

**TOWNSHIP OF OCEAN
COUNTY OF OCEAN
REGULAR BUSINESS MEETING:
April 24, 2008**

MEETING WAS CALLED TO ORDER AT 7:30PM.

ROLL CALL: KRAFT X **REILLY** X **VAN PELT** Arrived @ 7:40pm

FLAG SALUTE

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:

MOTION OF APPROVAL of the meeting minutes of March 27, 2008

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

NEW ORDINANCES

ORDINANCE 2008-15 – (First Reading – Title Only)

An Ordinance of the Township of Ocean, In the County of Ocean, New Jersey, providing for improvements to various Township water wells and related expenses and appropriating \$600,000 Therefore and Providing for the issuance of \$570,000 in bonds or notes of the Township of Ocean to finance the same.

A motion of approval was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft to adopt Ordinance No. 2008-15. Roll Call: Reilly: Yes, Kraft: Yes.

RESOLUTION NO. 2008-171: Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$1,406,681.93.

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

RESOLUTION NO. 2008-172 - Municipal Budget of the Township of Ocean, County of Ocean for the Fiscal Year 2008. The Budget will be published in the Asbury Park Press in the issue of May 5, 2008. The Public Hearing on the Budget Resolution will be held at the Municipal Building, 50 Railroad Avenue, Waretown, NJ 08758 Meeting Room on May 22, 2008 at 7:30 pm for Final Passage.

A motion of approval was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft. Roll Call: Reilly: Yes, Kraft: 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. All resolutions will be read aloud by title.

Mayor Van Pelt joined the meeting.

RESOLUTIONS

- 08-173 Proclamation proclaiming the month of June 2007 as Myasthenia Gravis Awareness Month**
- 08-174 Resolution authorizing the appointment of part-time Recreation Aides, Paul Rinck, Alec Morris at the rate of \$7.15**
- 08-175 Resolution authorizing Change Order to Earle Asphalt for Poplar Street Resurfacing project in the amount of \$19,111.79**
- 08-176 Resolution to authorize preliminary cost of the water wells not to exceed \$100,000**
- 08-177 Resolution authorizing the execution of an Interlocal Services Agreement with the Township of Lacey for the provision of Electrical and Plumbing Inspection Services**
- 08-178 Resolution appointing Douglas Erb as Electrical Sub-Code Officer working with Interlocal Services Agreement with Lacey Township**
- 08-179 Resolution appointing Beth Laramee, secretary to Open Space Committee, Diane B. Ambrosio as alternate secretary**
- 08-180 Resolution appointing James Mitchell in the title of Mechanic/Heavy Equipment Operator**
- 08-182 Resolution authorizing that MSC Enterprises, LLC "Ocean Point Plaza" located at Lot 45.02, Block 41 that the performance guarantee be released upon the submittal of a two-year maintenance bond as per the recommendation of its utility engineer.**
- 08-183 Resolution authorizing that Ocean Holding, LLC "Sonic" Lot 28.01 in Block 65 that the performance guarantee be released upon the applicant posting a maintenance bond and inspection escrow. Resolution authorizing the execution of streetlight modification agreement with Jersey Central Power & Light for installation of street light on Route 9, Pancoast Road**
- 08-184 Resolution authorizing the execution of streetlight modification agreement with Jersey Central Power & Light for installation of street light on Route 9, Pancoast Road**
- 08-185 Resolution authorizing the Township of Ocean eligible to participate in the self-examination of budget program by the Division of Local Government Services, and meets the necessary conditions to participate in the program for the 2008 budget year**

Mayor Van Pelt stated there are last-minute changes to Resolution 2008-181. Please remove from consent agenda.

MOTION TO REMOVE FROM CONSENT AGENDA RESOLUTION 2008-181 Resolution authorizing the execution the employment agreement with Kenneth Mosca, Township Administrator for the term of January 1, 2008 – December 31, 2010:

A motion to removed Resolution 2008-181 from Consent Agenda was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft. Roll Call: Kraft: Yes, Reilly: Yes, Van Pelt: Aye.

MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2008-173 through 2008-180 and 2008-182 through 2008-185:

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

Committeeman Reilly commented on the Interlocal Agreement, stating that we are going to be sharing the expenses and the individuals for both plumbing and electrical inspections.

Committeeman Reilly reported that residents are concerned of the lack of lighting at the intersection of Pancoast Road and Route 9. Committeeman Reilly is very pleased to announce that JCP&L will be installing the fixture.

Deputy Mayor Kraft commented on Resolution 2008-180 appointing James Mitchell as Mechanic. That is not a new-hire, just a reclassification of the job description. The town has been outsourcing vehicle repairs. Now the town is repairing vehicles in-house at a cost savings.

RESOLUTION 2008-186 Authorizing the Township Committee to retire into Closed Session for the purpose of discussing personnel, public safety, contractual, real estate and litigation - PURPOSE: Personnel and Real Estate.

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

Motion to Approve the Mayor signing the agreement/permission form with the Ocean County Mosquito Extermination Commission for the year 2008.

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

Motion to Approve use of the Community Center:

- 1. Jolene Fonseca, April 14, 2008**
- 2. Marlene Smith, June 13 & 14, 2008**
- 3. Chris Presti, FACES, May 23, 2008**

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

CAUCUS / AGENDA

Motion to move into Caucus/Agenda meeting was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft. Roll Call: Kraft: Yes, Reilly: Yes, Van Pelt: Yes.

TOWNSHIP OF OCEAN
COUNTY OF OCEAN
Caucus/Agenda MEETING:
May 8, 2008

MEETING MINUTES:

MOTION OF APPROVAL OF THE MEETING MINUTES OF April 10, 2008

MOTION OF APPROVAL OF THE MEETING MINUTES OF April 24, 2008

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 Assessory Building and Uses

ORDINANCE 2008-12 – (Second Reading – Public Hearing)

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

ORDINANCE 2008-13 – (Second Reading – Public Hearing)

An Ordinance Amending Chapter 18.02 of the Codified Ordinances of the Township of Ocean with Respect to Zoning and definition of permitted uses

ORDINANCE 2008-14 – (Second Reading – Public Hearing)

An Ordinance of the Township of Ocean, In the County of Ocean, New Jersey, providing for improvements to various Township water wells and related expenses and appropriating \$600,000 Therefore and Providing for the issuance of \$570,000 in bonds or notes of the Township of Ocean to finance the same

NEW ORDINANCES

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

Plus other items as may be placed by the Township Clerk and Township Committee

Township Administrator Kenneth Mosca reported on items discussed at last meeting:

1. The budget will be put on the website.
2. The town confirmed receipt of accreditation package from Mr. Holzapfel's office.
3. The town can put up bike racks at Sands Point Park.
4. The town is waiting for redevelopment templates from Jersey City, Atlantic City, Perth Amboy and New Brunswick and for their fees charged for redevelopment.

Motion to adjourn Caucus/Agenda and open to the public was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft. Roll Call: Kraft: Yes, Reilly: Yes, Van Pelt: Yes.

Rocco Orlando, 180 Brigantine Blvd., asked if he could have an amount for the budget.

Mayor Van Pelt stated \$9,772,000. There was an increase of \$578,272 from last year.

Mr. Orlando asked when he could receive a copy of the budget.

Mayor Van Pelt stated tomorrow morning.

Ralph Avellino, 10 Central Avenue, asked why the town has to bond for Ordinance 2008-14.

Mayor Van Pelt stated when the town bonds for certain improvements, new residents coming in help defer the costs of that improvement. If the town paid cash, the new residents would get that service for free.

Mr. Avellino reported excess trash behind Wawa.

Ken Mosca will discuss with code enforcement.

Henry Laws, 38 Ocean Grove Lane, member of Safety & Security Committee, extends the residents' appreciation of installing a light at Pancoast and Route 9.

Ron Bruno, 12 Rumson Court, commented on signs around town. Mr. Bruno suggested the town financially penalize the owners of the sign.

Mayor Van Pelt stated the town's public works yard is loaded with signs the town has taken down on a daily basis. Code enforcement is working hard on keeping up on these items.

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

Mayor Van Pelt commented on the budget. A 3.4 or 3.5% tax increase is not enough. The Governor has put a 4% cap on the municipalities. The town's budget is \$276,000 under cap. Next year when 4% is based off tax levy, the town will have to raise an additional \$80,000 because that \$276,000 is not going to be part of that base number. The town is going to see a radical shift in employee contracts, employee health benefits and pensions. When it comes to the budget, there are few things the town has control over. The town has control over office and equipment. The other things are either state mandated or contractual

obligations. The town has restructured the health care. The town's health care is down \$20,000. The town is not done streamlining this municipality yet. There are some very difficult decisions that are going to be made in the next few months. The budget is a reflection of that. The state is really pressuring all municipalities. The municipality has a sound fiscally responsible budget that fits the needs of the community. Lumberton let approximately 15 employees go, including 6 officers. Those are my comments on the budget. The budget will be on the internet as soon as possible.

PUBLIC COMMENT

Motion to open to the public was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft. Roll Call: Kraft: Yes, Reilly: Yes, Van Pelt: Yes.

Spencer Hondros, 65 Pennsylvania Avenue, asked if the town could use the state police for Waretown.

Mayor Van Pelt stated there are towns that are using the state police. I think the town has a very good police department. I had challenged the Committee at one time to use the County as dispatch. The towns are realizing they have to find ways to use shared services. The town is going to have to find creative ways to run this municipality. The amount of money paid on the municipal side is .369 or 40 cents. The percentage of the dollar is usually 20% municipal 63% school, the rest county.

Ron Bruno, 12 Rumson Court, stated he owns a hybrid car and they are fast vehicles.

Mayor Van Pelt stated he is a big fan of hybrid cars. I don't care if they go fast or not. I would like all township police cars to be hybrids moving forward.

Ralph Avellino, 10 Central Avenue, stated if the police budget is so extraordinary, why are we hiring more policemen.

Mayor Van Pelt stated the town fought very hard, a year or two ago, on the contract. The town went into arbitration. A judge said the town is wrong and the police department deserves 20%. Changing the arbitration laws should be a top priority for the state of New Jersey. It starts at the legislature. The town is going to grow in a positive way for the next five years. It's great to have a Shop Rite, but the Shop Rite requires security, a ladder truck and maybe another ambulance. The township is using developers to shoulder those costs.

Mr. Avellino and Mayor Van Pelt discuss the planning in Stafford Township.

Spencer Hondros, 65 Pennsylvania, asks if the new ladder truck in Lacey could be a shared service.

Mayor Van Pelt stated the town can look into it.

Stan Bystrek, 101 Baltic Avenue, asked how affordable housing is adjusted to reflect the market.

Mayor Van Pelt stated it is income driven, not market driven. \$85,000 a year for a family of four is considered low-income. It might reduce the cost of construction for a unit. Municipalities have a buy down/buy right program, where the town can buy a home and sell it at a reduced price. The town can no longer use 50% of construction for seniors. A bill eliminating RCA's is coming out soon. The Township of Ocean has two in place that the town has not paid for. The town has 65 units going to Lakewood at \$2.5

million, and the town has another number of units going to Lakewood at \$3.2 million. It used to be that projects should be 80% market rate and 20% affordable. Now the state is leaning towards 100% of 65 units should be affordable, the town gets 2 for 1 credit. Instead of 65 units, the town gets credit for 130. The town has to provide 1 housing unit for every 16 jobs created. Shop Rite is 400 jobs. Greenbriar is protected from changes in the law because they had a general developer's agreement.

Motion close to the public was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft. Roll Call: Kraft: Yes, Reilly: Yes, Van Pelt: Yes.

RECESS

Motion to go into recess was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft. Roll Call: Kraft: Yes, Reilly: Yes, Van Pelt: Yes.

OPEN SESSION

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

RESOLUTION 2008-181 Resolution authorizing the execution the employment agreement with Kenneth Mosca, Township Administrator for the term of January 1, 2008 – December 31, 2010:

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

Committeeman Reilly stated he met with two real estate agents and developers. The real estate agent and perspective owner, who is a bulkheader, wants to purchase the property on Birdsall and Old Main Road and put in a mechanic yard.

Mayor Van Pelt and Deputy Mayor Kraft stated that use is not allowed.

Committeeman Reilly stated the other matter is Linda Reher and her engineer, William Stevens. Ms. Reher wants to build a seven-unit strip mall between 800 and 1,000 square feet.

Mayor Van Pelt stated the town is in favor of some type of building, provided it meets our architecture. Water and sewer are the responsibility of the developer.

Committeeman Reilly stated he gave her a redevelopment packet and referred Ms. Reher to another project as an example. Committeeman Reilly also stated to Ms. Reher that the town would like residential above it.

Township Administrator Mosca reported on the electrical box and MSC. Mr. Mosca spoke with various electrical contractors. Some of the contractors are working at the Shop Rite site. The town has not received a proposal. MSC wanted to put bushes or wrought iron right up against it.

Mayor Van Pelt stated MSC wanted to put up a sign on their site. Mayor Van Pelt does not want a sign on their site. They have enough visibility there.

Deputy Mayor Kraft stated the inside units get no visibility. The sign is too large at twelve feet wide. It is against the ordinance. It has to be eight feet wide.

Committeeman Reilly stated the inside units cannot market themselves if nobody knows they're there.

Mayor Van Pelt stated the owner of the buildings with the awnings have asked if they could put white lettering on the awnings. Michael Kofer is the person they want to apply the letters.

The Township Committee discussed lighting and the cultured stone wall at the Town Center.

Township Administrator Mosca stated the Fire Dept. would like the town to help them out with a new jaws-of-life for \$17,000.

Mayor Van Pelt stated go interlocal. If Waretown can go in on the ladder truck, Lacey can go in on the jaws-of-life.

ADJOURNMENT:

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

Signed and Submitted:

Diane B. Ambrosio, RMC
Township Clerk

Date