

**TOWNSHIP OF OCEAN
COUNTY OF OCEAN
REGULAR BUSINESS MEETING
MEETING MINUTES
February 28, 2008**

ROLL CALL: KRAFT X REILLY Absent VAN PELT X

STATEMENT: Pursuant to the provisions of the New Jersey Open Public Meetings Act, adequate notice of this meeting was properly provided by sending copies of the Notice of Meeting to three newspapers The Times-Beacon, The Atlantic City Press and the Asbury Park Press. The Notice was posted at the office of the Township Clerk and on the bulletin board in the Administration Building.

FLAG SALUTE

MEETING MINUTES:

APPROVAL OF THE MEETING MINUTES OF FEBRUARY 14, 2008.

A motion of approval was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye.

ORDINANCES:

ORDINANCE 2008-01 (Second Reading – Public Hearing)

AN ORDINANCE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING CHAPTER 12.16 ENTITLED “MUNICIPAL BOAT RAMP”.

Ordinance 2008-01 was read title only and opened to the public on a motion moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye. There being no comment from the public, a motion to close to the public was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye. A motion of approval was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt to adopt Ordinance No. 2008-01. Roll Call: Kraft: Aye, Van Pelt: Aye.

ORDINANCE 2008-03 (Second Reading – Public Hearing)

AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY LOCATED WITH THE TOWNSHIP OF OCEAN BY THE MUNICIPALITY REFERRING TO BLOCK 39, LOT 9.

Ordinance 2008-03 was read title only and opened to the public on a motion moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye.

Mayor Van Pelt stated this is roughly 30 acres right by the parkway, cell tower included. Purchase price is \$1.8 million, providing the property owners donate \$300,000 in value to the municipality.

Spencer Hondros, 65 Pennsylvania Avenue, inquired what is the Township's net. Mayor Van Pelt stated \$1.5 million. Mr. Hondros asked what is the revenue of the cell towers. Mayor Van Pelt states right now revenue is about \$40,000. There's room for another half-dozen carriers. Township Attorney McGuckin stated the Township is in litigation with the property owner, challenging the zoning. The Township will subdivide the parcel property where the cell tower is located. The cell tower has to be subdivided out so the remainder of the property could be eligible for grants.

A motion to close to the public was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye. A motion of approval was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt to adopt Ordinance No. 2008-03. Roll Call: Kraft: Aye, Van Pelt: Aye.

ORDINANCE 2008-04 – First Reading – Title Only – (Public Hearing – 3/13/08)

An Ordinance Amending Chapter 18.02 of the codified ordinances of the Township of Ocean with respect to zoning.

A motion of approval was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt to adopt Ordinance No. 2008-04. Roll Call: Kraft: Aye, Van Pelt: Aye.

ORDINANCE 2008-05 – First Reading – Title Only – (Public Hearing – 3/13/08)

An Ordinance Amending Ordinance 2006-07 Amending Chapter 15.28.100 entitled “Fees for Permits”.

A motion of approval was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt to adopt Ordinance No. 2008-05. Roll Call: Kraft: Aye, Van Pelt: Aye.

ORDINANCE 2008-06 – First Reading – Title Only – (Public Hearing – 3/13/08)

An Ordinance Amending an Ordinance amending Chapter 2.96 and establishing Section 2.96.060 of the codified ordinances of the Township of Ocean with respect to fees for copies in the Tax Collectors Office.

A motion of approval was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt to adopt Ordinance No. 2008-06. Roll Call: Kraft: Aye, Van Pelt: Aye.

ORDINANCE 2008-07 – First Reading – Title Only – (Public Hearing – 3-13-08)

An Ordinance of the Township of Ocean adopting a new zoning map for the Township.

A motion to TABLE was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt to. Roll Call: Kraft: Aye, Van Pelt: Aye.

ORDINANCE 2008-08 – First Reading – Title Only

An Ordinance Amending Accessory Building and Uses Chapter 18.46.060 entitled Quonset Huts, 18.70.050 Preliminary major site plan application procedure, 18.70.070 final major site plan application procedure, 18.76 permit procedures.

A motion of approval was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt to adopt Ordinance No. 2008-08. Roll Call: Kraft: Aye, Van Pelt: Aye.

RESOLUTION NO. 2008-122: Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$ 185,058.81.

A motion of approval was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye.

CONSENT AGENDA

The below listed items are considered to be routine by the Township Committee of the Township of Ocean and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the consent agenda and will be considered separately.

RESOLUTIONS

- 2008-123 Appointing Craig James, alternate #2 of the Planning Board.**
- 2008-124 Endorsing the submission of the Community Block Grant Application to the Ocean County Planning Board for installation of sidewalks on Old Main Street.**
- 2008-125 Appointing Russell Verdolina, Ocean Township Board of Health’s Bi-annual Dog & Cat Census worker - \$8.00 per hour**
- 2008-126 Appointing Sharon Ciccone, Ocean Township Board of Health’s Bi-annual Dog & Cat Census worker - \$8.00 per hour**
- 2008-127 Authorizing CMX Engineering Service regarding Dam Safety Spillway requirements, Waretown Lake Dam NJDEP File No. 33-26 fees for determining spillway capacity based on time and materials not to exceed \$20,000; and preparing an Operations and Maintenance Manual as required on a time and materials not to exceed \$3,000.**
- 2008-128 Appointing Prosecutor Tom Campo, Esq as Prosecutor and John Reilly, Esq as alternate Prosecutor from the firm: Citta Holzapfel & Zarbarsky, 248 Washington Street, Toms River, NJ 08754**
- 2008-129 Authorizing the Mayor and Municipal Clerk to sign a Schedule “C” Agreement with the Ocean County Road Department**
- 2008-130 Authorizing CMX Engineering Service regarding Sands Point Park Phase 2 permitting, basketball court, Tennis Court and Boat Ramp as required by US Fish & Wildlife not to exceed \$8,000**
- 2008-131 Accepting Letter of Credit from MSC Enterprises LLC, property located at Lot 13, Block 57 in the amount of \$95,000 expiring 2/12/2009.**
- 2008-132 Appointing Emergency Management Personnel for the year 2008**
- 2008-133 Resolution authorizing Ocean Township Housing Rehabilitation Program with rehabilitating two homes through CDBG Grant in the total amount of \$16,445.00**

Motion to Approve Resolutions 2008 – 123 through 2008-133 was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye.

Deputy Mayor Kraft asked Mayor Van Pelt if the soft costs are coming out of the grant in Resolution No. 2008-127. Mayor Van Pelt stated this is additional work that needs to be done. The Town is running a water line through the lake to the Town Center. The NJ DEP is requiring a new design of the dams.

Motion to approve Junk Yard or Salvage Yard License for David Beier, Block 6, Lot 10 & 11, Jones Road.

Motion was made by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye.

Motion to approve Massage Establishment, Holistic Therapy Center, 250 Route 9, Waretown, NJ.

Motion was made by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye.

Motion to approve massagist License for the Holistic Therapy Center for Che ying Ai, Jin Chun Ji, Cui Aihua.

Motion was made by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye.

Motion to Approve use of the Community Center:

- 1. Kammie Verdolina, Birthday Party, March 1, 2008**
- 2. Barbara Drummond, Grand Bay Harbor Condominium Assoc., June 7, 2008**
- 3. Roxanne Lacey, Baby Shower, March 30, 2008**
- 4. Christine Presti – Southern Ocean County F.A.C.E.S. – March 14, 2008**

Motion was made by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye.

ACCEPTANCE OF THE TAX COLLECTOR'S REPORT.

Motion was made by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye.

ACCEPTANCE OF THE CMFO/TREASURER'S REPORT.

Motion was made by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye.

Resolution 2008-134 Authorizing the Township Committee to retire into Closed Session for the purpose of discussing personnel, public safety, contractual, real estate and Litigation.

Mayor Van Pelt stated the purpose of the closed session will be contract issues (sale of land), legal issues and personnel.

Motion of approval was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye.

CAUCUS/AGENDA

Motion to Recess and move into Caucus/Agenda Meeting was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye.

TOWNSHIP OF OCEAN
CAUCUS AGENDA
March 13, 2008

NOTICE OF THIS MEETING HAS BEEN PUBLISHED
IN ACCORDANCE WITH THE REQUIREMENTS OF
THE OPEN PUBLIC MEETINGS ACT.

1. Roll Call Mayor Van Pelt _____ Deputy Mayor Kraft _____
 Mr. Reilly _____

Also Present: Mr. Mosca _____ Mrs. Ambrosio _____
 Mr. McGuckin _____

3. Administrator's Report

- Bid – Old Main Shore Road
- Transformer relocation – Memorial Drive
- Skate Park fees (non-resident)
- Sonic – not installing the street sign on property
 - o Possible Resolutions
 - Redesign of existing dam structure – NJ DEP
 - Volunteer Way Widening Project costs
 - Volunteer Way traffic Analysis
 - Crystal Point – Additional Dredging

4. Mayor's Report

- a. Administration
 - Ballot Question regarding Open Space
 - Location of Founder's Day Events
 - Lake Trail Grant (re:CMX)
 - Update Flash School Lights
 - Land Sale/Auction – settlements

5. Deputy Mayor's Report

- a. Public Safety

6. Committeeman Reilly

- a. Planning & Development

7. Mr. McGuckin

Township Administrator Mosca reported that the items on the March 13, 2008 agenda will include items that were removed from February 28, 2008 agenda, a nepotism ordinance and the bird study.

Township Attorney McGuckin reported that the Planning Board meets March 6, 2008 and needs to review the Zoning ordinance. The ordinance that was introduced tonight will be put on their meeting agenda and they will report back to the Township Committee.

PUBLIC COMMENT

Motion to Open to the Public was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye.

Spencer Hondros, 65 Pennsylvania Avenue, asked if one Marina owner could be appointed as an Emergency Management personnel. Township Administrator Mosca requested that he speak to the marina owner and give him a name to appoint and present it to him.

Motion to Close to the Public was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye.

CLOSED SESSION

OPEN SESSION

Motion to open Open Session was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call: Kraft: Aye, Van Pelt: Aye.

Mayor Van Pelt discussed having a public question this November increasing the Open Space tax. The tax should go from 1¢ to 2¢ on the Ballot Question. Mayor Van Pelt spoke with a member of the Sierra Club. They would support the town in this endeavor.

Deputy Mayor Kraft stated it would actually go up only .8.

Township Administrator stated just look at the debt it is going to pull down.

Mayor Van Pelt asks to discuss the Founder's Day location. Jean Broadbent previously requested the Town Hall Parking lot and close off Corliss Street. The town would have to ask the Pinelands Cultural Society to use their parking lot for parking. The school is saying they are going to have trailers, but they aren't where Founder's Day is held. Township Administrator Mosca will contact the school and find out what exactly will be happening at that time.

Mayor Van Pelt stated the next trail grant the Town applies for should be to put a trail from Main Street to the land that was preserved by the County and the Township.

Mayor Van Pelt stated Ray Ridsen called and wants the Township to buy his five acres. The assessed value is \$615,000. Mr. Ridsen was going to speak to a few people and get back to the Township.

Township Clerk Ambrosio read the next item "Update on Flashing School Lights".

Township Administrator Mosca stated the issue was the tree overhang. They would not be getting the direct sun. Mosca stated let's cut the trees back. Patricia Sansone, Ocean County, was on vacation. When she comes back, she is going to come and take a look at the area. The Township received the grant in 2001.

Township Clerk Ambrosio read the next item "Price of the Transformer".

Township Administrator Mosca stated it's going to be \$50,000 to move the transformer. \$40,000 to the electrician and \$10,000 to JCP&L. Township Administrator stated that's Garafolo's electrician. The Town should get our own quotes. Township Administrator Mosca stated he left messages for Maria Sessa to call him and talk about this \$10,000. She said the Mayor agreed to waive the \$500 application fee. I told her I have not seen anything in writing regarding the application fee. Township Attorney McGuckin asked did JCP&L put an electrical box in our right-of-way? Deputy Mayor Kraft stated it is on MSC's property. The Town Engineer didn't specify where it goes. They just come out and put it wherever it's convenient for them. Mayor Van Pelt stated to Township Administrator Mosca to look on the survey.

Township Clerk Ambrosio read the next item "CMX".

Township Administrator stated additional dredging at Hudson lagoon and disposal of the dredge spoils. The total quote was \$25,400. The County had the soundings information and supplied at no cost. That reduced the quote to \$15,400. Deputy Mayor Kraft stated he did a five-year maintenance permit for \$15,000 for five locations? We already have a maintenance permit in place. Mayor Van Pelt stated he would call tomorrow and ask him exactly what we are getting for \$15,000. Are you just overseeing and paying a dredging company separately?

Township Clerk Ambrosio read the next item "DEP".

Township Administrator Mosca stated this is for the redesign of the existing dam structure - \$34,500. Volunteer Way extension. CMX stated they have a verbal authorization from Mayor Van Pelt. Mayor Van Pelt stated he gave authorization. Township Administrator Mosca stated we need to memorialize it. This is for \$21,900. Mayor Van Pelt stated Shop Rite is making improvements, essentially, from Route 9 to their first driveway. The Township would be responsible from the first driveway to the Fire Academy. Deputy Mayor Kraft asks why that section of the road has to be raised so much. Mayor Van Pelt stated because you are physically jumping up into the buildings. They are trying to make it level.

Township Administrator Mosca read the next item "Skatepark". Jean Broadbent recommended raising the fees for non-township residents to \$20.00. The Township Committee agreed. The Ordinance will be introduced next meeting.

Township Administrator Mosca stated Jean Broadbent received a grant for a tennis block party.

Mayor Van Pelt inquired about recreation trips and is the Township losing money? Township Administrator Mosca stated, "Jean states that the Town does not lose money".

Mayor Van Pelt inquired about the Greenbriar issue with the rail trail? The Public is parking on Pancoast Road and using the trail. The township is not responsible for Pancoast Road. Township Administrator Mosca stated they need to police it. Deputy Mayor Kraft stated next to the Lighthouse Tavern, there's going to be a parking area. Township Attorney McGuckin asked if they want us to take maintenance of everything from the gate up to Route 9? Deputy Mayor Kraft stated it is approximately ½ mile. The Township should find out from the County when they are going to finish from Pancoast Road to Country Lane.

Mayor Van Pelt mentioned Ken Mosca should move forward setting up a meeting with Mr. & Mrs. Laws and also a meeting with Lennar.

ADJOURNMENT:

Motion to Adjourn meeting was moved by Deputy Mayor Kraft, seconded by Mayor Van Pelt. Roll Call:
Kraft: Aye, Van Pelt: Aye.

Signed and Submitted:

Diane B. Ambrosio, RMC

Date