: Following Up - Parking Issue - 11 Brighton Avenue

Hi -

It's been over a month since we contacted you about the parking problem in front of our mother's home in July. We have been patiently waiting for your response after you told us that you would be discussing the matter with Chief Kerr. Can you please let us know about the outcome of this matter?

Thanks.

Colleen (O'Day) Rozzi

Ellen (O'Day) Goodman

-----Original Message-----

From: lakeviewnj@aol.com

To: jnaughton@springlakeboro.org <jnaughton@springlakeboro.org>

Sent: Wed, Jul 29, 2020 12:20 pm

Subject: Following Up - Parking Issue - 11 Brighton Avenue

Hi Jennifer -

We are just following up regarding the parking situation that took place in front of our mother's home a little over two weeks ago. Are we supposed to hear from the Chief of Police directly or from yourself? So far, we have not received a response to our complaint.

We were very surprised that the police officer would take the side of the parking offender (most likely from out-of-town) over the 65 year resident of the home. When I showed my husband (who is in law enforcement) the pictures of the vehicle - which was brazenly parked two feet over the yellow "courtesy line" - he was shocked that no parking violation was issued.

Please let us know when we will get a response and who will be responding.

Thank you,

Colleen (O'Day) Rozzi

-----Original Message-----

From: lakeviewnj <lakeviewnj@aol.com>

To: Jennifer Naughton <jnaughton@springlakeboro.org>

Sent: Mon, Jul 20, 2020 9:25 am

Subject: Re: Parking Issue - 11 Brighton Avenue

Thank you very much, hope you have a great summer as well!!

Sent from my iPhone

On Jul 20, 2020, at 8:34 AM, Jennifer Naughton <jnaughton@springlakeboro.org> wrote:

Thank you for reaching out to time. I have sent your reasonable concerns on to my police chief and I will followup directly. Enjoy the rest of the summer. Jennifer

Jennifer Naughton
Mayor
Borough of Spring Lake
732-449-0800

On Fri, Jul 17, 2020 at 8:00 PM <lakeviewnj@aol.com> wrote:

-----Original Message-----

To: jnaughton@springlakeboro.com <jnaughton@springlakeboro.com>

Sent: Fri, Jul 17, 2020 1:09 pm

Subject: Parking Issue - 11 Brighton Avenue

Hi Jennifer -

Hope you have been well. Unfortunately we are contacting you to make you aware of a parking situation that took place on Wednesday (July 15, 2020). We were sitting on our parents' front porch around 12 noon and the street was already packed with vehicles of people heading to the beach. We watched as cars were driving up and down the street in search of parking spots. We witnessed a vehicle attempting to squeeze their smaller sized SUV into a very tight space at the foot of our driveway. These people got out and realized the space was way too small to accommodate their car, so they decided it would be prudent not to park there and drove away.

Approximately 5 minutes later, we watched an even bigger, very large SUV attempting to squeeze into this extremely tight space. They were almost touching the bumper of the vehicle which was parked behind them, and were approximately two feet over the yellow line on the pavement which is there, I assume, to keep people from parking too close to entrance to our family's driveway (which is very narrow). We watched in disbelief as these people exited their vehicle and walked across the street to the beach. There were plenty of other available parking spaces on the next block, yet they still left their car parked in this inconsiderate fashion in order to be in closer proximity to the beach.

Not only is it rude and inconsiderate for people to do this, but it presents an inconvenience and the possibility of our vehicles from safely entering and exiting our driveway. We decided to contact SLPD to respond and issue a ticket since this car was clearly way over the yellow line and partially obstructing the driveway. (see attached photos).

Officer Kelly responded to our residence. Upon his observation of this clear parking offense, he informed us that he would not be issuing them a ticket, he told us the yellow line was a "courtesy line" and that it was perfectly fine that they parked this way. He also informed us that he himself would have no trouble getting his own SUV down our driveway with this vehicle clearly sticking out two feet over the so called "courtesy line". Needless to say, we were very unhappy with the outcome of this police response. Why even bother having the yellow parking lines painted in the roadway if it is considered merely a suggestion to park your vehicle behind that line - it just doesn't make any sense whatsoever.

We both drive large SUVs and had to hang around and wait for this inconsiderate person, who was partially impeding our driveway, to return from the beach before we could leave our mother's house in order to avoid possible damage to our vehicles. We certainly do hope this is not going to be an ongoing problem all summer with people jockeying for closer parking spaces in order to be closer to the beach. We feel that the driver of this vehicle should be issued a summons by mail for clearly parking two feet over the yellow "courtesy line" and causing us a great inconvenience. Tickets have been issued in the past for individuals who have partially blocked our driveway, and those offenses were not even close to the way this person parked.

We look forward to hearing from you and getting this issue resolved. Thank you very much for your attention to this matter.

Colleen (O'Day) Rozzi

Ellen (O'Day) Goodman

11 Brighton Avenue

Spring Lake, NJ 07762

Chief Edward M. Kerr, Jr.

Spring Lake Police Department

311 Washington Avenue

Spring Lake, NJ 07762

732-449-1234

732-449-8696 Fax

ekerr@springlakeboro.org



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