

**TOWNSHIP OF OCEAN
COUNTY OF OCEAN
REGULAR BUSINESS MEETING:
August 14, 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.

GRADUATION OF C.E.R.T CLASS – Chief Flatt & Officer Scott Murphy

Mayor Van Pelt discussed that members of the community have decided to take an active role in protecting our residents in the event of an emergency by volunteering their time to be trained. Mayor Van Pelt thanked Chief Kenneth Flatt and Officer Scott Murphy for their time and effort in putting together the C.E.R.T. class.

Chief Kenneth Flatt states this is the town's second C.E.R.T. class. The Mayor & Committee came to Chief Flatt a couple of years ago and asked about volunteers helping out with certain aspects in emergency response. Seventeen students were in the first class, nine of them were residents of Ocean Township. Certified members of the Ocean Township C.E.R.T. team assisted with the first class. Twenty-one students graduated in the second class, thirteen were residents of Ocean Township, three from Ocean County Superior Court and one from the County Animal Response Team. Chief Flatt thanked Georgette Boden, George Goldner and John Spadarro for assisting in the second C.E.R.T. class.

Chief Flatt explained that C.E.R.T. is the Community Emergency Response Team, who voluntarily go through 20 hours of training, which includes IMS100 and NIMS700, which is incident command training, disaster preparedness, fire safety, disaster operations, light search and rescue, C.E.R.T. organization, disaster psychology, and terrorism. After they finish these basic classes, Officer Murphy will retrain them again. The final exam is where they are put into situations that they may have to handle as a response team. Chief Flatt is proud to say they did very well.

Lieutenant Joseph Sciletta, on behalf of Carl Fuentes and Major Hatfield, Commanding Officer, welcomes the graduates into the emergency management community and celebrates their achievement. The graduates sacrificed a lot of time to be a part of this important issue. In times of crisis, the Police Dept., Fire Dept., and EMS are going to turn to these graduates, who went the extra step to learn additional training. The graduates have received training to save themselves and their family if something happens. New Jersey's C.E.R.T. program is number one in the nation. There are 412 C.E.R.T. teams with over 15,000 volunteers in New Jersey. Lieutenant Sciletta thanks the Township Committee for their support to make this happen and would be honored to serve with them in a time of crisis.

Chief Kenneth Flatt calls the graduates up to the podium to receive their certificates.

Officer Scott Murphy thanked all the instructors for assisting in the C.E.R.T. program.

MEETING MINUTES:

Approval of the Meeting Minutes of July 24, 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 (Second Reading – Public Hearing)****Ordinance determining positions eligible for the Defined Contribution Retirement Program**

Ordinance No. 2008-17 was read title only and opened to the public on a motion moved by Committeeman Reilly, seconded by Deputy Mayor Kraft. Roll Call: Kraft: Yes, Reilly: Yes, Van Pelt: Yes.

There being no comment from the public, a 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.

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

Ordinance 2008-18 (First Reading – Title Only)**Ordinance amending Chapter 2 of the Codified Ordinance section 2.108.330 Work Schedules. The normal workday schedule for full-time employees is 8:30 am to 4:30 pm effective October 1, 2008.**

A motion of approval was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft to adopt Ordinance No. 2008-18. Roll Call: Kraft: Yes, Reilly: Yes, Van Pelt: Yes.

Ordinance 2008-19 (First Reading – Title Only)**Ordinance for Non-Pinelands Storm water Control Ordinance.**

A motion of approval was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft to adopt Ordinance No. 2008-19. Roll Call: Kraft: Yes, Reilly: Yes, Van Pelt: Yes.

Ordinance 2008-20 (First Reading – Title Only)**Ordinance for Pinelands Area Storm water Control Ordinance**

A motion of approval was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft to adopt Ordinance No. 2008-20. Roll Call: Kraft: Yes, Reilly: Yes, Van Pelt: Yes.

Martin Miller, Alaimo Engineering presented the Municipal Stormwater Management Plan, which was adopted and approved two years ago. This plan represents changes accepted by the County of Ocean and the Pinelands Commission. The Township of Ocean Planning Board adopted the plan into their ordinances. Those ordinances are the Municipal Stormwater Management Ordinance and a Pinelands Management Ordinance. The County of Ocean and Pinelands Commission are going to be recommending changes and will ask the town to re-adopt this plan from time to time. There is also a mitigation plan. Any developer has to develop according to the stormwater management plan and according to the ordinances. If the developer can't, then the developer has to mitigate. There is a provision for the developer to offer some sort of mitigation so that the town can vote on it. In lieu of that, the town can provide their own stormwater mitigation plans they can offer to the developer.

RESOLUTION NO. 2008-241: Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$1,727,253.78.

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

- 08-242 Resolution awarding the bid contract to Quad Construction for the Well House #7 Construction in the amount of \$393,700.00**
- 08-243 Resolution Authorizing the Release of Performance Bond for Ocean County Memorial Park Block 39, Lot 7**
- 08-244 Resolution Authorizing an extended due date including the grace period for the pay of third quarter taxes is August 29, 2008 after which the normal interest rate will be charged back until August 1, 2008**
- 08-245 Resolution proclaiming to join friends of additional recovery-New Jersey, National Council on Alcoholism and Drug Dependence-New Jersey in observing September 2008 as National Alcohol and Drug Addiction Recovery Month with this year's theme being Recovery Voices Count! Real People, Real Recovery**
- 08-246 Resolution authorizing increases for Municipal Alliance Director and Administrative Secretary for the year 2008**
- 08-247 Resolution authorizing the insertion of an item of revenue in the 2008 budget in the amount of \$1,600.00 from the state of New Jersey Department of Law and Public Safety Division of Alcoholic Beverage**
- 08-248 Resolution authorizing the insertion of an item of revenue in the 2008 budget in the amount of \$500.00 from the United States Tennis Association TB Party Grant**
- 08-249 Resolution authorizing that the Tax Collector be and she is hereby discharged from collecting 2008 taxes from block 162, Lot 3 as he is a disabled Veteran and exempt from all taxes effective January 1, 2008**
- 08-250 Resolution requesting approval of the Director of Local Government Services to establish a dedicated trust by rider for uniform fire code violations, pursuant to N.J.A.C. 5:70-2.12A**
- 08-251 Resolution authorizing Official Payments Corporation to accept on-line credit card payments for Taxes, Water and Sewer**
- 08-252 Resolution authorizing CMX Engineering to provide permitting, construction and administration regarding Sands Point Park Phase 2B in the amount not to exceed \$33,250.00**
- 08-253 Resolution authorizing a change order #1 in the amount of \$5,268.00 to Down to Earth Landscaping for Sands Point Park – Phase 2A.**

MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2008-242 through Resolution 08-253:

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

RESOLUTION 2008-254 authorizing the Township Committee to retire into Closed Session for the purpose of discussing personnel, public safety, contractual, real estate and litigation - PURPOSE: Litigation.

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

Motion of approval for Lennar to obtain a Social Affairs permit for September 8, 2008 for a fundraiser for the "We Care Foundation" MS Society charity golf outing.

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. Girl Scout Troop #324 – Every Monday, September 2008 – June 2009
2. Ron Bruno – August 18, 2008
3. Waretown Democratic Club – September 6, 2008
4. Republican Club – County Committee – August 25, 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 Waretown Memorial Recreation Park

1. Girls Softball – August 3, 2008
2. Waretown First Aid Squad – August 24, 2008
3. Gerhard Frenz – August 16, 2008

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

ACCEPTANCE OF THE TAX COLLECTOR'S REPORT

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

ACCEPTANCE OF THE UTILITY COLLECTOR'S REPORT

A motion of approval was moved by Committeeman Reilly, seconded by Deputy Mayor Kraft. Roll Call: Kraft: Yes, 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 reported on Sands Point Park. Construction is on schedule and the town can look forward to some completed portions in the next month or so. The Redevelopment Agency discussed the town center buildings' signage and has come to a resolution as to what they will look like and how they will be lit. Another discussion was an application for housing units on Route 9. The next Redevelopment meeting is scheduled for September 3, 2008. The Shop Rite developer has 75% of the buildings rented in the town center.

Robert Kraft - Public Safety – Police Dept., Fire Dept., First Aide, Emergency Management, communications and Welfare

Deputy Mayor Kraft read the monthly police report.

Deputy Mayor Kraft reported on the rail trail meeting with an County of Ocean consultant who put the project together. The portion of the rail trail that expands from Pancoast Road to behind the Wawa goes out to bid this fall and will be constructed in the late fall, early winter. It will include 25-30 parking stalls. By the end of summer 2009, the County of Ocean expects to be towards the end of the municipality and into Lacey.

The Police Dept. is having a Comedy Night fundraiser August 22nd at 7:00 pm. The Waretown Volunteer Fire Co. is having their annual Clamapalooza clam bake fundraiser Saturday, August 16, 2008.

Deputy Mayor Kraft met with Township Administrator Mosca, Ernie Kuhlwein of Ocean County Solid Waste and a consultant, Ed Samon of Samon Ltd. to explore the opportunity of making the landfill a solar energy producing farm. It has the potential to generate 10 megawatts, which can power 1,500 homes. The site is 75 acres, giving the town potential to reduce our dependence on foreign oil.

Deputy Mayor Kraft met with the Pebble Beach Homeowners Association regarding Crystal Point. The maintenance dredge permit is in. The town recommends dredging in the spring.

Deputy Mayor Kraft reported the sport court flooring was installed this week at Sands Point Park.

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

Items for Discussion:

- Jim Oris will be attending to discuss – Volunteer Way

Mr. Oris stated the length of Volunteer Way is just short of a mile. Mr. Oris distributed a letter of review from the NJ State Department of Environmental Protection. A CAFRA application was sent to the NJDEP in December to realign Wells Mills Road to direct traffic into the new town center area. Mr. Oris referred to a map placed on the board and aerial photos regarding the progression of the project to move the project forward to secure the CAFRA approvals relative to the development of the road. The application and documents that were consistent with the town center were reviewed by the Office of Smart Growth. That was the reason the town successfully secured plan endorsement as well as town center approval within the town, which is a huge step towards smart growth. Additional information was requested in May by the DEP. Item number two they requested an endangered and threatened wildlife/plant species habitat. The governing

body has authorized that study and it is to be completed in the month of August. Item number three talks about providing mitigation for habitat loss. To build the road, we will need to take down trees. In CAFRA's eyes, those trees need to be mitigated by providing additional tree "give-back". The town would like to deed-restrict specific properties as a conservation area, which would not allow any further tree removal. This item is asking for a specific identification of those properties to quantify and identify them. The ratio is somewhere between 2-1 and 5-1.

Mr. Steve Ewing, CMX, in charge of all environmental and regulatory applications across the state of New Jersey and into Pennsylvania. He is very familiar with the review personnel on staff and has significant experience with them.

Mayor Van Pelt stated there is plenty of acreage out there that the town is not going to be doing anything with for environmental reasons.

Mr. Oris stated the town made many concessions. Part of those concessions were to zone large portions of the township to 20-acre environmental conservation areas. It was a significant environmental decision to reduce the buildable area in those zones. The deed-restricted areas would be an addition to what you've already given. We will work very closely with the Administrator to identify those properties. That will become part of the resubmission to CAFRA.

Item number four is relative to the inclusion of West Bay Parkway into the traffic study. CAFRA is looking into requiring the township to fully design and compliment all of the design components with the environmental studies associated with full development of the town center. This discussion is much different than the discussion we've had throughout the course of the project planning, with the representatives of the Office of Smart Growth and NJDEP. The town provided them with a build-out based on the current town center planning, which the town did very meticulously with T&M Associates. Areas were identified within the town center that were away from wetlands and other areas that could restrict development. That identified a density the town could expect to develop. The DEP is now saying, thank you for giving us all of that information but your road application is significantly dependent upon the build-out of your town center. If the town's need is based on that build-out, and you cannot achieve that build-out, then your build-out is fraud. The town must go back to the drawing board and engineer all of the components of the town center. That is what the state is outlining in item number one. The state is looking for site plans and detailed compliance statements that will address all the applicable coastal rules. The town has to design everything within the town center. The governing body is not in a position to do this at this time. Mr. Oris stated he doesn't think it should be required.

Mayor Van Pelt stated the Commissioner of DEP as well as some of the other staff, Tom Micai and some other people understand what we are trying to do. There's miscommunication between upper management and middle to lower management. The town will coordinate another meeting with the state and the town will get on the same page with the state, again.

Mr. Oris agreed. Part of the town's needs analysis clearly identifies Volunteer Way as an emergency access route, both in the case of Oyster Creek and coastal evacuation. While the town stresses the need of the build-out of the center, the center would dictate the need. The town also wants to increase the requirement. It's more than just the build-out of the center. It also has to do with movement of people in case of emergency.

Mayor Van Pelt stated that was the priority. It overrides the center.

Mr. Oris is going to look towards county and state officials to provide the town with written letter of support and additional support by way of a copy of their emergency management plans that would identify another road to meet the need.

Mayor Van Pelt suggested Mr. Oris look at Senator Rumpf's evacuation task force plan that was presented at a press conference 2-3 weeks ago. It outlines in detail what the municipality's role should be in terms of evacuation. It highlights the need for additional infrastructure.

Township Administrator Mosca discussed where the fundamental change is on the state's level to where the town center is approved based on the Committee's willingness to extend Volunteer Way. Now the state is saying it is the build-out of town center. The approvals to extend Volunteer Way is now becoming upon completion of the town center.

Mayor Van Pelt states they are putting the cart before the horse. If the road is not put in place, the town center doesn't work.

Township Administrator Mosca states it's nice to know that the state thinks the town center is more important than getting the people out in case of an emergency.

Mr. Oris states the town can address that in the meeting with the state review officials. The extension of Volunteer Way was a goal and requirement of the town center documents. The Office of Smart Growth, during the plan endorsement and town center approval process, spoke with CMX and the DEP and everyone agreed that it was a key component to the town center approval. The state wanted some level of assurance that the road could be brought through to Route 532 without having significant environmental impacts, which the town did prove that. That has been lost in the transition from the Office of Smart Growth to the Division of Land Use.

Mayor Van Pelt states he is confident as ever that within the next year Volunteer Way is going to be under construction and will be built.

Mr. Oris states Phase II is the final phase of Sands Point Park. The town is on a very tight timeline. The architect is very close to completion of the construction documents, which will need to be submitted to the DCA (Dept. of Community Affairs) as well as the DPMC. (Dept. of Property Maintenance and Construction). Those departments own the property and both of those entities will need to review and approve the construction. The restrooms have been approved. Bulkheading is designed. The permits are in place. The town is waiting for the building to get through DCA approval. Tony Petrongolo has updated CMX on the status of the 3-1 match, which is a federal grant. It is in the neighborhood of \$500,000. That's in addition to the \$180,000 I-Boat grant and the Green Acres low-interest loan.

- **Ocean Township Recreation and Open Space Inventory Amendment - \$3,000**

Mayor Van Pelt states a spreadsheet was submitted of every single parcel the municipality owns and had it placed on a ROSI, which makes it difficult to develop. It's an incentive to show people there is a balance between our economic development initiatives and what we are trying to do environmentally.

Mr. Oris states it will require a public meeting. Once you begin that process, it needs to be accomplished prior to the end of the calendar year. The town's permits are in place to do the maintenance dredging at Crystal Point Hudson Lagoon. Mr. Oris agreed with Deputy Mayor Kraft to dredge in the spring. There are cost-sharing agreements the Township Administrator is going to work on with Mr. Oris.

- **RFP – Waretown Town Center Redevelopment Plan**

Mayor Van Pelt states the RFP is a request for proposals for the town center. It is available in hard copy and on disk. The developer is interested in bidding on our town center project.

Township Attorney McGuckin states you cannot charge a fee of that amount of money to obtain an RFP. Once the town has approved the RFP tonight, it becomes a public document. Anybody can fill out an OPRA request and get a copy of it. The fee would apply to anyone who submits a proposal. The bidding process allows you to charge up to \$50 for bid specs. Anyone who submits a proposal must submit a nonrefundable fee to cut the review costs.

Mayor Van Pelt inquired if the town is allowed to require developers to put \$5,000 in escrow.

Township Attorney McGuckin suggested that it be split – \$2,500 nonrefundable fee up front to cover the costs and another \$2,500 for review.

Township Administrator Mosca inquired if there will be a \$50 fee for pick up. The clerk's office may receive requests to send out the CD and any hardcopy back up that may be appropriate and charge a fee.

Township Attorney McGuckin states the town can charge \$50 for the disk and anything else would be sent through an OPRA request.

- **Authorizing the sale of Township Property not needed for public use by private sale – 52 Lighthouse Drive – Block 137, Lot 2**

Mayor Van Pelt states this is a small parcel that is 99.9% wet. The gentleman wanted to expand his property. It is very rare that we sell township property to private individuals. In this case the agreement was the purchaser would have to cover any and all expenses and the town would have to offer it to adjacent property owners.

Township Attorney McGuckin confirmed that deed restrictions need to be included in the advertisement of the resolution and language about statute requirements.

- **Draft Agreement with the Atlantic County Utilities Authority - the Authority will provide renewable energy consulting services**

Township Administrator Mosca states the Atlantic County Utilities Authority is proposing this interlocal agreement to assist the township in any way as the town moves forward with alternative energy, not just at the landfill but other township properties or buildings to be erected in the future. It would be at no cost to the township.

Mayor Van Pelt states the town explored this 7-8 years ago. There were issues then. The landfill is three parcels. There is a 12 acre parcel, 100 acre parcel and a 197 acre parcel. One or two of those parcels are with the state of New Jersey as part of the agreement. The township doesn't own it, the county doesn't own it.

Township Attorney McGuckin states they may have deeded it to the state.

Deputy Mayor Kraft states the forestry portion of it was deeded, per Ernie Kuhlwein.

- **Ballot Question Ocean Township Open Space Preservation Trust Fund**
 - i. **Submit to County no later than August 22, 2008**

Mayor Van Pelt states he would like to propose a ballot question in November that increases the town's open space tax from 1.2 cents to 3 cents, which equates to \$51.66 per household. It would be in the best interest of the municipalities to acquire as much open space as possible. If the town loses any of these parcels to development, the costs that go along with that, there's no end in site. If the town locks up a parcel, it's preserved. It's up to the residents to decide. It's mandatory that the town go out to the public. The town submitted a ballot question in 2004 or 2005. It did not pass. There was not much effort on behalf of the Open Space Committee, Recreation Committee or the Township Committee. The town has an opportunity to make a difference in the way the municipality grows responsibly. It's about striking a balance between economic development and environmental protection. There are parcels that need to be protected. There's 30 acres where the cell tower is when you come off the parkway and another 30 acres across the street from that. Volunteer Way would lead into the town center. There is no development allowed along Volunteer Way. Volunteer Way is going to be a parkway. If you wanted to cross it, you would need permission from the state.

Deputy Mayor Kraft states open space and the small-town feel is part of the charm of the town and he is in favor of increasing the open space tax. Deputy Mayor Kraft welcomes the public to comment on what they feel the rate should be.

Committeeman Reilly states when he moved to Woodcliff Lake 37 years ago, there were three active farms and acres of apple and peach orchards. Over the 30 years all of that is gone. There is very little green land left in Woodcliff Lake. The reason Committeeman Reilly moved here is because of the greenery that existed. A good portion has been purchased by developers. It is very important that we continue to look at opportunities the town has to preserve as much of the green acres that are available in our township. Committeeman Reilly looked at the survey and spoke to the group that conducted the survey. It is very clear that as people became more informed as to the purposes of asking for these funds, they became more positive in their comments supporting it and the value of what it would do to the township (ie. improving Barnegat Bay and environment in the area, providing more control over development, etc.). Giving our citizens the opportunity to vote, they decide how they want this community to develop in the years ahead. It is going to require their commitment of putting dollars and cents into paying for this. Committeeman Reilly states the tax increase is something the town really needs to do. It will benefit the town and our children as they grow up in this community.

Mayor Van Pelt states it is a presidential election year. There is a projected high turnout. It is the best opportunity to gauge the pulse of our residents. Mayor Van Pelt states he has a real concern about the quality of our drinking water, not just in the Township of Ocean. Kirkwood provides drinking water to all of southern New Jersey. Those are the things Mayor Van Pelt thinks about when discussing open space and protecting properties in the watershed. There are only 21 watersheds in the country.

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.

Michelle Nelson, 112 Demmy Avenue, inquired what the parcel across the street from the cell tower is zoned.

Mayor Van Pelt states residential. One house per two acres. The other side is in litigation. It's commercial or residential zoned. The town gets the revenue from the cell tower. It's \$47,000 a year.

Ms. Nelson inquired if approval would be given for septic.

Mayor Van Pelt states they would get approved. When the town removed sewer, it was actually one house per quarter acre.

Ed Covitz, Brookville, appreciates the Committee's concern about open space. Mr. Covitz calculates the town could garner about \$140,000 a year from Greenbriar alone. The town could get \$100 for every house in Greenbriar.

Mayor Van Pelt states the average assessment for Greenbriar is \$286,200.

Mr. Covitz states he realizes New Jersey has the highest real estate tax in the country, plus with insurance, the three cents is a little high. How much would the three cents generate from the town.

Mayor Van Pelt states \$378,000. The town is currently at \$151,000 per year.

Mr. Covitz discussed the raising of township taxes.

Stan Anderson, 208 Maplewood, how iron-clad can the deed be so that suddenly Trenton can come in and say the town has to increase the population for affordable housing.

Mayor Van Pelt states if it remains in municipal hands, it's always an issue. Mayor Van Pelt is waiting for someone to come up and say by preserving open space, you're infringing on affordable housing. Every single parcel should be donated to organizations that have a better track record (ie. Sierra Club, Trust for Public Lands, Forsythe Refuge, etc.) that cannot be deed-lifted.

Township Attorney McGuckin states utilizing the open space money would make it extremely difficult to change the type of ownership of the property. The Recreation Open Space Inventory (ROSI) requires an act of congress if any portion of it would be developed for any reason. They don't allow permanent structures. If the town does, there's a five-to-one match, where the town has to preserve five times that amount somewhere else. The township will continue to make it as difficult as possible for that land to ever not be used for open space recreation purposes.

John Petrosilli, 11 Vessel Road, states he is in favor of the open space referendum. The people of the town will be receptive to the three cents.

Ralph Avellino, 10 Central Avenue, inquired as to why weeks go by without anyone working at Sands Point Park.

Deputy Mayor Kraft states they have a 90-day contract. That phase of construction has to be finished within 90 days. They used a subcontractor to put down the sport court. They were probably waiting on the subcontractor. They were scheduled for last week but the heavy rains pushed it back. Now that it is paved, they are ready to go.

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.

RESOLUTION 2008-255 directing the Ocean County Clerk to place a referendum question on the ballot at the next general election in the Township of authorizing the continuance of the existing "Open Space Recreation, Conservation, Farmland and Historic Preservation Trust Fund" to be used for the purposes of acquiring, developing and/or maintaining

conservation and/or recreational properties, acquiring farmland for farmland preservation and/or acquiring or preserving historic properties for historic preservation and providing for the payment of debt service incurred by the Township for these purposes and authorizing an increase in the annual levy from a rate of 1.2 cents to a rate of three cents per \$100.00 of assessed valuation.

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

RESOLUTION 2008-256 authorizing an Interlocal Agreement between the Township of Ocean and the Atlantic County Utilities Authority which the Authority will provide renewable energy consulting services as set forth in the Interlocal Agreement. The Authority will provide such consultation and advice at no cost to the Township. In the event there are costs or expenses, the Township will provide advanced approval before any such costs or expenses are incurred.

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

RESOLUTION 2008-257 authorizing CMX Engineering to make amendments to the Township of Ocean’s Open Space Inventory time and materials not to exceed \$2,500.

A motion of approval 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