

MEETING MINUTES

TOWNSHIP OF OCEAN COUNTY OF OCEAN REGULAR BUSINESS MEETING December 9, 2010

Call to Order

ROLL CALL: WETTER X TREDY X LACHAWIEC X

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 two newspapers, The Press of Atlantic City 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.

RESOLUTION 2010-328: authorizing the Township Committee to retire into Executive Session for the purpose of discussing: Personnel and Contractual Matters.

Motion to approve was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Committee Reports

Committeewoman – Tina Wetter

Committeewoman Wetter had no report but wished everyone a happy holiday and healthy new year.

Deputy Mayor – Dennis F. Tredy

Deputy Mayor Tredy discussed last Friday's Township Holiday Tree Lighting ceremony. Over 100 children and parents attended and had a great time. Deputy Mayor Tredy attended with his granddaughter and Committeewoman Wetter helped with the cooking. Deputy Mayor Tredy wished everyone a Happy Hanukkah, Merry Christmas and healthy new year.

Mayor – Joseph Lachawiec

Mayor Lachawiec stated on the Oyster Creek nuclear generating station will close prematurely in December 2019. The plant's license would normally extend to 2029, however, it seems the administration insisted the plant put in cooling towers they could not afford. A settlement was negotiated with the Governor's administration to close in 2019. The comprehensive plan of action includes closing the plant, funding of stormwater mitigation projects, reducing nutrient pollution from fertilizer, requiring post construction soil restoration, acquiring land in the watershed, establishing a special area management plan, adopting more rigorous water quality standards, educating the public, producing more comprehensive research and reducing watercraft impacts. Mayor Lachawiec stated the rest of the plan is not known – loss of jobs, what will be the generation capacity replacement, what will happen to the nuclear waste storage. Mayor Quinn, Lacey Township and Mayor Melchiondo, Barnegat Township will meet with Mayor Lachawiec next Tuesday to discuss how this will affect the three towns. Exelon, Jersey Central and Department of Environmental Protection will be invited to the meeting.

Administrator Report

Administrator – David Breeden

Ordinance 2010-13 is a bond ordinance authorizing the issuance of up to \$300,000 worth of bonds for improvements of Well #6 at the Water Treatment Plant on Route 532. These improvements will increase the capacity of Well #6 to keep up with the demand for water in Ocean Township.

Resolution 2010-336 authorizes budget transfers in the amount of \$20,000 within the 2010 water budget. Ocean Township has three different budgets or funds. The current fund finances the operating budget, police, public works, town hall. The water budget funds the water operation and a sewer budget which funds the sewer operation. This is a routine transfer which occurs in every town in the last two months of the fiscal year. \$20,000 is going to be taken out of salaries and put into debt service. It will not impact the overall budget or user fees or charges.

Resolution 2010-337 transferring \$105,000 in the current fund budget. Most of that funding is coming out of police salaries. Most of it is going into the sick trust or accumulated leave account. When employees retire, they are entitled to severance pay, which is funded out of the trust fund. The town is replenishing the trust fund, which was used this year to fund severance pay of mainly the retiring Chief of Police.

Resolution 2010-339 authorizes the submission and support of a recreational trails grant to the NJDEP. This grant can be up to \$25,000 and requires a 20% match, which can be in kind. It is for a proposed trail from the Royal Oaks/James Drive area to the school and ballfields. This resolution permits the town to apply for the grant. It does not mean the town received the grant.

Resolution 2010-344 awards a contract to TKT Construction Company in the amount of \$1,235,400.00 for the rehabilitation and expansion of the Route 532 Water Treatment Plant. This ties into the expansion and improvement of Well #6 and is desperately needed.

Resolution 2010-345 awards a construction contract to TKT Construction Company for the rehabilitation of five sanitary sewer pumping stations in the amount of \$294,400.00. There were eleven bidders on this job. TKT Construction of Williamstown was the lowest bidder. Engineer estimate is roughly \$300,000.00. Both projects will be funded through the New Jersey Environmental Infrastructure Trust Program.

PUBLIC PORTION:

Motion to open to the public was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.
Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Jacqueline Petrosilli, 11 Vessel Road, requested the public portion format of the meetings be changed. The public cannot speak on resolutions that have not been brought up yet. The public portion should be moved to the end of the meeting.

Mayor Lachawiec will take Mrs. Petrosilli's comments under consideration.

Township Administrator Breeden stated it is important for the public to have an opportunity to comment on resolutions prior to the Governing Body's vote.

Mayor Lachawiec stated each ordinance does have a public comment before the vote as well.

Committeewoman Wetter stated Mr. Breeden explains ordinances and resolutions prior to the public comment.

William Rott, 179 Wells Mills Road, inquired if the Township has plans for the development of the Waretown Lake and Recreation area.

Mayor Lachawiec stated there is a possibility the Rail Trail will be extended to the Waretown Lake. There have also been discussions to connect the Royal Oaks and Laurelwyck sections to the school.

Deputy Mayor Tredy stated there is a maintenance project in progress with the dam at the Waretown Lake.

Mr. Rott inquired about the progress on moving the leaf area at the Lake. The bulldozers are dumping the brush and damaging the area and sign. The brush is not supposed to be dumped there. The town is the biggest offender.

Mayor Lachawiec stated the town will have to find a different place for the leaves. Mr. Rott's comments will be taken under advisement.

Nick Bonamassa, 32 Belmar Blvd., inquired how much money has Waretown received as a result of having the power plant in Lacey Township.

Mayor Lachawiec stated it is probably a little less than \$1 million dating back to the 1970's. Over the years the State has changed the 966 funds to include other counties such as Sussex and Warren Counties. The Township of Ocean's share of the funds is getting smaller and smaller. The only other income from that plant is Energy Tax Relief funds, which goes to Lacey Township.

Mr. Bonamassa inquired if the Township will have to pay for any of the clean up as a result of the closing of the plant.

Mayor Lachawiec stated it is the town's intention to not have to pay for any of the clean-up costs. The town should be compensated, if anything.

Mr. Bonamassa inquired if the contracts awarded tonight have been accounted for in the budget to avoid tax implications.

Township Administrator Breeden stated the contracts are water/sewer improvements. It does not come out of the budget and has no tax implications and is being funded through the user fees.

Mr. Bonamassa requested an explanation about Resolution 2010-243, transfer of liquor license.

Township Clerk Ambrosio stated it is a place-to-place liquor license transfer. McKay's liquor store is moving from one side of Route 9 to the other.

John Petrosilli, 11 Vessel Road, inquired if the Resolution for \$300,000 for Well 6 is a bond issue.

Township Administrator Breeden stated yes.

Mr. Petrosilli inquired if TKT Construction will be improving Well 6, too.

Township Administrator Breeden stated yes.

Mr. Petrosilli inquired why the Township is bonding for Well 6 and taking money out of utilities for the other improvements.

Township Administrator Breeden stated both projects are going to be bonded. The projects are being funded from the water/sewer budgets. It is not being funded from the current fund and it will not impact taxes. If there is any impact, it will be the water/sewer fees.

Mr. Petrosilli inquired if the \$1.2 million will be bonded in addition to the \$300,000.

Township Administrator Breeden stated yes.

Robert Kraft, 28 Bay Parkway, inquired if the town will be conducting a reevaluation next year.

Township Administrator Breeden stated the town petitioned the Ocean County Board of Taxation in September and October and the petition was denied. The town will be doing a reassessment this year, which will be placed on the books February 2012. The reassessment is town-wide. Every property in the Township of Ocean will be reassessed in order to reflect market value at a given time, which will most likely be October 1, 2011. There has been a significant decrease in real estate values in the community. The town wants to distribute the tax burden fairly and equally by having fair property assessment values.

Mr. Kraft inquired the status of the solar project.

Mayor Lachawiec stated the town will be taking the solar project step by step. The first step is to obtain ownership of the property. It does not make sense to spend money on the solar project if the town does not own the land. The town is in negotiations with the owner to obtain the title.

Township Administrator Breeden stated the solar project could be a great source of revenue that will provide property tax relief to the town. Before the town can move forward, ownership of the land must be obtained or the town will not be able to attract competitive proposals.

Mr. Kraft inquired if the owner lost the land to tax sale.

Township Attorney McGuckin stated there is a tax lien that is owed by the property owner. The town is deciding what type of ownership to take, whether it is complete ownership, lien status or easement status. That will all be determined based on price and value.

Mr. Kraft inquired about the status of Pepco building the solar project.

Mayor Lachawiec stated Pepco withdrew their offer.

Harry Dering, 15 Dock Avenue, inquired what is the cost to the taxpayers, so far, for the solar project.

Mayor Lachawiec did not have that amount but will get it to Mr. Dering.

Motion to close to the public was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Meeting Minutes

Approval of the Meeting Minutes of October 14th and October 19, 2010

Motion to approve was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

RESOLUTION NO. 2010-329 Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$760,874.96

Motion to approve was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Ordinance 2010 – 13– Second Reading – Public Hearing

BOND ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO THREE HUNDRED THOUSAND DOLLARS (\$300,000.00), AGGREGATE PRINCIPAL AMOUNT, GENERAL OBLIGATION BONDS OR NOTES OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, NEW JERSEY FOR THE CONSTRUCTION OF IMPROVEMENTS TO WELL NO. 6 AT THE ROUTE 532 WATER TREATMENT PLANT LOCATED WITHIN THE TOWNSHIP OF OCEAN, OCEAN COUNTY, NEW JERSEY

Motion to Open to the Public for Public Hearing on Ordinance 2010-13 was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

There was no comment from the public.

Motion to Close Public for Public Hearing for Ordinance 2010-13 was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Motion to approve Ordinance 2010-13 was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: 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

- 2010-330 Resolution authorizing the Treasurer to refund \$2,487.86 to Block 180, Lot 12.03 due to overpayment**
- 2010-331 Resolution authorizing cancellation of property tax refunds or delinquent amounts in the amounts of less than \$10.00 for tax year 2010**
- 2010-332 Resolution authorizing method payment for delinquent taxes, water & sewer tendered after December 31st must be paid either by certified check, money order or cash**
- 2010-333 Resolution authorizing in lieu mailing charges to be added to tax sale costs**
- 2010-334 Resolution authorizing the place to place transfer of Meglo Mix, LLC liquor license**
- 2010-335 Resolution authorizing the submission of the Tonnage Grant Application**
- 2010-336 Resolution authorizing budget transfers in the amount of \$20,000.00 within the 2010 water budget appropriations**
- 2010-337 Resolution authorizing budget transfers in the amount of \$105,000.00 within the 2010 municipal budget appropriations**
- 2010-338 Resolution authorizing Mayor and Clerk to execute the agreement with Heritage Business System, Inc. for the lease of a copier**
- 2010-339 Resolution authorizing the submission and support of the Recreation Trails Grant to the New Jersey Department of Environmental Protection**
- 2010-340 Resolution authorizing a Utilities Department Leak Credit in the total amount of \$151.17 for 230 Eleventh Street**
- 2010-341 Resolution authorizing a Utilities Department Leak Credit in the total amount of \$718.02 for 317 Tuscarora Avenue**
- 2010-342 Resolution authorizing a Utilities Department Leak Credit in the total amount of \$418.77 for 354 Tuscarora Avenue**
- 2010-343 Resolution authorizing a Utilities Department Billing Adjustment credit in the total amount for water and sewer \$1,232.34**
- 2010-344 Resolution awarding TKT Construction Company the contract for the rehabilitation and expansion of the Route #532 water treatment plant in the amount of \$1,235,400.00**
- 2010-345 Resolution awarding TKT Construction Company the contract for the rehabilitation of five (5) sanitary pumping stations in the amount of \$294,400.00**
- 2010-346 Resolution appointing representatives for the Community Development Block Grant Committee for the year 2011**

MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2010-330 through Resolution 2010-346:

Motion to approve was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.
Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Motion of Approval for use of the Community Center:

1. **Diana Avant – January 8, 2011**
2. **Glen Avellino – December 5, 2010**
3. **Mark Schmeling – February 26, 2011**
4. **Annette Bonfonti, December 19, 2010**

Motion to approve was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.
Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Motion of Approval for Alexander D. Boyer, Ralston G. Reid, and Michael J. Villanova to the New Jersey State Fireman's Association.

Motion to approve was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.
Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Motion to accept the Tax and Utility Reports:

Motion to approve was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.
Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Motion for Short Recess and Move into Executive Session;

Motion to approve was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.
Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Open Meeting

Motion to open meeting was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.
Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Resolution 2010-347 Appointing Mike Roselli Esq. as conflict Township Attorney in the matter of Township of Ocean appealing Lacey Township Planning Board decision on nuclear waste storage at the Oyster Creek Power Plant.

Motion to approve was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.
Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Resolution 2010-348 Authorizing 3% salary increase for full-time, permanent, non-union employees as listed in Attachment A retroactive back to January 1, 2010.

Motion to approve was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.
Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Township Attorney McGuckin stated the Redevelopment Committee had previously indicated they had a Letter of No Interest on the Waretown Village Associates LLC matter. Township Clerk Ambrosio needs authorization indicating the Redevelopment Committee is not going to act on it. The Township Committee authorized the Township Clerk to write the Letter of No Interest.

Next Scheduled Meeting – January 1, 2011 at 12:00 noon

Adjourn

Motion to adjourn meeting was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.
Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Signed and Submitted:

Diane B. Ambrosio, RMC
Township Clerk

Date