

MEETING MINUTES

**TOWNSHIP OF OCEAN
COUNTY OF OCEAN
REGULAR BUSINESS MEETING
August 11, 2011**

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.

Committee Reports

Committeewoman – Tina Wetter

At the last meeting, a resident requested the Township Committee pass a resolution urging the Nuclear Regulatory Commission to close the Oyster Creek Nuclear Power Plant. Tonight’s agenda includes a resolution requesting an increase in accountability and transparency of the plant operations. It is not practical or realistic to shut down the plant without a plan in place.

Mrs. Wetter read a letter from the Environmental Commission thanking Matthew Ambrosio, Foreman Buildings and Grounds, for the outstanding coordination of the Town Wide Clean Up and also to the members of the Road Department for assisting. Another letter was read from the Environmental Commission to the Township Committee for their continued support of the Town Wide Clean Up.

Deputy Mayor – Dennis F. Tredy

- Discussion of possible change of weekly Recycling pick up date from Monday/Tuesday to Thursday each week and Friday after a holiday such as: Thanksgiving

This decision cannot be made without research and feedback from the residents. Mr. Caldeira, Meadowbrook Recycling, will say a few words during Public Comment and the matter will be discussed again at the next meeting.

On Saturday, August 6, 2011 there was a Classic Auto Show at Waretown Plaza, next to Longshots. It was sponsored by Mason’s Mariner Lounge. The show raised close to \$3,000 for returning veterans.

On Sunday, August 7, 2011, the Waretown Fire Company’s Annual Motorcycle Poker Run was quite successful.

Also on Sunday, August 7, 2011 the Jersey Outlaws held Garvey Races at Crystal Point Peninsula at the end of Tuscarora. The Jersey Outlaws were a respectful group and cleaned up after the races. The

Township was not responsible for anything. At the next event, parking will only be allowed on one side of the street.

Thursday, August 11, 2011 is the last day of Summer Camp for children. The Township accommodated about 32 children daily at the Summer Camp. Deputy Mayor Tredy read surveys from the children and parents stating they loved the activities, hours and pricing of the Summer Camp.

On Saturday, July 30, 2011, the Township held a town-wide yard sale. A fall town-wide yard sale is anticipated. If residents would like to display their goods on a table at the Waretown Lake, they are invited to do so or in front of their homes.

The Patriots Day 9/11 Ceremony will be held at the gathering area of the Shop Rite Plaza on Sunday, September 11, 2011 at 2:00 pm. This remembrance ceremony is being sponsored by the Township and Waretown Volunteer Fire Co. #1.

Mayor – Joseph Lachawiec – No report this evening.

Administrator Report

Administrator – David Breeden

Ordinance 2011-13, providing for a special emergency appropriation of \$200,000 for the preparation and execution of a complete reassessment throughout the community, and Resolution 2011-242, providing for the financing mechanism to fund the special reassessment, will be discussed last in order to explain why the Township is performing the reassessment and how it benefits the community.

Ordinance 2011-14 – The Mayor has the ability to perform a marriage or civil union ceremony. This ordinance establishes a fee schedule if the Mayor elects to charge a fee. The fees go directly to the Township, not the Mayor.

Ordinance 2011-15 regulates the sale of used goods within the Township of Ocean.

Resolution 2011-244 authorizes a property lien. Property owners who do not maintain their property are issued a warning. If the property owner fails to comply, the Township maintains the property issue and the property owner is billed for the work.

Resolution 2011-246 authorizes Remington & Vernick Engineers to design the municipal garage expansion. The Township Committee approved a bond ordinance, which funded the acquisition of a fire truck and the expansion of the public works facility for \$275,000.

Resolution 2011-247 authorizes the Township to donate cell phones.

Resolutions 2011-248 through 2011-253 are Chapter 159 resolutions. The Township has received grants since the budget has been adopted. The revenue is being inserted into the budget and appropriation offset.

The various grants are \$4,000 for Click it or Ticket, which goes to the Police Department to enforce the seat belt law. \$4,400 is for work associated with keeping drunk or drugged drivers off the road. \$1,600

for Cops in Shops is when undercover police officers are placed in liquor stores or bars to catch underage drinking.

Resolution 2011-251 Community Development Block Grant for \$50,000 will upgrade handicap access to Township facilities.

Resolution 2011-252 Clean Communities Grant \$17,292.17 helps the Township fund various cleaning activities.

Resolution 2011-253 Alcohol Education Rehabilitation Enforcement Fund in the amount of \$2,211.32 helps fund special DUI court session.

Resolution 2011-254 authorizes a Shared Service Agreement for a plumbing Sub-Code Official in a continued effort to share services with neighboring communities in order to stabilize cost and enhance delivery of service.

Resolution 2011-255 authorizes Township Clerk to go out to bid for a Pumper Tanker Fire Truck. This is the 3,000 gallon fire apparatus that is crucial in fire suppression work in the Township of Ocean, especially the western part of the Township where there is no Township water.

Resolution 2011-258 The Township went out to bid for a boat slip in Grand Bay Harbor. The highest bidder was \$6,000. This resolution authorizes the Township to sell to the highest bidder for \$6,000.

The reason why the Township is performing a reassessment is for fairness and to preserve the financial standing of the Township of Ocean. Tax appeals can have a devastating financial impact on a community. The last reassessment was in 2004. 2005 was the peak of the real estate market and since then values have declined. The Township is performing a reassessment in order to have fair values assigned to all properties in order to allocate the tax burden equally and fairly. This reassessment will hit the books in 2012. In 2004, the cost for the reassessment was \$160,000. The town had 4,900 line items (properties). The average cost per line item is \$32.77. In 2011 the cost for the reassessment was \$200,000. The town now has over 5,800 line items. The average cost per line item is \$34.28. A 4.6% increase is reasonable considering the amount of inflation since 2004. The Township applied for a reassessment last year and was turned down. The county and state took several months to approve the application this year. If a reassessment is not performed within 5 years of the last reassessment, 100% of the homes have to be inspected. The State of New Jersey fails to have a mechanism in place to have quick, timely, inexpensive reassessments. Out of every dollar the Township collects it keeps \$0.29, the School takes \$0.48 and \$0.23 goes to the County. When there is a successful tax appeal, the Township has to cover its loss and the loss of the School and the County. That is the devastating impact tax appeals could have on the Township.

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

Vince Anepete, 85 Clearwater Drive, stated this is a shore community, where most residents are only here on the weekends and put their recycling out on Sunday. The recycling will sit there until Thursday.

Bob Knowles, 148 Bonita Road, stated he never wanted the “no parking” signs put up at the end of Bonita Road. It is not a parking problem but a safety problem due to the cars that turn around at the end of the street. Mr. Knowles suggested a designated turn-around area. Moving the fence and making a parking area would add to the traffic congestion. Mr. Knowles added that he does not want other members of the community to be inconvenienced.

Joan Finn, Ocean Grove Lane, thanked the Township Committee for voting on the resolution regarding the Oyster Creek Nuclear Power Plant and recognizing the threats that Oyster Creek has against the environment. The safety panel will be meeting in September and will be requesting the decommissioning of the plant and the removal of the spent fuel rods.

Mayor Lachawiec stated Mr. McKenna, New Jersey Antiterrorism, and Commissioner Martin are two-thirds of the safety panel. A request for a third member has been issued.

Joe Caldeira, 741 Center Street, Forked River, V.P. Meadowbrook Recycling. Meadowbrook is the new recycling company for the Township of Ocean. Mr. Caldeira has requested the recycling pick-up be changed to Thursdays. The change would reduce the holidays from 8 to 1. The truck traffic would be reduced from 2 days a week to 1 day a week. The change would help Meadowbrook’s manpower and equipment use. The majority of weekend residents have containers for the cans so the cans are not sitting on the street all week. Also, recyclables are pretty clean, as they are supposed to be rinsed so seagulls wouldn’t be a problem.

Deputy Mayor Tredy stated the Township Committee would like to have an open forum on the matter. In Mr. Tredy’s neighborhood, weekend residents usually have their neighbors take the recycling out for them.

Township Administrator Breeden stated the reason for Meadowbrook changing the day is to help the company with efficiency. The more efficient the recycling company is, the less costs are incurred and the less cost is passed down to the Township. This matter requires further discussion and public dialogue before a decision can be made.

Spencer Hondros, 65 Pennsylvania Avenue, inquired if the reassessment is bonded.

Township Administrator Breeden stated it is not a bond it is a special emergency note, being paid over 5 years in accordance with state law. The rate will fluctuate every year as it is renewed.

Mr. Hondros does not see a rush of new residents coming into the town and does not see the reason to spend \$200,000 on a reassessment. The marina owners are very concerned and are struggling to pay bills and collect from their customers.

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

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

Motion to Approve the Meeting Minutes of April 14, 2011, May 5, 2011, May 12, 2011, May 31, 2011, June 9, 2011, July 12, 2011 and July 14, 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 the Executive Session Minutes of March 10, 2011, April 8, 2011, April 14, 2011, May 5, 2011, May 31, 2011, June 9, 2011, and July 12, 2011

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

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

RESOLUTION NO. 2011- 241 Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$2,642,188.94

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

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

Ordinance 2011-13 Second Reading – Public Hearing

AN ORDINANCE OF THE TOWNSHIP OF OCEAN, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION OF \$200,000.00 FOR THE PREPARATION AND EXECUTION OF A COMPLETE REVALUATION THROUGH A HYBRID REASSESSMENT PROJECT OF REAL PROPERTY FOR THE USE OF THE LOCAL ASSESSOR OF THE TOWNSHIP OF OCEAN, IN THE COUNTY OF OCEAN, NJ

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

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

Vince Anepete, 85 Clearwater Drive, stated homes were purchased in 2005 for \$500,000 and the same homes are now being purchased for \$250,000 to \$300,000. People are paying much more in taxes than others for the same house.

Deputy Mayor Tredy stated when an appeal is approved, the rest of the community must make up the difference.

Township Administrator Breeden stated the reason for the assessment is a matter of fairness. The tax levy is a certain amount. That amount is collected from various taxpayers in Ocean Township for a year. At the end of 2011 or beginning of 2012, homeowners will receive the new assessment letter. The vast majority of homeowner assessments will go down. Homeowners who did not file a tax appeal and purchased their home in 2006, their assessment will go down significantly. If a homeowner did file a tax appeal or recently purchased a home, the assessment may not go down that much. The total assessed value of the town will decrease. The real estate market continues to go down. If the assessed value goes down, the tax rate has to go up. Tax bills will be the same as last year. The assessed value will be lower, the tax rate will be higher and everything will equal out. The Township of Ocean is confident there will be no increase in the tax levy next year.

Ed Covitz, Brookville, stated Tax Assessor Lynch told him 1/3 of the homeowner assessments will go down, 1/3 will go up and 1/3 will stay the same. Mr. Covitz inquired how the town will get the ratables so the homeowners can pay the Township budget.

Township Attorney Dasti stated each homeowner is going to be assessed at the current fair market value, based upon the ratio established with the County Tax Board. By confer of the constitution, everyone is supposed to be taxed fairly, equally and in accordance with the value of their homes. Over time, those values change. The tax burden is spread equally among the people based upon the assessment of their homes.

Township Administrator Breeden stated property values are going down significantly and fast. There is no mechanism in place to address the issue except to go through a long and expensive reassessment. The property tax system in New Jersey is flawed. The tax rate will go up.

Deputy Mayor Tredy stated the tax rate will go up on a lesser valued home.

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

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

Motion to approve Ordinance 2011-13 was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

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

Ordinance 2011-14 Second Reading – Public Hearing

Ordinance establishing fees for performance of Marriage and Civil Union ceremonies pursuant to N.J.S.A. 40:48-1

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

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

No public comment.

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

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

Motion to approve Ordinance 2011-14 was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

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

Ordinance 2011-15 First Reading – Title Only

ORDINANCE LICENSING AND REGULATING BUYING AND/OR SELLING USED GOODS OR EQUIPMENT IN THE TOWNSHIP OF OCEAN, INCLUDING, BUT NOT LIMITED TO, ANTIQUES, PRECIOUS STONES, GOLD, SILVER, PLATINUM OR OTHER PRECIOUS METALS, JEWELRY, COINS, TOOLS, TELEVISION SETS, RADIOS, RECORD OR STEREO SETS, CES, MUSICAL INSTRUMENTS, SPORTING GOODS, AUTOMOTIVE EQUIPMENT, COLLECTIBLES, GAME CARTRIDGES, DVDS, CDS, AND OTHER ELECTRONICALLY RECORDED MATERIAL, FIREARMS, CAMERAS AND CAMERA EQUIPMENT, VIDEO EQUIPMENT AND BRIC-BRAC

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

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

RESOLUTION NO. 2011- 242

RESOLUTION OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN AND STATE OF NEW JERSEY PROVIDING FOR THE FINANCING OF A SPECIAL EMERGENCY APPROPRIATION OF THE TOWNSHIP OF OCEAN, IN THE COUNTY OF OCEAN, NEW JERSEY BY THE ISSUANCE OF SPECIAL EMERGENCY NOTES OF THE TOWNSHIP
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.

- 2011-243 Resolution authorizing a leak credit for 18 Poplar Street in the amount of \$915.37
- 2011-244 Resolution authorizing a lien to be placed on 16 Dock Avenue in the amount of \$389.32
- 2011-245 Resolution requesting accountability and transparency of operations at the Oyster Creek Nuclear Power Plant
- 2011-246 Resolution authorizing Remington & Vernick Engineers for the design and construction of Route 532 Municipal Garage Expansion
- 2011-247 Resolution authorizing the donation of old cell phones to the Cell Phone for Soldiers Program
- 2011-248 Resolution authorizing the insertion of an item of revenue in the 2011 Budget for the State of New Jersey Division of Highway Safety Click it or Ticket in the amount of \$4,000.00
- 2011-249 Resolution authorizing the insertion of an item of revenue in the 2011 Budget for the State of New Jersey Department of Law and public Safety Alcohol Traffic Safety and Drunk Driving prevention Incentive Grant in the amount of \$4,400.00
- 2011-250 Resolution authorizing the insertion of an item of revenue in the 2011 Budget for the State of New Jersey Department of Law and Public Safety Division of Alcoholic Beverage Cops in Shops Program in the amount of \$1,600.00
- 2011-251 Resolution authorizing the insertion of an item of revenue in the 2011 Budget for the Ocean county community Development Block Grant CT-907-10 Handicap Accessibility in the amount of \$50,000.00
- 2011-252 Resolution authorizing the insertion of an item of revenue in the 2011 Budget for the Solid Waste Administration 2011 Clean Communities grant in the amount of \$17,292.17
- 2011-253 Resolution authorizing the insertion of an item of revenue in the 2011 Budget for the Alcohol Education Rehabilitation Enforcement Fund in the amount of \$2,211.32
- 2011-254 Resolution authorizing a Shared Service Agreement with the Township of Barnegat for a Plumbing Sub-Code Official

- 2011-255** Resolution authorizing the Township Clerk to go out for Bid for a Pumper Tanker Fire Truck
- 2011-256** Resolution authorizing the renewal of the Club Liquor for Greenbriar Oceanaire Community Association for the years July 1, 2010 – June 30, 2011
- 2011-257** Resolution authorizing the renewal of the Club Liquor for Greenbriar Oceanaire Community Association for the years July 1, 2011 – June 30, 2012

MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2011- 243 through Resolution 2011-257:

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

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

RESOLUTION 2011-258

Resolution of the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey awarding the sale of a slip owned by the Township to the highest bidder pursuant to the provisions of N.J.S.A 40A:12-13

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

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

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

1. Holly Auxiliary of SOCH, September 28, 2011
2. Easter Seals, August 22, 2011
3. Donna Nowak, August 21, 2011
4. Mark Houck, July 24, 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 a Social Affairs Permit for the Holiday Beach Club for August 28, 2011

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

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

Adjourn

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

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

Next Scheduled Meeting – September 8, 2011, 7:00 PM

Signed and Submitted:

Diane B. Ambrosio, RMC
Township Clerk

Date