

MEETING MINUTES

TOWNSHIP OF OCEAN COUNTY OF OCEAN REGULAR BUSINESS MEETING June 9, 2011

Call to Order

ROLL CALL: WETTER X TREDY X LACHAWIEC X

Flag Salute

Coronal Ray Raskowski led the flag salute and stated all Veterans have the privilege of saluting the flag during the pledge.

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.

Community Emergency Response Team (CERT) Graduation

Mayor Lachawiec presented the Emergency Response Team Certificates to the graduates.

Mayor Lachawiec thanked the CERT Team for assisting residents at the Township Cooling Center, provided to residents without air conditioning during this extreme heat.

Presentation: Project Navigator – (Solar Project)

Mayor Lachawiec stated the Township is in the process of signing various documents with Project Navigator to construct a solar energy facility at the Southern Ocean County Landfill.

Steve Werner, President of Project Navigator, is presenting a Photovoltaic Solar Project on the top deck of the Southern Ocean Landfill. It will generate approximately 6 megawatts of power, which will power 3,000-4,000 homes. Jim Nagle and Dave Klockner of Eneractive Solutions have been consultants on the project. Chris Warren of Alaimo Engineering also worked on the project.

This project will be the first Pinelands solar project. This industry is growing 40% a year. Project Navigator is an environmental engineering firm, which is the developer and coordinator of all activities of the team partners of this project. The Team Partners include Chevron and Brinkerhoff Environmental.

Project Navigator submitted a proposal to the Township on April 21, 2011 and met with the Township representatives in May, 2011. An Option Agreement is in the process of being completed, which allows the developer a period of time to complete investigations, in order to ensure this project is technically and economically viable. A Power Purchase Agreement needs to be completed with the local Utility

Company, in order to sell the power. The Township may also be a consumer of the power. It is extremely important that the developer and the team partners operate safely. Chevron will be the Engineering Procurement and Construction Contractor and will be guaranteeing the performance of the system. Brinkerhoff Environmental will be doing the local Engineering and will be responsible for the permitting and negotiating with the Pinelands Commission.

This project is approximately 6 megawatts. It is extremely important that the integrity of the landfill cap is not damaged. The panels will be tilted toward the sun. Each foot is moveable to accommodate changes in grade. Each unit is about 10 feet tall and 20 feet long, generates 2.5 kilowatts of electrical energy and weighs about 2,500 pounds. The feet do not penetrate the cap of the landfill. Everything is above-ground. Some endangered species need to be researched.

Benefits of the project are the Township will be paid by Project Navigator, local resources will be used whenever possible and the Township will benefit once power is generated.

Mayor Lachawiec stated the Police shooting range will not be touched.

A resident inquired if the equipment to be used is domestic or imported.

Mr. Werner stated the racking system is made in the United States. There are not many manufacturers of the solar panels in the United States. The Township would like to buy American-made products. There are two factories making solar panels in the United States.

A resident inquired if Project Navigator will have the right to sell the project to another developer down the road.

Mr. Werner stated Project Navigator has no intention of selling the project. That can be discussed later down the road. This project is good for Project Navigator as well as the town.

A resident inquired how the solar panels will handle a seagull dropping a clam from 200 feet.

Mr. Werner stated the panels can handle the impact and there is also no concern for vandalism.

A resident inquired if the panels will require periodic maintenance. The salt air is very corrosive.

Mr. Werner stated the steel used is good quality and will not be affected by the salt air. The panels are hosed and cleaned with a squeegee.

Mayor Lachawiec stated the Township has control of the property for 45 years at \$1.00 per year. The Township has to pay for permits, attorneys and engineers. Project Navigator is paying money every month to the Township. Even if the project never happens, the Township will be reimbursed for whatever was paid out. The Township is leasing the land to Project Navigator for \$250,000 every year for at least 15 years. Every year the amount will escalate 3%. Project Navigator will pay the Township 2.6% of the gross amount received from the electric company.

Ed Covitz, Brooville Road, inquired about the local resources.

Brian Towne, Chevron, stated local labor will be hired. Wire, conduit, equipment and maintenance will all be kept local.

Lorraine Green, Grand Bay Harbor, inquired if forceful winds could damage the solar panels.

Mr. Towne stated the solar panels can withstand 120 mph winds. The system will be insured.

A resident inquired if Project Navigator will sell the power.

Mr. Werner stated the basic assumption would be to sell the power into the grid under the Power Purchase Agreement. Discussions have included whether or not some of the power would be sold to the town. It is technically feasible to do it. It is more of a regulatory issue right now. The system can be up and running in 12 months, depending on how things go. The regulatory issue may take a bit longer.

Mayor Lachawiec stated connection to the grid is through power lines stretched from the landfill on Route 532 to Route 72, then east to Route 554 in Barnegat to a substation on Savannah Avenue, which is owned by Jersey Central Power & Light.

Harry Dering, Dock Avenue, inquired if the Township owns the landfill and did the Township get permission to install the solar panels.

Mayor Lachawiec stated the Township does not own the landfill.

Township Attorney McGuckin stated the Township entered into a 45 year lease with the property owner at \$1.00 per year. The Township assumes liability on the property.

Mayor Lachawiec stated the Township has spent \$75,000 on the project. Project Navigator will have a link on the Township website to monitor the grid and power usage.

Mr. Covitz inquired if this project is a continuation of Project Navigator supplying the grid.

Mr. Towne stated every solar system in New Jersey has the capability of metering both ways.

Mayor Lachawiec stated the Pinelands will not allow the Township to construct any new electric poles on Wells Mills Road. That is why the lines are running out to Route 72 and then to Barnegat. Project Navigator is willing to get the job done.

Bill Rott inquired about receiving credits from the electric company up to \$500. Can the credits be accumulated?

Mr. Nagel stated the credits become of value every year. Every kilowatt hour of electricity that is generated generates electric, as Esrec. Esrecs are purchased through the BJAN and go up and down in value. Right now they are trading at \$500 a megawatt or \$0.58 a kilowatt.

Mr. Werner stated the base period of the lease is 15 years. There will be two 15-year options after that.

A resident thanked the Township Committee for doing a great job on the solar landfill project.

Mayor Lachawiec stated the Pinelands Commission is changing the rules and regulations. The new rules and regulations will be out in September, October or November. The day after the new rules and regulations are out, Project Navigator will submit the application.

RESOLUTION 2011-208: authorizing the Township Committee to retire into Executive Session for the purpose of discussing, Contractual, Personnel matters

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

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

RESOLUTION NO. 2011- 223

RESOLUTION DESIGNATING PROJECT NAVIGATOR Ltd. AS THE TOWNSHIPS DESIGNATED REDEVELOPER FOR ITS' SOLF REDEVELOPMENT PLAN, AND AUTHORIZING EXECUTION OF A LETTER OF INTENT AND PROPOSED OPTION AGREEMENT WITH PROJECT NAVIGATOR Ltd. FOR THE PURPOSE OF CONDUCTING ALL NECESSARY PROJECT DEVELOPMENT ACTIVITIES RELATING TO THE SOLF SOLAR PROJECT

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

The Town Wide Clean Up weekend is June 17 & 18, 2011 at the Waretown Lake. Acceptable items are bulk garbage, passenger tires, etc. Items that cannot be taken are boat paints, stains, aerosol cans. Proof of residency will be checked. Times are Friday 8a-5p and Saturday 8a-3p – rain or shine.

The Historical Society's summer program will include Waretown's Victorian Epitaph Cemetery Walking Tour, presented by Adele Shaw. Adele will lead the tour at Cedar Grove Waretown Cemetery pointing out Victorian symbolism etched into Waretown tombstones from 1808 to 1922.

The bond ordinance on tonight's agenda will finance the purchase of a fire truck for the Waretown Volunteer Fire Co. for \$775,000. The price of safety does not come cheap but is necessary to protect the wellbeing of the community. The Waretown Volunteer Fire Company is a proud organization of over 30 volunteers. It is important that the public safety agencies have the resources required to safely perform their duties. This fire truck will enhance the ability of the firefighters to respond to fires especially in the western part of the Township where there is no water available for fire suppression. This Township Committee will never jeopardize the safety of our community. The Township Committee recommends the passage of this bond ordinance to fund the purchase of this much-needed fire apparatus for Waretown.

Deputy Mayor – Dennis F. Tredy

The Recreation/Municipal Alliance Fishing Derby and Cardboard Boat Race is June 12, 2011 at 8:30am. A senior bus trip to see the Canadian Tenors at the Garden State Arts Center is June 14, 2011. Tickets are free, with a \$10 fee for bus expenses. The Waretown Lake opens June 16, 2011. Lifeguards will be on duty from 11am-6pm. Beach badges will be sold at the lake. Summer Camp is 7 weeks and costs \$30 per week.

Senior programs at the Community Center include Sit & Fit Exercise classes on Monday mornings, Monday evening exercise classes, Tuesday Walking Club at the Rail Trail and Mahjong Club, Wednesday Move Today Exercise, Cards and Wii Bowling, Thursday Sit & Fit morning exercise and evening exercise classes and Friday Line Dancing.

Mayor – Joseph Lachawiec

Mayors from Lacey, Ocean and Barnegat Townships met with representatives from the NJ Department of Environmental Protection, Board of Public Utilities and the Governor's office to discuss the closure of the Oyster Creek Power Plant. A Regional Utility Authority Plan was also discussed. If there is a new nuclear or gas plant built, Lacey, Barnegat & Ocean Townships demand a seat at the table, in order to get energy tax relief from such facility.

Administrator Report

Administrator – David Breeden

Ordinance 2011-11, First Reading, amending property maintenance code. Currently, the Township of Ocean deals with the Boca Year 2000 Code. The purpose of this ordinance is to update and utilize the most recent 2009 edition of the Boca Code.

Ordinance 2011-12, First Reading. This Bond Ordinance is in the amount of \$1,050,000 of which the Township will borrow \$997,500, with a 5% down payment of \$52,500. The purpose of this bond ordinance is the acquisition of a 3,000 gallon Fire Tank Pumper for the Waretown Volunteer Fire Company in the amount of \$775,000 and improvement of the Public Works facilities in the amount of \$275,000 for fleet maintenance.

Resolution 2011-214 authorizes a lien to be placed on Block 165, Lot 8 in the amount of \$100.00. When a resident does not cut their grass, a 10 day warning is given. If it is not corrected, a ticket is issued and the Township cuts the grass. In addition to the ticket, the resident is charged for the Township cutting the grass.

Resolution 2011-217 regarding the Township's Canine Police Program. The canine will be retiring in June 2011. This resolution acknowledges the new canine, named Onyx, and an agreement with the handler.

Resolutions 2011-218 and 219 authorizes hiring seasonal property inspectors and reassessment services.

Regarding the Bond Ordinance, the State of New Jersey regulates how much a municipality can borrow. Generally it's 3.5% of an equalized value over a three-year period. Currently the Township of Ocean is at \$12 million. The Township is borrowing 27% of the potential. The Township has been successful in reducing its debt from municipal operations by \$2.7 million or 16%.

PUBLIC PORTION:

Motion to open Public Comment was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

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

Jacqueline Petrosilli, 11 Vessel Road, invited everyone to the Farmer's Market every Tuesday at Indian Plaza.

Eileen Doyle, 243 11th Street, stated it is wonderful that the Township opened the Community Center as a cooling center and suggested the Community Center be open as a heating center as well in the winter.

Jackson Bennett, 101 Railroad Avenue, Chief, Waretown Volunteer Fire Company, commended the Township Committee for the purchase of the fire truck and taking the time to listen to their needs.

John Petrosilli, 11 Vessel Road, requested an explanation of the water/sewer items on the bill list.

Township Administrator Breeden stated some bills are generated on the Edmunds financial system. Other bills are prepared manually. There are two separate accounts that keep track of that. It all comes out of the Water/Utility Fund.

Mr. Petrosilli inquired if the Township is providing entry points for Tradewinds to hook up to water/sewer.

Deputy Mayor Tredy stated the resolution shows the availability to provide water/sewer. It is their responsibility to put in the infrastructure and meters.

Mr. Petrosilli inquired when the resolutions were posted on the website.

Township Clerk Ambrosio posted the resolutions that were available on Wednesday, June 8, 2011. The other resolutions were available today, Thursday, June 9, 2011. The website will be updated.

Harry Dering, 15 Dock Avenue, is concerned about the Township bonding to improve the Road Department facilities. What is wrong with the buildings?

Township Administrator Breeden stated the buildings are inadequate for repair and upkeep of the fleet. The mechanic has to repair the fleet outside at times. This is not acceptable during severe weather. The size of the garage is inadequate to house a \$350,000 drain-cleaning truck that must be kept inside to preserve the useful life of the truck.

Mr. Dering inquired if a new building is being built or an addition to the current building.

Township Administrator Breeden stated it will be an expanded footprint.

Deputy Mayor Tredy stated it is an expansion of the Road Dept. garage building that is closest to Route 532. It will be extended towards Route 532. The square footage will probably double in size.

Mr. Dering inquired if there are wetlands there.

Township Administrator Breeden stated the Professional Engineers will make that determination.

Motion to close Public Comment was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

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

RESOLUTION NO. 2011- 209 Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$1,894,251.95

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

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

Ordinance 2011-11 First Reading – Title Only

An Ordinance of the Township of Ocean, County of Ocean, State of New Jersey, Amending Chapter 8.24 Entitled “Property Maintenance” of the Township Code of the Township of Ocean Motion to approve was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.
Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Ordinance 2011-12 First Reading – Title Only

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF OCEAN, IN THE COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,050,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$997,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF. Motion to approve 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

- 2011-210 Resolution authorizing the renewal of liquor licenses for 2011
- 2011-211 Resolution authorizing the release of escrow money for Mr. & Mrs. Vernon in the amount of \$418.10
- 2011-212 Resolution authorizing the release of escrow money for Diane Campitiello in the amount of \$67.38
- 2011-213 Resolution authorizing the release of escrow money for James Brosen in the amount of \$266.95
- 2011-214 Resolution authorizing a lien be placed on Block 165, Lot 8 in the amount of \$100.00
- 2011-215 Resolution granting preliminary sewer system facilities approval for Tradewinds at Waretown
- 2011-216 Resolution granting preliminary water system facilities approval for Tradewinds at Waretown
- 2011-217 Resolution designating the Township’s K-9 Patrol Dog “Onyx” and authorizing the execution of an updated agreement with Officer James Cappaccio
- 2011-218 Resolution authorizing seasonal property inspectors for the reassessment of the Township
- 2011-219 Resolution authorizing Gagliano & Company for the purpose of providing and performing reassessment services
- 2011-220 Resolution authorizing a bond reduction for Lennar Section 7, Phase B
- 2011-221 Resolution authorizing a bond reduction for Lennar Section 7, Phase A
- 2011-222 Resolution authorizing the release of a Performance Bond for the Project known as the Woods at Oceana

MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2011-210 through Resolution 2011-222:

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

Motion to approve the Community Center , Township Ball Fields and Waretown Memorial Recreation Park:

1. Putting America First, 2nd Tuesday of each month
2. Republican County Committee, last Tuesday of each month
3. Cather Rohowyj, September 17, 2011
4. Waretown Thunder, June 3, 2011
5. Blood Drive, Red Cross/Waretown Library, September 9, 2011
6. Waretown First Aid Squad, July 30, 2011
7. Lord of Lords Bible Community Church, June 12, 2011

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

Motion to approve: Tax Collector's and Utility Collector's Reports dated May 31, 2011

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

Motion to take a short recess and move into Closed Session:

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

Motion to move into Open Session:

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

RESOLUTION 2011-224 Awarding contract to Waste Management of New Jersey for a five-year term for solid waste pick up.

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

RESOLUTION 2011-225 Authorizing an extension of the existing Solid Waste contract with Waste Management from June 1, 2011, terminating on the effective date of the just-adopted Resolution 2011-224.

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

Next Scheduled Meeting – July 14, 2011, 7:00 PM

Motion to Adjourn:

Motion to adjourn 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