

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

FLAG SALUTE:

ROLL CALL: KRAFT X 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 Meeting Minutes – July 10, 2008

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

ORDINANCES:

ORDINANCE 2008-17 – First Reading Title Only – Ordinance determining positions eligible for the Defined Contribution Retirement Program

A motion of approval was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft to adopt Ordinance No. 2008-17. Roll Call: Kraft: Yes, Reilly: Yes, Van Pelt: Yes.

RESOLUTION NO. 2008-234: Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$1,822,628.39.

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

- | | |
|---------------|--|
| 08-235 | Resolution authorizing CMX authorizing additional work at Crystal Bay peninsula regarding a Soil Erosion and Sediment Control Permit for an amount not to exceed \$2,000.00 |
| 08-236 | Resolution appointing John J. Novak, Esq. as conflict Public Defender for the year 2008 |
| 08-237 | Resolution authorizing the release of escrow money held in the name of Richard & Tammy Schmidt, Jr. in the amount \$2,434.94 |
| 08-238 | Resolution authorizing the release of escrow money held in the name of Christopher J. Resko, in the amount \$138.42 |

08-239 Resolution authorizing the release of escrow money held in the name of Richard & Joyce Orosz in the amount \$141.72

MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2008-235 through Resolution 08-239

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

RESOLUTION 2008-240 authorizing the Township Committee to retire into Closed Session for the purpose of discussing personnel, public safety, contractual, real estate and litigation - PURPOSE:

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

Motion to approve a social affairs permit for the Waretown Volunteer Fire Company, August 16, 2008 for the Clam Bake – fundraiser.

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. Roxanne Lacey – October 11, 2008**
- 2. Catherine Rohowyj – August 30, 2008**
- 3. Hansa Patez – August 10, 2008**
- 4. Ocean Health Department – Flu Clinic – October 30, 2008**

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

Items for Discussion:

- Open Township Recreation and Open Space Inventory Amendment

Mayor Van Pelt stated a list of all township owned properties has been forwarded to Mr. Oris, CMX Engineering and requested a contract of the cost to update our Recreation and Open Space Inventory. Once the town puts a parcel on that map, the town qualifies for state funding if the town would like to purchase it. It is the best way to protect parcels from development in the future.

Township Administrator Mosca submitted a contract for review in the amount of \$3,000 for time and material.

Mayor Van Pelt asked Township Administrator Mosca to check with the CMFO to see if the amount is available in the open space trust fund.

Township Administrator Mosca stated he does have a verbal from her but he does not have anything in writing from the CMFO certifying it. He will get it in writing.

- Canceling Township Committee Meeting of August 28, 2008

Mayor Van Pelt reported that he will not be in town on that date.

Deputy Mayor Kraft reported he will be in town. There's nothing time-sensitive. Deputy Mayor Kraft asked everyone to check their schedules and make sure there's nothing we need to vote on that night.

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.

Mrs. Pinto, 238 Brookville Road, Barnegat, NJ reported that she is against the ATV races being held at Johnson's Pit. It creates noise and dust. The kids are on the road every night and every day. Mrs. Pinto read the Beacon newspaper article regarding the ATV races to the Township Committee. Mrs. Pinto complained about the noise and stated she tried to have a dinner on Sunday and could not do it. Mrs. Pinto stated one of her neighbors almost hit two ATV riders. Somebody is going to get killed. Mrs. Pinto asked the Barnegat Police Dept. for help and they told her to go to their Township Committee.

Township Administrator Mosca stated he called Barnegat Township Administrator Breeden and left him a voicemail with Mrs. Pinto's name and telephone number asking him to call her.

Mayor Van Pelt stated the town will write a letter to the Mayor of Barnegat and give him a phone call. Mayor Van Pelt suggested the police quads go out on the day of the race and the Chief work up an action plan on how to address the issue. The town will come up with a course of action.

Ron Negra, 8 Manasquan Road, thanked Mayor Van Pelt for resolving his tree issue. Mr. Negra stated he had a drainage issue for 2 ½ years and thanked Deputy Mayor Kraft for resolving that issue as well.

Ralph Avellino, 10 Central Avenue, stated he cannot see trees being planted on the 45 degree bank at the town center, without stakes. There are trees on the islands that have not been staked. The catch basin on the southwest corner is overgrown. No plastic was put down to control the roots on the islands. Mr. Avellino stated there is no irrigation in the town center.

Mayor Van Pelt stated the facility was not ready to open. Everybody in town wanted it open, so they opened it. It's a construction site, and it's going to look that way for a long time. Mayor Van Pelt stated every item will be addressed when construction is complete. The developer has already contracted to feed off the main building, drip-irrigate some of the islands, and have a machine that will run a sleeve under the tar. Taylor Design, a very good landscape architect, will be doing reviews. Everything will be picture perfect by the time the last C.O. is issued on that site.

Township Attorney McGuckin stated it wouldn't hurt to send the developer a note saying they're going to have to clean up site and bring it to the Township's standards.

Deputy Mayor Kraft stated they were issued an eight-page report by the landscape architects showing all the deficiencies, undersized trees and missing shrubs. I have grave concerns of the developer's financial capabilities. The developer has committed to start on areas prior to receiving a C.O.

Mayor Van Pelt stated the developer is waiting to get some tenants to generate some income to finish the landscaping and concentrate on other areas.

Deputy Mayor Kraft stated a lot of it is a function of the economy. National companies are not expanding. Getting tenants is difficult. Two buildings are rented and 60% of the building that is under construction now. The township is fully protected if the worst happens.

Mr. Avellino inquired about a Greenbriar resident having a tree replaced.

Committeeman Reilly stated the trees that were replaced were dead. The township engineer did a survey of all the trees to be replaced. There were streets upon streets where the trees were dead. They surveyed the first phase in July. They are supposed to complete the survey in October. Those trees are guaranteed for a year. The trees that were replaced were designated as either dying, diseased, or wrong species.

Ron Bruno, 12 Rumson Court, inquired if there was an ordinance against ATV's.

Mayor Van Pelt stated the Township does have an Ordinance regarding ATV's. Catching the ATV riders is the hard part. The Township Committee will ask the Chief of Police to come up with a plan of action.

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

ADJOURNMENT:

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

Signed and Submitted:

Diane B. Ambrosio, RMC
Township Clerk

Date