

# MEETING MINUTES

## TOWNSHIP OF OCEAN COUNTY OF OCEAN BUSINESS MEETING April 24, 2014

### Call to Order

ROLL CALL: LACHAWIEC Absent WETTER X TREDY 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

### Proclamations

#### *Holocaust Days of Remembrance 2014*

Mayor Tredy read and presented the Holocaust Days of Remembrance Proclamation to Aaron Shapiro. The Holocaust Memorial Council designates the days of remembrance of the victims, rescuers and liberators of the Holocaust to be Sunday, April 27, 2014 through Sunday, May 4, 2014.

#### *National Library Week 2014*

Mayor Tredy introduced Erin Delucia, Branch Manager of the Waretown Library. A Police Officer will be giving a presentation at the Library on May 8, 2014, displaying photos taken in the Waretown area.

Mayor Tredy read and presented the National Library Week Proclamation to Ms. Delucia. The Township Committee proclaims National Library Week April 13-19, 2014.

### Committee Reports

Mayor – Dennis F. Tredy

The Township has received a recycling grant in the amount of \$5,000, which is the Township's share of monies received by the County for recycling throughout the County.

Saturday, April 26, 2014, from 10am-2pm, is Prescription Medicine Drop-Off Day at the CVS Pharmacy in Waretown. The medicines should be in their original container. You may remove your name from the label.

Mayor Tredy announced an enhancement to the transportation services for Waretown residents. As another benefit of shared services with Barnegat Township, effective in June, the Township will start a program in which transportation will be provided for Waretown residents to the Ocean County Mall. This free service will include pick up of residents at their homes and transportation to the Ocean County Mall, where they will be able to spend several hours shopping and/or eating at the mall. This program will supplement transportation services currently being offered by the Ocean County Transportation Department and is a result of numerous requests by Township residents. Additional details of the program will be forthcoming. Once again, starting in June, the Township will provide monthly, free, door to door, transportation services to the Ocean County Mall in Toms River.

Deputy Mayor – Tina Wetter

**Traffic Study -- Pancoast Road and State Route 9**

At the Township Committee meeting in March, a resolution was approved supporting the efforts of the Township to install a traffic light at the intersection of Route 9 and Pancoast Road. Part of the process to determine if a signal is needed is a traffic study of the intersection. I am happy to report that representatives of the New Jersey Department of Transportation were on site last week performing the required study. Hopefully the results of this traffic study will demonstrate a need for a signal at this intersection that not only handles traffic from the Greenbrier community, but also accommodates traffic of the wildly popular County Rail Trail recreational facility. I will keep all posted on the status of this request.

Township Administrator Breeden was impressed with the NJ Dept. of Transportation response to perform the study and is hopeful the results of the study will be coming in the near future. Many residents use that intersection as an entrance/exit point to Greenbriar and to access the Rail Trail.

**Administrator Report**

Administrator – David Breeden

Ordinance 2014-01, Second Reading, Public Hearing, is an ordinance amending Trailers and Trailer Camps. This ordinance is in response to residents along the bay front using RV's as a residence on their property while their home is being reconstructed as a result of Hurricane Sandy. This ordinance affords the residents that opportunity to have the trailer in place for up to one year as their house is being constructed. Anything beyond a year will have to receive approval from the Township Committee. Most municipalities are relaxing the regulations surrounding temporary housing as permanent housing is being reconstructed as a result of the storm.

Ordinance 2014-02 and Resolutions 2014-143, 144, 146 and 147 are all regarding the budget and will be discussed at the end of the Administrator's agenda report.

Ordinance 2014-3, First Reading, authorizes the issuance of up to \$6.6 million in bond funding for the reconstruction improvement of water/sewer work on 11<sup>th</sup> Street, Seneca Boulevard, and the lagoon streets of Pebble Beach. This includes 1.7 miles of water/sewer work of which \$4.1 million is allocated to sewer, \$2.5 million is allocated to water. When the Township assumed the MUA in 2006, the Township assumed the positive and negative aspects of the operation. One of the items assumed is a long list of improvement work required. In 2005, an engineer did a study and quoted \$30-35 million worth of work needed to be completed on the water/sewer system of the Waretown franchise area, mainly east of Route 9 in the Pebble Beach, Skippers Cove and bay front lagoon area. This will be the largest project Waretown will ever complete.

The Township is applying for financing through the NJ Environmental Infrastructure Trust (NJEIT) program, which offers principle forgiveness in addition to no interest, low interest loans. The work is long overdue. Eventually, when the Township performs millions of dollars of improvement work, some adjustments will have to be made to the rate structure.

Ordinance 2014-4, First Reading, consolidates the Founder's Day Committee and the Recreation Committee into one committee.

Resolution 2014-160 allocates funding for placing video cameras in all Police vehicles. The state will eventually require that every patrol vehicle have a video system. This resolution authorizes the acquisition of a video system for all patrol units at a cost of \$134,000. The Township will also have to purchase the technology and computer system to accommodate the video being recorded. This system will be a witness to unfortunate events and many times Police Departments receive complaints that officers did not act appropriately. The video will clearly demonstrate whether or not the officer did act in a professional manner and greatly reduces the number of internal affairs complaints.

Resolution 2014-168 supports the administration of nasal Narcan in the event of a drug overdose. The Ocean County Prosecutors Office has endorsed that Police have the ability to administer this antidote in the case of a drug overdose.

There are several resolutions and ordinances on the agenda tonight that deal with the budget. The Township of Ocean will be introducing the budget tonight. The total budget for the Township of Ocean for 2014 will be \$11,088,676.00, which is a decrease of over \$642,000 compared to last year.

Two events had an adverse impact on the budget this year. Both are weather related and not in the Township's control. The first is the winter season of 2013-2014. The Township of Ocean, along with other governmental agencies of Ocean County, had to respond to over a dozen winter-related events. The Township of Ocean has a very responsible and responsive approach to winter weather, which includes pretreating the roads, salting, plowing and an aggressive public information program. The state of New Jersey is experiencing over-expenditures associated with snow effort.

Superstorm Sandy is still having a financial impact on the Township with respect to assessed value and tax collection. In 2013, tax collection in Waretown was drastically down and the Township did not meet its target with anticipated revenue.

In 2010, the nation was experiencing a recession in which the economic conditions were severe. The Township experienced a significant downturn in business, real estate and commerce. Even in that downturn, the Township was able to experience a \$400,000 increase in anticipated tax revenue. In 2013 the Township did not meet its target by \$30,000.

Between the winter and the lack of effective tax collection from bay front homeowners due to the storm, these two factors will have an adverse impact on the tax rate.

This Township Committee has been very aggressive with improving the infrastructure along the bay front. The Township has been performing multimillion dollar projects along the bay front since 2010, utilizing the Environmental Infrastructure Trust program. With the \$6.6 million bond ordinance on tonight's agenda, the completion of water/sewer projects since 2010, and the 477% increase in debt service assumed from the MUA, the Township will have to re-examine the water/sewer rates and adjust them accordingly to keep the water/sewer utility solvent.

The good news is that both Sandy and non-Sandy building in Waretown has increased. The Township has sufficient reserves and trust fund reserves to get through the next couple of years. It is also anticipated that the tax collection rate will bump up again as a result of residents recovering from Superstorm Sandy.

The ordinances and resolutions on the agenda tonight permit and allow the Township to move ahead with the 2014 budget process. The Township has self-reviewed the budget this year and will be adopting the budget on June 12, 2014. The Township Committee then has approximately 45 days to review and modify the budget accordingly.

Township Administrator Breeden thanked Mayor Tredy and Deputy Mayor Wetter for participating actively in the process of crafting the budget and balancing the needs of the community with the financial realities of the taxpayers in Waretown. Mayor Tredy and Deputy Mayor Wetter have done a commendable job in meeting the municipal operational needs and understanding the taxpayers of this community, who are still struggling to recover from Superstorm Sandy.

### **PUBLIC PORTION:**

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

Roll Call: Wetter: Yes, Tredy: Yes

John Petrosilli, 11 Vessel Road, discussed that the water/sewer ordinance on the Township Website mentions Skipper's Cove. The Township has already bonded money for Skipper's Cove.

Township Clerk Ambrosio discussed the water/sewer ordinance on the agenda deals with the finger streets of Skipper's Cove. The Township previously bonded for the main roads in Skipper's Cove.

Mr. Petrosilli discussed budget Resolution 2014-146 was not on the website.

Township Clerk Ambrosio discussed the budget resolution does not go on the website until it has been voted on.

Mr. Petrosilli discussed Township Administrator Breeden discussed there might be an increase in water/sewer. There is also possibility that property taxes could increase, if funding cannot be met.

Township Administrator Breeden discussed the Township needs to be realistic and practical in the approach to water/sewer, considering the aggressive and much needed capital improvement program along the bay front. In addition to the 477% increase in debt service assumed from the MUA, the Township needs to consider a revaluation of the water/sewer rate.

Mr. Petrosilli discussed the ordinance states this could bleed over into property tax increases.

Township Administrator discussed the water/sewer is a separate utility. It needs to be solvent and self-supporting and it will not impact the tax rate. It is incorrect for property owners to assume certain responsibilities of water/sewer. Water/sewer needs to stand on its own.

Mr. Petrosilli did not print the ordinance, but one paragraph mentioned payment through the funds of water/sewer.

Township Administrator Breeden discussed that is a standard statement in any bond ordinance for water/sewer. If for some reason the water/sewer utility is not solvent, then it falls back on the property owners.

Eileen Doyle, 243 11<sup>th</sup> Street, thanked the Township Committee for adding bus trips to the Ocean County Mall. The Recreation Department has a shopping trip on the last Friday of the month. Please coordinate the trips so they are not on the same day.

Township Clerk Ambrosio discussed calling the Recreation Coordinator to coordinate the trips.

Mrs. Doyle inquired what the tax increase is going to be.

Township Administrator Breeden discussed the increase will be around \$50-\$60 per house, for one year. The previous MUA deferred much of their maintenance to a point where it has become urgent and critical for this Township Committee to act on water and sewer rates.

Township Attorney McGuckin discussed ten years ago, the MUA knew that in 10-15 years the Township will have to spend a lot of money to fix the water/sewer lines. There is no further development on the west side of town. If the Township had not developed the Lennar project, all of these costs will be falling on the people east of Route 9. It would be a greater per-person share.

Mrs. Doyle discussed within the first 25 years of living in her house, 11<sup>th</sup> Street was dug up a dozen times due to the water treatment plant. The street level is at least 6-8 inches higher than it used to be. After that, nothing was done for many years.

Township Administrator Breeden discussed in 2005, the MUA did a study that identified \$30 million of infrastructure that needed to be replaced. The Township does not want residents to be shocked this is occurring and has been communicating to the public all the work that is being done and explaining that the rate structure will have to be evaluated.

Mayor Tredy discussed how terrible it is to receive a call in the middle of the night from the Utilities Superintendent reporting that there is a water main break and residents will be without water.

Mrs. Doyle requested both Ocean and Barnegat Townships coordinate plowing all of 11<sup>th</sup> Street at the same time during snow storms. The plow trucks stop at the creek on 11<sup>th</sup> Street. The two towns on each side of the creek are never plowed at the same time.

Township Administrator Breeden discussed he will coordinate 11<sup>th</sup> Street with the two (2) superintendents of Public Works. The Township of Ocean has already entered into a shared service with Barnegat regarding salt storage. According to environmental regulations, a salt storage facility of adequate size is \$300,000-\$500,000. Barnegat accomplished that and is able to store a sufficient salt inventory to accommodate Barnegat, Ocean and a few other towns.

Mrs. Doyle inquired if anything will happen to Jean Broadbent, if a Special Events Committee is created in place of the Recreation and Founder's Day Committees.

Mayor Tredy discussed Jean Broadbent will be in charge of the Special Events Committee.

Mrs. Doyle inquired about the forest fire in Berkeley Township.

Township Clerk Ambrosio discussed the fire is located in Beachwood and there is another fire in Toms River.

Jacquelyn Petrosilli, 11 Vessel Road, inquired how can the Recreation Commission be decommissioned.

Mayor Tredy discussed Recreation is a Board not a Commission.

Township Attorney McGuckin discussed Recreation was never a Commission. By ordinance Recreation was established as a Board.

Mayor Tredy discussed this issue two years ago with the Recreation Board. The Recreation Board was instructed to change their titles to read Board not Commission.

Mrs. Petrosilli discussed when joining Recreation, it was called a Commission in the minutes and on the agendas.

Mayor Tredy discussed that secretary made an error and was instructed to correct it on all agendas and minutes immediately.

Township Attorney McGuckin discussed drafting the Recreation Committee ordinance 14 years ago. It was a Recreation Committee on purpose, due to a statute that allows Recreation Commissions to purchase land. It has always been a Recreation Committee.

John Petrosilli, 11 Vessel Road, inquired why the budget is being introduced in the middle of the year.

Township Attorney McGuckin discussed the Township introduces a Temporary Operating Budget in January, which is approximately a quarter of what the budget was last year. Usually the Township cannot introduce until all the books are closed and the state aid has been turned, which is done after the Governor's budget address.

Township Administrator Breeden discussed there is a resolution on the agenda tonight for a Temporary Budget increase in the current fund and water/sewer fund. Every local government does not introduce the budget until at least March or April and does not approve the budget until April-June, depending on the circumstances. The School Board introduces their budget one-fourth to one-third into the year.

Mrs. Doyle inquired when the tax bills will be mailed.

Township Administrator Breeden discussed as a result of the budget being introduced in April, the new tax bills will be mailed in July, prior to August 1<sup>st</sup>.

**Motion to close Public Comment** was moved by Deputy Mayor Wetter, seconded by Mayor Tredy.  
Roll Call: Wetter: Yes, Tredy: Yes

**Ordinance 2014 – 1 – Second Reading – Public Hearing**

**An Ordinance of the Township of Ocean, County of Ocean, State of New Jersey, Amending Chapter 367 of the Township Code of the Township of Ocean Entitled “Trailers and Trailer Camps”**

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

Roll Call: Wetter: Yes, Tredy: Yes

No comments from the public.

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

Roll Call: Wetter: Yes, Tredy: Yes

Motion to approve Ordinance 2014-01 was moved by Deputy Mayor Wetter, seconded by Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes

**Ordinance 2014 – 2– First Reading – Title Only**

**Ordinance to exceed the Municipal Budget Appropriation limits and to establish a CAP Bank**

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

Roll Call: Wetter: Yes, Tredy: Yes

**Ordinance 2014- 3 – First Reading – Title Only**

**BOND ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO SIX MILLION SIX HUNDRED THOUSAND DOLLARS (\$6,600,000), AGGREGATE PRINCIPAL AMOUNT, GENERAL OBLIGATION BONDS OR NOTES OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, NEW JERSEY FOR THE CONSTRUCTION OF CERTAIN CLEAN WATER AND DRINKING WATER PROJECTS WITHIN THE TOWNSHIP OF OCEAN, OCEAN COUNTY, NEW JERSEY**

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

Roll Call: Wetter: Yes, Tredy: Yes

**Ordinance 2014- 4 – First Reading – Title Only**

**An Ordinance of the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey, Establishing the Ocean Township Recreation and Special Events Committee and Repealing Ordinances 1999-20 and 1965-6.**

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

Roll Call: Wetter: Yes, Tredy: Yes

**RESOLUTION 2014-142 - Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$4,153,543.86**

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

Roll Call: Wetter: Yes, Tredy: Yes



**RESOLUTION 2014-g143** – Authorizing the Township of Ocean has been declared eligible to participate in the Self-Examination of the 2014 budget year

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

Roll Call: Wetter: Yes, Tredy: Yes

**RESOLUTION 2014-144** – authorizing school tax deferral to support the 2014 municipal Budget

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

Roll Call: Wetter: Yes, Tredy: Yes

**RESOLUTION 2014-145** – Authorizing the Mayor to execute an agreement with Barnegat Township for the collection of monies due to the Township of Ocean for providing water and sewer services in Barnegat Township

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

Roll Call: Wetter: Yes, Tredy: Yes

**RESOLUTION 2014-146**

Resolution of the Township of Ocean, County of Ocean, State of New Jersey authorizing the reading of the Budget by Title Only

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

Roll Call: Wetter: Yes, Tredy: Yes

**RESOLUTION NO. 2014-147 - (2014 Municipal Budget)**

Authorizing the Municipal Budget of the Township of Ocean, County of Ocean for the fiscal year 2014. The Budget Summary will be published in Press of Atlantic City and Asbury Park Press Newspapers in the issues of April 30, 2014. The Public Hearing on the Budget Resolution will be held at the Municipal Building Meeting Room, 50 Railroad Avenue, Waretown, NJ 08758 on June 12, 2014 at 6:30 pm for Final Passage

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

Roll Call: Wetter: Yes, Tredy: 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.**

- |          |   |
|----------|---|
| 2014-148 | Resolution authorizing the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection |
| 2014-149 | Resolution authorizing Utilities Department Leak Credit for 201 Newark Road S. in the amount \$302.37                                     |
| 2014-150 | Resolution authorizing Utilities Department Leak Credit for 102 Cayuga Road in the amount \$437.06  |
| 2014-151 | Resolution authorizing Utilities Department Leak Credit for 9 Spinnaker Way in the amount \$62.97   |

- 2014-152 Resolution authorizing Utilities Department Leak Credit for 5 Forest Drive in the amount \$207.25
- 2014-153 Resolution authorizing Utilities Department Leak Credit for 1 Shore Drive in the amount \$149.04
- 2014-154 Resolution authorizing Utilities Department Leak Credit for 48 Beacon Drive in the amount \$554.69
- 2014-155 Resolution authorizing Utilities Department Leak Credit for 25 Privateer Drive in the amount \$118.49
- 2014-156 Resolution authorizing Utilities Department Leak Credit for 12 Bayshore Drive in the amount \$27.93
- 2014-157 Resolution authorizing Utilities Department Leak Credit for 354 Tuscarora Avenue in the amount \$85.00
- 2014-158 Resolution authorizing an increase in the temporary operating budget in the amount of \$504,500.00
- 2014-159 Resolution authorizing an increase in the temporary utility operating budget in the amount of \$152,000.00
- 2014-160 Resolution authorizing the L3 Mobile-Vision Inc for the purchase cameras for the police vehicles under state contract #A81311
- 2014-161 Resolution authorizing the release of escrow money for Block 151, Lot 1 in the amount of \$276.78
- 2014-162 Resolution proclaiming Friday April 25, 2014 as Arbor Day and urges all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands
- 2014-163 Resolution authorizing the hiring of a lifeguard for the year 2014
- 2014-164 Resolution authorizing the hiring of U.G. "Nick" Nichols as the Electrical Sub Code Official and Charles Hood per diem electrical inspector
- 2014-165 Resolution authorizing the hiring of Charles Daino as the Building Sub Code Official
- 2014-166 Resolution authorizing a refund of taxes based on County Board Judgment for 2 Shore Drive in the amount of \$382.97
- 2014-167 Resolution authorizing the execution of agreements for the \$1,000.00 Ocean County Tourism Grant for the Founder's event
- 2014-168 Resolution supporting the administration of nasal Narcan in the event of an overdose and grant a waiver permitting Police Officer EMT's to administer Narcan
- 2014-169 Resolution proclaiming the week of April 6 – 12, 2014 as National Volunteer Week
- 2014-170 Resolution recognizing the month of April as "Minority and Multicultural Health Month"
- 2014-171 Resolution recognizing the month of April as "National Youth Sports Safety Month"
- 2014-172 Resolution recognizing the week of April 26 – May 3, 2014 as "National Infant Immunization Week"
- 2014-173 Resolution recognizing the Month of May as "Older Americans' Month"
- 2014-174 Resolution recognizing the Month of May as "Paint the Board Pink Month"
- 2014-175 Resolution recognizing the Month of April as "National Alcohol Awareness Month 2014"
- 2014-176 Resolution for the execution of the No Net Loss Grant in the amount of \$23,647.00
- 2014-177 Resolution authorizing Change Order No. 1, 2013 NJDOT Municipal Aid Road Grant Program, Caldwell Road, Contractor Earle Asphalt Company.

**Motion to approve Resolutions 2014-148 through 2014-177** was moved by

Deputy Mayor Wetter, seconded by Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes

**Motion to approve:** Social Affairs Permit for Ocean County YMCA Inc for June 2, 2014 at Greenbriar Oceanaire Golf and Country Club

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

Roll Call: Wetter: Yes, Tredy: Yes

**Motion to approve:** Pet Shop License for Pat's Pup for 542 Route 9, Unit 1, Waretown NJ 08758 for the year 2014.

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

Roll Call: Wetter: Yes, Tredy: Yes

**Motion to approve:** Touchdown Tommy's Ice Cream LLC Truck as he has applied and met all criteria for the year 2014.

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

Roll Call: Wetter: Yes, Tredy: Yes

**Motion to approve:** Towing Licenses for the year 2014 for the following:

Thomas Makuch LLC – doing business as Accurate Towing Service

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

Roll Call: Wetter: Yes, Tredy: Yes

**Motion to approve:** the below listed dates in 2014 for the use of the Community Center and Waretown Memorial Recreation Park:

1. Jessica Wald – April 19, 2014 – Waretown Memorial Recreation Park
2. Brenda Schmitz – May 10, 2014 – Community Center
3. John Carolina Pinho – May 3, 2014 – Community Center
4. Suzanne Romeo – May 18, 2014 – Community Center
5. Gina Westman – March 28, 2014 – Community Center
6. Charles & Josephine Baldari – June 15, 2014 – Community Center

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

Roll Call: Wetter: Yes, Tredy: Yes

Township Administrator Breeden discussed the addition of Resolution 2014-177 authorizes Change Order No. 1, 2013 NJDOT Municipal Aid Road Grant Program, which includes improvements to Caldwell Road in the amount of \$5,757.96. Please be advised the amount of the contract increased from approximately \$147,713 to \$153,471. The amount of the grant was \$180,000. The Township is approving a Change Order of 3.9%, which is well under the 20% authorized by the state.

**Next Meeting – May 8, 2014 at 6:30 pm**

**Adjournment**

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

Roll Call: Wetter: Yes, Tredy: Yes

Signed and Submitted:

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Diane B. Ambrosio, RMC  
Municipal Clerk

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Date