

MEETING MINUTES

TOWNSHIP OF OCEAN COUNTY OF OCEAN BUSINESS MEETING April 10, 2014

Call to Order

ROLL CALL: LACHAWIEC X TREDY X WETTER X

Flag Salute

STATEMENT: Pursuant to the provisions of the New Jersey Open Public Meeting Act, adequate notice of this meeting was properly provided by sending a copy of the Notice of Meeting to two newspapers, The Asbury Park Press and the Press of Atlantic City. The Notice was posted at the office of the Township Clerk.

RESOLUTION 2014-139 authorizing the Township Committee to retire into Executive Session for the purpose of discussing: Contractual, Litigation, and Personnel matters

Motion of approval moved by Committeeman Lachawiec, seconded by Deputy Mayor Wetter.
Roll Call: Lachawiec: Yes, Wetter: Yes, Tredy: Yes

PUBLIC PORTION:

Motion to open Public Comment was moved by Committeeman Lachawiec, seconded by Deputy Mayor Wetter.

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

No public comment.

Motion to close Public Comment was moved by Committeeman Lachawiec, seconded by Deputy Mayor Wetter.

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

- *Strategic Recovery Planning Report – presented by Stan Slachetka & Jim Oris* ***Public Hearing***

Stan Slachetka discussed this is a public meeting on the proposed Township of Ocean Strategic Recovery Planning Report (SRPR). Mr. Slachetka has made comments and revisions to the draft based on comments received from the Township Officials, subsequent to the posting of the report with the public.

The report distributed to the Township Committee today includes comments from Sgt. Scott Murphy, Township Attorney Greg McGuckin, Construction Official Louis Fisher, Zoning Officer Laurie Clune,

Municipal Clerk Diane Ambrosio and T&M's responses to their comments. The final document will include those changes. The revisions are technical and will not change the overall recommendations of the report.

This report was funded by a grant from the NJ Department of Community Affairs and is a prerequisite to get further grants and aid from the Post Sandy Planning Assistance Grant program. The report is broken down into four key parts. The first is an overview of the Township's existing planning documents and an evaluation of the strategies to respond to Sandy-type events.

The objective of the report is to provide an overall comprehensive strategy to improve resiliency within the Township, protect against future events, improve response and recovery for those types of events and any specific recovery needs related to Superstorm Sandy. It binds together all the various actions the Township has taken to date, post Sandy. There are several recommended projects the Township will be applying for, as part of the second round Post-Sandy Planning Assistance Grant.

A draft of this report was provided to the Department of Community Affairs (DCA). The DCA responded favorably and gave high praise to the content of the report. Mr. Slachetka congratulated Jeff Cucinotta, a staff Planner with T&M Associates, for the quality of the report. Mr. Cucinotta's efforts are definitely recognized by the DCA. The map displayed shows substantially damaged properties and key municipal facilities in relationship to the floodplain and hazard areas.

Township Attorney McGuckin inquired if there is a way to include that in potential grant funding for acquisition for public purpose. The Township submitted a Blue Acres application. That would solve a number of problems if the Township cannot find grant money as part of this plan. It is an appropriate location for a Township facility, as it is adjacent to the Township dock.

Mr. Slachetka discussed it can be identified as an action by the Township.

Township Attorney McGuckin inquired if the Township can indicate it is a repetitive loss type of property on the bay front and should be subject to preservation.

Mr. Slachetka discussed the Township should indicate the Township is reviewing its repetitive loss properties for potential acquisition through grant funding under the Blue Acres program. The Township would be looking at it through a strategic perspective.

Jim Oris, T&M Engineering, discussed repetitive loss properties are never identified by more than a location, for the protection of the property owners. T&M Engineering will consult with the Township Attorney if the property is referenced as specific.

Mr. Slachetka discussed it is important to have more of a generalized statement with regard to repetitive loss properties. Requesting grant funding through Blue Acres is a separate program from the Sandy Planning Assistance Grants. The Post Sandy Planning Assistance Grants would not include funding for acquisition or capital facilities.

Mayor Tredy inquired if the Township accepted the Advisory Maps from FEMA?

Mr. Oris discussed the Township did adopt the advisory based flood elevation maps.

Township Administrator Breeden discussed the maps include the best available data.

Township Attorney McGuckin inquired if FEMA came out with new maps.

Mr. Oris discussed that was just for Ocean County. The preliminary Flood Insurance Rate Maps (FIRM Maps) have been released. Those are the documents that will go through a public hearing process, appeals will be addressed and then will become the final maps.

Mr. Slachetka discussed the Summary of Actions and Priorities section. This is divided into a time frame. A lot of the actions are going to be within the next 6-12 month time frame, specifically the actions from the DCA, as the DCA is looking for a quick turnaround on any projects funded by monies through the Community Development Block Grant programs from the Federal Government. This is a comprehensive list. Some things are fundable. Other things are not but can be fundable through other sources. Examples of items in the report are stabilizing the bay shoreline, installing new generators at Town Hall and Department of Public Works and allocating a place for debris removal. Debris removal was a key discussion in meetings with Township Officials. More examples are providing radios for emergency communications and updating the Comprehensive Master Plan, which will form the foundation for other zoning changes that will be necessary along the shore front. Another example is automating and upgrading the zoning and construction permit program.

Committeeman Lachawiec discussed his neighbor purchased a home post-Sandy and notified the neighbor's insurance inspector that the property is in the Community Rating System (CRS) and he should notify the flood insurance company. The insurance inspector refused to inform the flood insurance company.

Mr. Oris discussed the Township of Ocean has been recently reinstated into the CRS program. That information goes from the National Flood Insurance from FEMA to the insurance carriers. It is automatically updated, regardless of what the agent is saying, the rates will be quoted with the discount. It is actually on the policy statement. There is a line item on the policy for the discount.

Committeeman Lachawiec discussed the insurance companies are not going to make an effort to inform the policy holder of the discount.

It was discussed that the Township already posts the information on the website and in the annual tax letter. Mr. Oris would be very surprised if the insurance companies did not comply, as everything is underwritten by the National Flood Insurance Program (NFIP). If the insurance companies do not comply, they will be removed from the process or be sanctioned in some way.

Mr. Slachetka discussed the Township can add a bullet in the "Immediate Short Term Needs" as to the promotion of education of the Township's #6 CRS rating.

Township Administrator Breeden discussed the Township went from being out of the program to receiving a 6 rating.

Mr. Slachetka discussed the DCA wants the Township to focus on various types of actions to the extent where the Township complies with green infrastructure and engineering techniques that help support the Township's resiliency. The Township's first interest is to update the Comprehensive Master Plan, automating and updating the Zoning and Construction permit program, prepare a Capital Improvement Plan and develop a GIS database for the Township. All of these things are fundable under the program. T&M Engineering has prepared scopes of work and cost estimates for other communities and will make them available for the Township.

T&M Engineering is asking the Township Committee to approve the Strategic Recovery Planning Report (SRPR) today. The Township would adopt a resolution approving the SRPR. T&M would then present to you the scope and cost estimates, which T&M would be requesting grant funding for the second round. The Township would adopt a separate resolution requesting the grant fundings. T&M would submit that through an automated process to the Department of Community Affairs. DCA is very aware of the types of projects Ocean Township is interested in and they are all fundable. The Township has a solid opportunity to get funding for all requested projects and programs.

Committeeman Lachawiec supports the Strategic Recovery Planning Report, provided it is a living document. It is a dynamic plan with more revisions and suggestions in the future.

Mr. Oris discussed the intent is to finalize the plan today with the revisions. The Township will then build upon the plan. The plan would not be revised. The actions will be put into motion so the Township can continue to benefit from taking on the goal of being a more resilient community.

Mr. Slachetka discussed at the next meeting on April 24, 2014, a subsequent resolution would be adopted specifically asking for grant funding in the various grant categories identified in the report.

Mr. Oris discussed there is no match required on any of the grants proposed. The suggested activities are all 100% fundable. There is no out-of-pocket to the Township.

**RESOLUTION 2014-141 APPROVING THE STRATEGIC RECOVERY PLAN REPORT
PREPARED BY T&M ASSOCIATES**

Motion of approval was moved by Committeeman Lachawiec with all revisions and amendments presented today, seconded by Deputy Mayor Tredy.

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

- Discussion Gazebo/Dock end of Bryant Road

Mr. Oris discussed the work associated with the replacement and rebuilding of the gazebo and public access dock is fundable at 90%. The Township needs to fund the work through a bond ordinance or some other mechanism. Then the project worksheets are submitted to FEMA and FEMA reimburses the Township at \$0.90 on the dollar, including any and all engineering fees.

The Township submitted for permits through T&M Engineering, which grants the Township an exemption from any and all permits and fees for the rebuild. That is good through the end of 2015. If the work is not completed in that timeframe, the Township could potentially lose funding. The timeframe is from the date of the storm until three years after.

Committeeman Lachawiec inquired if the 90% reimbursement is guaranteed. The Township submitted a lot to FEMA and was originally told 75% reimbursement. Then the Governor announced it would be 90%.

Township Administrator Breeden discussed it is 90% of eligible costs with respect to preparation response and recovery from the storm. The percentage could be different.

Mr. Oris discussed it is anything associated with mitigation. If the Township goes above and beyond the repair and replacement, it would be 75% if it meets the Cost Benefit Ratio, as a hazard mitigation project. The Township is proposing to replace what it had, which would qualify under the response recovery.

Committeeman Lachawiec discussed other Townships followed the advice of FEMA and in the end were told they are not getting money back. Beach Haven is an example.

Township Administrator Breeden discussed it was Beach Haven and Little Egg Harbor. Little Egg Harbor took an advance with regard to FEMA funds or did work in-house and may not have performed the proper monitoring. As far as the Township of Ocean is concerned, Ashbritt was hired through Ocean County Shared Services, with the monitoring in place. The Township is getting the funds. FEMA usually holds off until all public worksheets are finalized.

Mr. Oris discussed Little Egg Harbor was audited and are still in the process of getting reimbursed. The audit recommended that \$600,000 be reviewed to see if it is eligible. Little Egg's response stated based on the additional information supplied herein, not only are they entitled to the \$600,000 but there is an additional dollar amount. The audit was premature.

Deputy Mayor Tredy discussed the Township made a promise that the dock and gazebo would be repaired.

MOTION OF APPROVAL authorizing T&M Associates to develop a set of specifications to go out to bid for the repair of the Gazebo and Dock area at the end of Bryant Road, pending availability of funds, was moved by Deputy Mayor Wetter, seconded by Committeeman Lachawiec.

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

Mr. Slachetka discussed having conversations with Township Attorney McGuckin regarding the preparation of cluster ordinances, specifically proving for a cluster ordinance within the Environmental Conservation (EC) District within the Township. Currently the Township has cluster provisions in the Bayfront Conservation District, R2 District and FO Forest Preservation District in the Pinelands area, which is structured along Pinelands Preservation clustering provisions.

T&M Engineering has prepared a draft noncontiguous cluster ordinance for the Township. From a planning perspective, it is important to have those cluster provisions within the EC District for standard cluster ordinances, similar to what the Township has in the FO Forest Preservation District. It is very important to also have a noncontiguous cluster to help implement the Town Center Plan within the TC District. It has always been a part of the Township's implementation strategy that has been reviewed and approved, overall conceptually, as part of the implementation of the State Plan Endorsement.

Mr. Slachetka discussed that in conversations with the Township Attorney, Mr. Guckin feels it is important for T&M Engineering to prepare the ordinances for introduction for both the clustering ordinance for the EC District as well as a noncontiguous clustering ordinance. Mr. Slachetka requested the Township Committee formally authorize T&M Associates to prepare the two ordinances for introduction at the April 24, 2014 Township Committee meeting. Those two land use ordinances would then have to be referred to the Planning Board in May. Once the Planning Board reviews the ordinances, the Township Committee will have a second reading and formal action.

Township Attorney McGuckin inquired if this is consistent with the Master Plan and is it a recommendation of the Master Plan.

Mr. Slachetka discussed, yes. The general concept has been addressed and presented as something that would be an appropriate part of the comprehensive strategy. The noncontiguous clustering was recommended in the planning documents endorsed by the state and part of the Master Plan. Mr. Slachetka will review the planning documents and identify the references within the planning documents where the cluster ordinances were called for.

Township Attorney McGuckin discussed this with Mr. Slachetka in preparing for the Griegpenburg Supreme Court case. It makes sense to reference the matter before the hearing later this year. It has always been contemplated that the purpose is to protect the environs and the large undisturbed property and allow a four-lot subdivision at the Griegpenburg property or elsewhere within the 20 acre zoning. It will strengthen the Township's case before the Supreme Court. It has been talked about since the Master Plan has been adopted.

Mr. Slachetka discussed the Township has cluster provisions in the Bayfront Conservation, FO District and R2 District. The Township is looking to do something similar in the EC District, as it does not have a specific cluster. The noncontiguous will apply over a broader area of the Township, which would include part of the EC District and also the Town Center District. As part of the noncontiguous cluster, the Township could concentrate development on one tract of land, preferably within the center and have all the open space requirements and CAFRA tree save in a noncontiguous separate parcel. Both parcels would be dealt with as one entity. The Township is not transferring rights. The Township is taking two separate pieces of property, dealing with them as one actual application, with all the development going on one tract and the preservation taking place in another tract.

MOTION OF APPROVAL authorizing T&M Associates to prepare two land use ordinances, one for clustering in the EC District and one for noncontiguous clustering, for introduction at the next Township Committee meeting was moved by Deputy Mayor Wetter, seconded by Committeeman Lachawiec.

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

RESOLUTION 2014-140 Approving Sandra Pirozzi to be the Secretary to the Environmental Commission for the year 2014.

Motion to approve was moved by Committeeman Lachawiec, seconded by Deputy Mayor Wetter.

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

Motion to approve: Social Affairs permit for 21 Plus Foundation for July 14, 2014 at the Greenbriar Oceanaire Club House was moved by Committeeman Lachawiec, seconded by Deputy Mayor Wetter.

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

Motion to move into Closed Session was moved by Committeeman Lachawiec: Yes, seconded by Deputy Mayor Wetter.

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

Motion to move into Open Session was moved by Committeeman Lachawiec, seconded by Deputy Mayor Wetter.

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

Township Attorney McGuckin discussed the demolition of the Thrift Barn building.

Motion of approval authorizing the Township Attorney and Construction Official to take whatever action is necessary to demolish the old Thrift Barn building and/or fine the property owner as per the Construction Official was moved by Deputy Mayor Wetter, seconded by Committeeman Lachawiec.

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

Next Meeting – April 24, 2014 at 6:30 pm

Adjournment

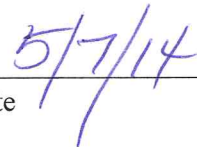
Motion to adjourn meeting was moved by Committeeman Lachawiec, seconded by Deputy Mayor Wetter.

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

Signed and Submitted:



Diane B. Ambrosio, RMC
Municipal Clerk



Date