

**TOWNSHIP OF OCEAN
COUNTY OF OCEAN
REGULAR BUSINESS MEETING:
April 10, 2008**

FLAG SALUTE:

ROLL CALL: KRAFT Absent REILLY X 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.

MEETING MINUTES:

APPROVAL OF THE MEETING MINUTES OF MARCH 27, 2008

A motion to TABLE approval of the meeting minutes was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

PRESENTATION: Jim Oris – CMX Engineering.

Mayor Van Pelt introduced Mr. Oris. Mr. Oris has worked on projects for the Township for the past 10 years.

Mr. Oris stated he is the consulting engineer for the Township of Ocean. The current projects are Sands Point Park, Volunteer Way Phase I – Original portion of the project, Volunteer Way Phase II – to reconstruct and reconfigure the existing portion that is in the field today to better match the future development within the Town Center. CMX is also currently working on a dredging project by Crystal Point, which is known as the Hudson Lagoon. CMX is working on a water quality improvement project for Waretown Lake, which has a significant environmental infrastructure trust funding source. CMX is providing some guidance for a water-main extension that the Township Engineer is preparing in and around the Town Center and adjacent to the Lake. CMX has also obtained a \$20,000 grant from the Barnegat Bay Estuary Program for a water quality improvement project to the Township's roadway sweeping drying pad. There is a 2008 Community Development Block Grant application that the Township of Ocean qualified for in the amount of \$55,000 for a sidewalk on Main Street.

SANDS POINT PARK

Mr. Oris stated this project consists of two phases. Phase I consists of the tennis court, basketball court, gazebo and the playground area. Phase II consists of a boat-trailer parking facility, a clamshell parking area, a new boat ramp which will accommodate up to 25' vessels to be launched along with a complete reconstruction of the bulkhead. This project has been slow to come to fruition beyond Phase I for several reasons. The biggest reason is that there are several partners on this project. It's unique inasmuch as the Township does not own the property. The property is owned by the state of New Jersey though the Fish & Wildlife bureau. When the Fish & Wildlife Bureau acquired the property, they partnered with the Federal Government. The Federal Government has input and oversight of the property in question. CMX has prepared all the improvement plans for the facility and obtained all of the regulatory permits, which include

a Wetland evaluation, a CAFRA permit and confirmed that the tidelands lease is still active for the property. There was additional work to make sure that all of the improvements would meet the requirements of the Dept. of Community Affairs. Since the property is owned by the State, it will not go through a municipal building review. It will need to comply with the DCA requirements. There is a lease component to the property because the town does not own the property. The town is leasing back the property where the improvements are going to be. The State and Federal Government need to acknowledge and accept all the terms and conditions in the lease. Those partners in the project have been slowing us down a little bit. The Township is going to get a very favorable lease. The town has been very aggressive in seeking grants and loans for the funding of the project. The project has received \$648,000 in Green Acres funding and a \$180,000 IBoat grant. There is also a Federal Grant that the State of NJ Fish and Wildlife will be submitting, which will represent up to a 3-1 match. The total price tag on the project with the Phase I and Phase II is in excess of \$1 million. When all the funding components come together, the out-of-pocket cost for the Township of Ocean will be in range of 10%-15% of the entire project. The Township has gone out to bid on Phase I of the project. The Township is awaiting clearance from the Federal Government. Once that occurs, we can break ground immediately on the basketball court and the tennis court part of the project. The Township anticipates going to bid during the Summer and hopefully begin construction late Fall on the waterfront portion of the project. There is a fish cleaning station at the facility. The Township wants to encourage waterfront access for all of the residents. Due to the project being on state land with leases and Green Acres funding, it will be open to the general public. It will be managed and maintained by the Township of Ocean

Committeeman Reilly stated that one of our residents asked if the town would consider putting a swingset by Phase I. Committeeman Reilly asked Mr. Oris what his best guess as to when that might happen.

Mr. Oris stated I would expect to have lease agreements resolved middle of July. It will fall to the Federal Government's timeline. Mr. McGuckin and Mr. Oris are working with the appraiser to develop some of the final lease issues that need to be resolved.

VOLUNTEER WAY

Mr. Oris handed a copy of the latest Engineer's report, which outlines all of the projects CMX is working on. There is also another handout, which we used at a recent meeting with the State of New Jersey, when we met with representatives of the Department of Environmental Protection to review the Volunteer Way project.

Mayor Van Pelt asked if CMX has coordinated with T&M on the actual width of this road?

Mr. Oris stated the actual cross-section has been a topic of discussion recently. There are three transitional sections for Volunteer Way. There is the transitional section, which is the first portion, if you were coming from Route 9, heading West. The transitional section is how it is going to tie into the center line of Route 9 and also connect with the improvements that the Shop Rite is obligated to construct. The next section would be the Town Center, let's call it the section proper. T&M is trying to encourage a downtown streetscape with your traditional mixed-use retail space that's accessed by pedestrians and have a residential component, having benches, landscaping and lighting that would be consistent with the downtown streetscape.

Mayor Van Pelt stated from Route 9 to the first entrance for Shop Rite. Once the road leaves from that entrance West, we have to raise that road, at a minimum, two feet out to 532. It is going to be an elevated road to address snake issues.

Mr. Oris stated the Shop Rite property is elevated above the existing grade due to the stormwater management requirements that the DEP has instituted over the last two years. There's an increase in terms of water quality filtration. There is also a requirement for separation between the detention basins or stormwater management basins and the seasonal high water table. In this area, the water table is high relative to the existing ground surface. When the other side of Volunteer Way is constructed, it will need to be elevated as well to accommodate the stormwater management requirements that are being imposed by the DEP. If the road were to stay at its current elevation and all of your other uses (retail space) were much higher. It would not be the look that you want to achieve and functionally it would not work well with the uses. You are trying to encourage people to walk through the town center, to use alternate means of transportation, to ride bicycles to access this retail space. To introduce retaining walls and steps, it's not going to get utilized. That is Phase II of Volunteer Way that we are currently designing.

Mayor Van Pelt asked if the town is still on tract that we are responsible for the design and the county might help us build it?

Mr. Oris stated that is correct. The County has an interest in the project. This road will tie into County Route 532 and will serve as your main thoroughfare into your Town Center. The road is designed to flow from 532 into Volunteer Way as a Parkway into your Town Center, encouraging the traffic to go through your retail space and discourage the traffic to the corner of 532 and Route 9. The section after you leave the Town Center Proper, will include a golf cart and/or bike trail. The road will be elevated approximately 4 feet through that section to accommodate the snake tunnels. The NJDEP is requiring that we provide for snake tunnels to allow the snakes to be able to move freely through area. The town had to erect silt fencing down the sides of the road to try to trap snakes that might be in that area. The town had to wait for the snakes to go through their season and come out of hibernation. The town did that at the requirement of the DEP so that we do not negatively impact the snake dens. That could have moved the alignment.

Mayor Van Pelt stated we spent \$60,000 to track and catch one 4' male snake, and a coyote ate it.

Mr. Oris stated the road will have snake tunnels. It will also have a center island in the cross section and will provide for various modes of transportation. The width of the center island will be a minimum of 6 feet. It could be as much as 12 feet. The DEP may want to see the road a little more compact. The wider the road, the longer the snake tunnels.

Mayor Van Pelt stated visually we are going to have trees down the center of the median and the same light fixtures that are going up in the town's commercial development.

Mr. Oris stated it will be designated a parkway. Mayor Van Pelt recommended this because the town doesn't want to encourage development outside of the Town Center. The first part of the road, coming off of 532, will not be in the Town Center. It will be out of the Town Center boundary. The CAFRA regulators are looking at that as being potential for additional development that they want to discourage. If the town were to designate it as a parkway in that area, it would restrict future access to the road to only those applicants that would go and receive a state diversion, which is very difficult to get. When the road is dedicated as a parkway, it will stop other property owners from accessing the road. It will ensure that the area will not be disturbed further than beyond where you have your Town Center, except for those properties that could develop one house per twenty acres. It will discourage any large development outside of the Town Center area.

Committeeman Richard Reilly asked Mr. Oris if there will be side-rail protection along the elevated roadway.

Mr. Oris stated, originally, the DEP's direction was to have 4' to 5' retaining walls. That would require additional guard rails, a fence (if you are encouraging pedestrian traffic) and it would be a problem. The town has proposed to side-slope. A 5 to 1 natural slope away from the road. At the base of the road the town would construct another requirement of the DEP, which is a green chain link fence. At the base of that fence, you will see a snake mesh. You can see it at the Waretown Parkway interchange. It should save the Township quite a bit of money, because the town will not have to construct this expensive retaining wall. It will provide the height that the CAFRA reviewers are requiring to create the snake tunnels. It will not create a hazardous conditioner.

Committeeman Reilly asked Mr. Oris where the bike trail walkway would be? Down the center or off on the sides?

Mr. Oris stated the bike trail walkway would be closer to the road, elevated along with the other improvements. From there, it would slope off.

Committeeman Reilly asked Mr. Oris if there will be a guard rail between the traffic and the walkway.

Mr. Oris stated it would not be a bad item to add. I don't think we are required to do that.

Mayor Van Pelt stated the town has 4' wide grass strips. There's the road, grass strip, then the bike and golf cart lanes.

Mr. Oris stated the bike path will be separate from the road.

Committeeman Reilly expressed his concerns, if there is an icy road or if someone swerves, there is nothing to protect one from the other.

Mr. Oris stated when you design a bike path, bike traffic is always encouraged to ride with the car traffic. The separation and having the movements going in the same direction, it should meet the DOT's standards. If the Township would like to consider adding additional guard rails to provide additional safety, the town could certainly look into it. The Volunteer Way project will tie into 532 just past the Oceanaire entrance. The DEP is pushing Volunteer's alignment past the creek. The new road, Volunteer Way, will not cross Waretown Creek due to the buffers as well as the Wetlands and any other endangered species. The town is trying to minimize any impacts on the environment. The town moved the road away from the creek, which will provide a smoother transition into 532.

Committeeman Reilly asked if the Greenbriar traffic light will move up to that intersection.

Mayor Van Pelt inquired why do we need a traffic light.

Mr. Oris stated Greenbriar's traffic light could be relocated and placed at that intersection. It's not currently part of the project. It's something that could be worked into the overall project at a future date.

Committeeman Reilly stated given the amount of traffic at that intersection, it would be more beneficial controlling the traffic coming out of Greenbriar. The town does not want two traffic lights within 100 yards of each other.

Mr. Oris stated he would work very closely with the county of Ocean, it is their traffic light. The town is hoping those discussions will lead to the County paying for that light to be relocated, at no expense to the Township. The Volunteer Way project is discussed from where it's going to pick up, how it's going to be environmentally friendly and how it is encouraging the uses in the Town Center and encourage the traffic to go to the Town Center, as opposed to the intersection of Route 9 and 532.

CRYSTAL POINT PROJECT

Mr. Oris stated the first component to this project is the waterfront park project, which is complete. The State of New Jersey was the town's partner on that project. The State provided \$825,000 for the construction of the bulkhead and fill for the project. The State also covered the desnagging of the lagoon. Unfortunately, the State's schedule was extended. The State works on a much different time frame than the Township would have liked. The downside was it took a lot longer than the town had hoped. The State picked up 75% of the funding of almost a million dollar project. The town picked up 25%. The Mayor and Committee has authorized CMX to go with a subsequent permit submission to remove the dredging area, which was already dredged. The town has expanded that area to pick up the other areas that may have been negatively impacted by the erosion that occurred along the area. When you come in off the main channel, going into the first set of lagoons and trying to scoop out anything that may have impacted those areas. Through the soundings that have been seen, once you get past the first lagoon, the impact of reduced water depth is not as great. It would be beneficial to remove some of the other material that is out there. It is about 2,300 cubic yards. That material would be dewatered at the same location it was last time. It could be tested and removed or it could be left at the sight and seeded over. CMX is waiting for a reply from the Barnegat Township Administrator. The schedule is towards the end of this month. There is typically a 90-day review period. If by May 1st everything is submitted, then you are looking at May, June, July. By the end of July, the permits could be in place. A portion of this project is a repeat of what was already done. The reviewer should expedite the project.

Mayor Van Pelt requested that CMX watch out for boating season. Boaters will be going in and out while dredging is taking place.

Mr. Oris stated if the town could wait until Labor Day, it would be a lot more beneficial to the boating public, you might get a better price from the contractor. The draw of the depth varies. The State of NJ provided the soundings to the town. As you head in from the Bay, the main channel is around 6 foot. It nets down to a smaller area in width and goes to around 4 foot from mean low water and continues in around 4 foot. When two boats are passing one another, it probably becomes a little more of a problem. All of the soundings were provided by the DEP - Coastal Engineering. The town partnered with the DEP on this project. The town is going to be submitting for a groin and beach protection at the base of the cul-de-sac. The groin would help create a natural beach area. The bigger part of the beach was not permitted by the DEP. They considered it filling the bay bottom, which is not allowed. It is mapped for shellfish and subaquatic vegetation. Shellfisheries would not allow the beach to be constructed further out into the water. The improvements would be paid at 75% by the State and only 25% by the Township. That is the Crystal Point project as well as the lagoon dredging project.

WARETOWN LAKE

Mr. Oris stated this is a project where the Township authorized CMX to submit for an environmental infrastructure trust fund loan.

Mayor Van Pelt stated the town received a \$500,000, 2% loan for 20 years.

Mr. Oris presented a color aerial map of the area. The darker area is the lake with the main dam and the secondary dam. The lake was drained down through a lake-lowering permit over the winter to help kill off some of the vegetation within the lake. The town preserves the fish by keeping the fish in the deeper swimming-hole area. That cycle of the frost and inclement weather will help kill off the vegetation of the lake. If the town does this every year, it will have better water quality.

Mayor Van Pelt inquired when the town is going to fill the lake again.

Mr. Oris stated it needs to be filled by May 1, 2008. Public Works is scheduling to complete this item.

Township Administrator Mosca stated there is some clean up work that has to be completed. Next week it will start. Some of the stumps had to be pulled out of certain areas. The town will start filling it on Monday.

Mr. Oris stated CMX has been working closely with the DEP regulators to identify how to proceed with the project to encourage better water quality in the lake. The town has envisioned deepening the lakes depth in the main body of the lake, which will provide for better water quality on the hot sunny days, when there is less water.

Mayor Van Pelt asked if CMX is putting in an air ration system?

Mr. Oris stated we are proposing to have a fountain, which would act as an aeration system within the lake and would also provide some aesthetic value to the lake. Due to the town receiving the beneficial funding through the EIT Program, they require that the town register the dam. The lake is classified as a dam. When the September 15th storm hit, there were many dams that blew out. It precipitated a lot of regulations and a new dam safety division at the DEP. The DEP is now requiring all the dams to become registered, to have an inspection and to have an operation and maintenance manual. The town had to do a dam-safety study. In time the dam would need to be upgraded because of the volume of flow. The water main project that's being proposed to go through the dam by Alaimo Engineers would require the dam to be reconstructed to these new standards, which could be a significant cost. The water main through the dam is one option. The second option would be to bring this water main from another location. Either way you have to cross the stream. The DEP is not going to allow the town to open-cut and go through the wetlands, through the buffers and through the stream. That cost is in the neighborhood of \$250/foot. The options are revolving around the fact of having a good network of water. The town's water treatment plant is on 532. The town is proposing to have this network of new construction, which is going to have a water demand. To have water move efficiently through your system and continue to provide the supply that you need in the Oceanaire area and in other areas throughout the town, the town needs to make that 12" connection. The town will have to cross the stream at some point. Once you get across the stream, the town is going to have to acquire approval from the State of NJ to occupy the land for the water main. Even though you own it, it does have restrictions on use, because it's on the ROSI.

ROAD WASTE DRY PAD

Mr. Oris stated the road waste drying pad is a project that received about \$20,000 funding from the Barnegat Bay Estuary program. The Township is currently working very closely with the Township of Barnegat, in the form of shared services, to take material from your street cleaners and place it in a location. It is to allow for dewatering and then it is removed by the county of Ocean. The town has come up with a

way to improve the water quality from that material that is removed through an overhead structure to reduce rain impact on it as well as capture the water and treat it in a storm septic.

Township Administrator Mosca asked if Mr. Breeden, Barnegat Township Administrator, has gotten back to CMX on this project.

Mr. Oris stated “No”. I will make a note to try and set up a meeting to try and discuss these issues.

Mayor Van Pelt suggested that Township Administrator Mosca attend a Barnegat Township meeting.

Mr. Oris stated this project is going to require permits. The design is 90% complete. The town is planning on submitting for permits by the end of this month and could be constructed toward the end of this summer.

CDBG – RECREATION AND OPEN SPACE INVENTORI (ROSI) PROJECT

Mr. Oris stated the ROSI was updated to reflect the fact that the town has purchased several properties for Open Space preservation. Those properties included the Diocese of Trenton property, Kayleem property and the Hall property on Main Street. The properties shown in red are suitable for acquisition. The town wants to seek additional Green Acres funding for those properties. The properties need to be on your ROSI to be approved by the State to be reimbursed. The program is funded by the DEP’s Green Acres Division and it’s a 50% reimbursement. The town adopted an Open Space tax, which provides for funding towards Open Space purchases. The town can purchase the property, add 50% of that money reimbursed and the remaining 50% is paid for with this dedicated Open Space tax. It preserves the property from future development. It becomes Green Acres encumbered. The town can use it for active or passive recreation. It cannot be developed for homes or commercial development. The town has obtained about \$1.1 million in funding from this program to preserve Open Space. The Garden State Open Space Trust Fund passed on the referendum this Fall. It will be funded again for at least another five years. Volunteer Way comes through these parcels. There is more than a 100’ width between those properties. That is where Volunteer Way is going to be coming through. To further discourage development off of the future Volunteer Way, it’s actually bounded by Park property that is Green Acres encumbered as well. It will continue the conservation area outside of the Town Center.

ROAD INVENTORY

Mr. Oris stated the town submitted a proposal for a Road Inventory. There will be pictures of every road in the report. CMX is going to inventory all of the curbs and sidewalks that exist. CMX will inventory all of the roads, handicap ramps, traffic markings and signs. The utilities will be inventoried only if they are surface-visible and if something is wrong with them. CMX will inventory traffic volumes. CMX will identify the classification of the road. If it is a residential access road, the residential site improvement standards would dictate the expected volume should be up to 100 cars per day. The road classification would be tied to the typical volume that you might expect on that road.

Township Attorney Mosca stated the Road Inventory cost would depend on the Township Committee’s desire of how many roads they are going to fund or what is on Schedule C.

Mr. Oris stated that is the summary of all the projects CMX is presently working on.

PUBLIC COMMENT

Motion to Open to the Public was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

Harry Dering, 50 Dock Avenue, asked Mr. Oris how many parking spots with trailers are going to be at the Sands Point project. He expressed concerns on the small number of parking spots and inquired if there would be a dock master.

Mr. Oris stated 28 trailer spots and 7 regular spots.

Mr. Oris stated a park of this nature is not going to generate more trips per day than what you would see in total number of parking spaces. If the town were to do that type of traffic impact study, it would be in the neighborhood of 28 or 30 cars at most.

Mayor Van Pelt stated that the town is going to have a Harbor Master that will control the docks. The traffic is not going to be any different than the traffic now, when the people launch their boat at the end of Poplar.

Mr. Dering stated this park has more people using the fishing facilities, etc. than people using the boat ramp. Once it goes on the internet, you are going to get mobs of people fishing.

Ralph Avellino, 10 Central Avenue, stated at one time, there were four marinas there. There was traffic. The parking issues on Dock Avenue are going to have to be addressed.

Mayor Van Pelt suggested to the Township Administrator that the town not allow people to launch at the end of Poplar anymore. Sands Point is a \$1.5 million investment. It will be one of the finest parks. There are certainly going to be issues working it and making sure it is done right. The Town is up to that challenge.

Jim Oris stated concerns about how the facility is run, where people park, how many people frequent the facility beyond its intended capacity will be at the discretion of the Township and their maintenance people. The area will be maintained by the Township. The control of the facility: the hours that it operates, how many people, turning people away, will all be within the control of the Township. If the State developed the property, they would be in control of it. I do not see a huge volume of traffic. Speed is an issue in every neighborhood.

Mayor Van Pelt stated cameras need to be at the site that go directly to the Police Station.

Ralph Avellino asked if we could put bike racks at the bus stops on Route 9.

Mayor Van Pelt stated we can certainly look into it.

Jim Griffin, Laurelwyck, asked where will Volunteer Way come out on 532.

Mr. Oris stated before the cemetery, but past Greenbriar. Mr. Oris showed him on the map.

Mr. Griffin asked what happens if the funding backs out of Sands Point Park.

Mayor Van Pelt stated the Township is locked in with the funding.

Ron Bruno, Rumson Court asked how the town is going to encourage people to use Volunteer Way instead of 532.

Mr. Oris stated as you come off the Parkway, before you get to Greenbriar, the road bends. The town is going to introduce a curve in the road, which would take traffic to the Town Center and create a T-Intersection at the new phase of Volunteer Way.

Motion to Close to the Public was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

ORDINANCES:

ORDINANCE 2008-11 – (Second Reading – Public Hearing)

An Ordinance Amending Chapter 18.46 of the Codified Ordinances of the Township of Ocean with Respect to Accessory Building and Uses.

Ordinance No. 2008-11 was read title only and opened to the public on a motion moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

Dan Collamer, 24 Bay Parkway, asked what loophole is the town trying to change and what problems exist that this ordinance is going to correct.

Mayor Van Pelt stated when someone builds a 1600 sq. ft. accessory building and attaches it by a breezeway and says it's part of the primary structure. That doesn't work. The Zoning Board professional wrote the ordinance.

Dan Collamer, 24 Bay Parkway, stated when he attended that zoning board meeting addressing this issue, the Zoning Board refused to answer his questions. My position is related to the limitation of accessory buildings throughout. I think the change should be made in a way proportional to the size of the property. Not a one size-fits-all restriction. Mr. Collamer asked the Committee to take the proportional aspect of this ordinance into consideration and table it for tonight.

Mayor Van Pelt stated this issue should have been addressed four or five years ago when it came up. Property owners already have an avenue to put in another building, in the form of a variance.

Township Attorney McGuckin stated under the Municipal Land Use Law, one of the factors that would be considered for a variance is the type and size of the property.

Mr. Collamer stated residents shouldn't have to go through all that for a lot of the things the town has put through before. There are going to be situations where it would have to be heard by a zoning board. Some additional language in that ordinance could avert this type of situation.

Township Attorney McGuckin stated the reason for this ordinance is the Township has the right to know why someone would need accessory buildings for a residential home. Is it being used for something we should know about it? That would be subject to testimony before the appropriate board. There would be a record and conditions on the use.

A motion of approval was moved by Committeeman Reilly, seconded by Mayor Van Pelt to adopt Ordinance No. 2008-11. Roll Call: Reilly: Yes, Van Pelt: Yes.

NEW ORDINANCES

ORDINANCE 2008-12 – (First Reading – Title Only)

An Ordinance amending Title 18 Entitled “Zoning” Revising the Permitted Uses within the EC Environmental Conservation District and to create New Standards to Regulate Individual On-Site Disposal Systems East of the Garden State Parkway.

A motion of approval was moved by Committeeman Reilly, seconded by Mayor Van Pelt to adopt Ordinance No. 2008-12. Roll Call: Reilly: Yes, Van Pelt: Yes.

ORDINANCE 2008-13 – (First Reading – Title Only)

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 Committeeman Reilly, seconded by Mayor Van Pelt to adopt Ordinance No. 2008-13. Roll Call: Reilly: Yes, Van Pelt: Yes.

ORDINANCE 2008-14 – (First Reading – Title Only)

An Ordinance to exceed the municipal budget appropriation limits and to establish a CAP Bank (NJSA 40A:4-35.14).

A motion of approval was moved by Committeeman Reilly, seconded by Mayor Van Pelt to adopt Ordinance No. 2008-14. Roll Call: Reilly: Yes, Van Pelt: Yes.

RESOLUTION NO. 2008-151: Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$2,462,271.76.

A motion of approval was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

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

- 08-152 Resolution authorizing CMX Engineering to obtain Waterfront Development Permit Fees for Hudson lagoon dredging not to exceed \$4,436.00.**
- 08-153 Resolution Authorizing the Receipt of Bids for the Lease of a Portion of the Ocean Township Municipal Authority facility located at 200 Wells Mills Road, Waretown, NJ**
- 08-154 Resolution authorizing reimbursement for overpayment of sewer/water usage 420 Third Street Account 4010000**
- 08-155 Resolution appointing Alternate Prosecutors for the Township of Ocean Municipal Court**
- 08-156 Resolution authorizing CMX Engineering to complete a Roadway Inventory for the entire Township of Ocean not to exceed \$7,150.00**
- 08-157 Proclamation declaring Friday, April 25, 2008 Arbor Day**

- 08-158** Resolution authorizing 2008 Temporary Water Operating budget in the amount of \$398,175.00
- 08-159** Resolution authorizing 2008 Temporary Sewer Operating Budget in the amount of \$221,425.00
- 08-160** Proclamation declaring the month of April 2008 Autism Awareness
- 08-161** Resolution authorizing the release of escrow money held in the name of George Mackres in the amount of \$3,913.09
- 08-162** Resolution authorizing the release of escrow money held in the name of Roy Rice in the amount of \$336.64
- 08-163** Resolution authorizing an increase to the 2008 Temporary Current Fund Operating Budget in the amount of \$2,099,950.00
- 08-164** Resolution authorizing the release of escrow money held in the name of Donald and Jacqueline Slipp in the amount of \$928.00
- 08-165** Resolution authorizing Richard Grubb & Associates, Inc. Cranbury, NJ to complete Intensive-level architectural Study, Volunteer Way Roadway Extension as per the NJDEP Division of Land Use in the amount of \$5,808.00.
- 08-166** Resolution appointing Shawn Denning, police liaison, to the Founder's Day Committee with term expiring 12/31/08
- 08-167** Resolution Authorizing the release of certain performance guarantee for the Greenbriar Oceanaire Arch Bridge Structure #1
- 08-168** Resolution Authorizing the release of certain performance guarantee for the Greenbriar Oceanaire Arch Bridge Structure #2

MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2008-152 – Resolution 08-168:

A motion of approval was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

Township Administrator Mosca thanks the Committee for passing Resolution No. 2008-160. Mr. Mosca is a parent of an autistic child.

Mayor Van Pelt stated Resolution No. 2008-165 is a resolution where the town received a letter from the DEP telling the town that there is historic structures on the South side of 532.

RESOLUTION 2008-169 Authorizing the Township Committee to retire into Closed Session for the purpose of discussing personnel, public safety, contractual, real estate and litigation - PURPOSE: Litigation matter and potential litigation matter.

A motion of approval was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

Motion to Approve Stephen J. Tacovsky, Jr. 111 5th Street, Waretown, NJ to the New Jersey State Fireman's Association was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

Motion to Approve taxi Cab Driver Permit, Vernon E. Fisher, Cannon Taxi was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

Motion to Approve Taxi Cab Driver Permit, William J. Jamieson, Jr., WJMM Car Service – dba Cannon Taxi was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

Motion to Approve use of the Community Center:

1. **Bill Christie, Republican Club, April 5th and April 10, 2008**
2. **Dawn Elizabeth Gorzelnik, May 31, 2008**

A motion of approval for use of the Community Center was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

ACCEPTANCE OF THE TAX COLLECTOR'S REPORT

A motion of approval was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

ACCEPTANCE OF THE CMFO/TREASURER'S REPORT

A motion of approval was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

REPORTS FROM STANDING COMMITTEES:

Richard Reilly – Planning & Development – Planning Board, Zoning Board, Buildings & Grounds, Bulkheads, Docks and Redevelopment Agency

Committeeman Reilly spoke regarding the residents of Greenbriar that came to the last meeting with concerns of water on their property. Committeeman Reilly did take a walk-through with Lennar representatives and the Township Engineer. It was agreed that on April 21st and 28th, the town is going to meet to review the progress they have made and see what plans need to be implemented to get this problem solved.

The Redevelopment Agency will be having a meeting on April 28 at 5:30pm. There are at least 2 or 3 applications that will be reviewed for the first time.

Committeeman Reilly reported that the construction office was inspected by the State Community Affairs, as far as their compliance. Based on the letter the Town received, the compliance was totally satisfactory and commended for their "diligence in enforcing administrative regulations".

Daniel M. Van Pelt – Administration – Administrator, Office of the Clerk, Revenue & Finance, Utilities, Recreation

Mayor Van Pelt stated the town is still fine tuning the budget. What the Governor is doing to Municipalities with a population under 10,000 is not good. The Governor is eliminating \$144,000 of State aid, as well as sizable amounts of the public employees retirement systems, as well as Police and Fire. The town is also sensitive to the down-turn in economy. C.O.'s are not going to be issued like they were in the past. The town is confident that the budget will be introduced at the next meeting.

Mayor Van Pelt stated Jim Hazlet, who is in charge of the new Shop Rite, stopped by the Township today. They are scheduled to open May 5th.

PUBLIC COMMENT

Motion to Open to the Public was moved by Committeeman Reilly, seconded by Mayor Van Pelt.
Roll Call: Reilly: Yes, Van Pelt: Yes.

John Petrosilli, Vessel Road, asked if the new paper recycling procedures meant that he can still bundle the paper. The Committee stated no recycling can be bundled at all. A resident can no longer tie or bundle any item.

Mr. Petrosilli asked where the shrink wrap dumpster is. The Committee stated it is at the Utilities Dept. parking lot and it is available April through June.

Motion to Close to the Public was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

RECESS

Motion to Recess was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

OPEN SESSION

Motion to open meeting session was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

Township Attorney McGuckin stated on Ordinance 2008-11, we had a public hearing, second reading this evening. I ask the Committee to consider re-voting on that matter and rescinding the final vote and schedule it for public hearing at the next meeting. There is a question regarding limitations to joining municipalities that I think should be addressed. I ask the Committee to make a motion to rescind the adoption of Ordinance 2008-11 and to carry the public hearing to the meeting of April 24, 2008.

A motion to rescind Ordinance 2008-11 until April 24, 2008 was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

A motion authorizing Township Attorney McGuckin to take action to determine whether the Township can return the property that was sold at auction was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

Mayor Van Pelt spoke about issues with cars going over curbs at the end of Tuscarora and driving close to the peninsula. Mayor Van Pelt suggested putting a simple post or fence at the cul-de-sac with 36" gap for pedestrian traffic. If public works needs to get in there, they can just remove the post.

Township Administrator Mosca stated he has received a drawing from the vendor – Homestead Fencing. It’s for \$710.00. Mr. Mosca requested the Committee to pass a Resolution not to exceed \$1,000. It’s \$34 per ten-foot sections.

RESOLUTION 2008-170 - Motion to authorize purchase of fence from Homestead Fence for Crystal Bay Peninsula, not to exceed \$2,000, was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

Mayor Van Pelt inquired with the Township Administrator Mosca to speak to the Deputy Mayor about planting Rose of Sharon behind the bulkhead behind Mr. Mancini’s home because of the fishing.

Township Administrator Mosca inquired with Township Attorney McGuckin regarding Pancoast Road. The Zoning Officer was researching, at this time no information was presented.

Township Attorney McGuckin stated Pancoast Road, as mentioned in the Redevelopment Agreement, is that they pay the town for vacating Pancoast Road and that the town vacated and received \$40,000 for their trail. Has the road been improved to the Township’s standards. It’s not on the Greenbriar property.

Committeeman Reilly reported at the meeting today, they presumed that the town is going to take it over and the town will be asked to get new lighting on Route 9.

Township Administrator Mosca stated he received a letter regarding the road and a street light at the corner of Pancoast Road and Route 9. It’s very dark. I will respond to Jim Ritter’s letter.

MOTION OF AUTHORIZATION for Diane B. Ambrosio to handle the Community Forestry Consultants Grant was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

MOTION OF AUTHORIZATION for the Township Committee to sign the File Bank contract was moved by Committeeman Reilly, seconded by Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

ADJOURNMENT:

Motion to adjourn meeting was moved by Committeeman Reilly, seconded Mayor Van Pelt. Roll Call: Reilly: Yes, Van Pelt: Yes.

Signed and Submitted:

Diane B. Ambrosio, RMC
Township Clerk

Date