

# MEETING MINUTES

## TOWNSHIP OF OCEAN COUNTY OF OCEAN BUSINESS MEETING July 10, 2014

### Call to Order

ROLL CALL: LACHAWIEC  X  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

### Committee Reports

Mayor – Dennis F. Tredy

#### Town Wide Clean Up Day

The Township of Ocean held its 12<sup>th</sup> Annual Town Wide Clean Up Day. It was a great success. The Clean Up was hosted by the Township and the Environmental Commission. The event provides an opportunity for residents to properly and legally dispose of all types of waste. Much credit for the continued success of this community event goes to the dedicated volunteers of the Environmental Commission along with the municipal employees of the Public Works, Utilities and Planning and Zoning Departments. All worked very hard during this event and it showed, as the operation was effective and efficient. This event was started by the Environmental Commission 12 years ago to reduce the amount of illegal dumping occurring in the vast wooded areas of the Township. The event is beneficial from an operational and financial perspective, since the town has greatly reduced resources required to respond to illegal dumping.

Some of the statistics that reflect the overall success of the event are 121 tons of bulk trash/garbage, which is 28 thirty-yard containers (5 filled garbage trucks), 20 propane tanks and 10 refrigerators free of charge, 8 tons of computers and electronics waste, 8 tons of tires free of charge, 750 gallons of waste oil, 100 gallons of antifreeze, 2 thirty-yard containers of concrete, 18 bins of paint, which equates to 2,000 one-gallon cans of paint, 25 tons of stumps and brush and 4 thirty-yard containers of metal, which is 120 cubic yards of scrap metal.

On behalf of the Township, Mayor Tredy thanked the Environmental Commission and all who assisted with making this event a huge success.

### National Night Out

The National Night Out event will be held on August 5, 2014 from 6:00 pm–9:00pm. The Township will hold its first National Night Out event, which promotes strong working partnerships between law enforcement and residents, which helps keep neighborhoods and the communities safe. National Night Out is a nationwide event held in literally hundreds of communities across the country.

In Waretown, the National Night Out event will be held in the municipal parking lot. Railroad Avenue will be closed off by Town Hall, due to a Classic Car show in the area that night. National Night Out is sponsored by the Township of Ocean and its public safety agencies. The Police Department, Waretown Volunteer Fire Department, Waretown Volunteer First Aid and the Community Emergency Response Team (C.E.R.T.) volunteers will all participate in this event. There will be a DJ, a rock-climbing wall, the bat mobile, a game trailer and an inflatable obstacle course at this event for the children to enjoy.

In addition to this being a fun event, it is an excellent opportunity for residents to meet all who work to protect and service the residents of Waretown. Mayor Tredy urged all to attend.

### Bay Front Improvements

On the agenda this evening is a resolution authorizing work to be performed at the end of Tuscarora Avenue, which will help with shore stabilization at the end of the street. This project reflects an ongoing commitment by this governing body to enhance public access to the bay front in Waretown. This work on Tuscarora, with the planned upgrades at the end of Bryant Road, represents meaningful steps being taken by this Committee to improve and encourage public safety and public access to the Township property along the bay.

The state is strongly encouraging increased public access to coastal areas so that all have a fair and equal chance to enjoy the natural beauty of the shore. Where practical, the Township is supporting that recommendation by utilizing various funding sources to improve, expand and increase access to municipal bay front property. While it is a delicate balance between respecting the rights of private property owners versus the ability of the public to enjoy the bay, Mayor Tredy feels confident the Township has been successful with striking a balance that allows the public to experience the pleasures of the bay while respecting the rights of private property owners.

### Deputy Mayor – Tina Wetter

#### Willows Senior Affordable Housing Project

There will be a groundbreaking ceremony for the Willows senior affordable housing project on Monday, July 21, 2014 at 11:30 am, at the site of the development, which is located on Memorial Drive, just past the Shop Rite. The Willows is an age-restricted affordable housing complex consisting of 76 rental units. It will be owned and operated by the Ingerman Group, which specializes in affordable housing projects and has an impressive track record for success in managing this type of development.

The Willows complex will greatly assist with satisfying Waretown's affordable housing obligations, as mandated by the state. While some may oppose affordable housing, the courts of New Jersey have

consistently ruled that local governments have a constitutional obligation to furnish affordable housing to those who qualify. Funding for this project is being provided by federal and state programs along with the contribution from the Township's affordable housing trust fund. The taxpayers of Waretown are not paying for this project, as trust fund monies reflect contributions made by private parties who have developed in Waretown over the years. This type of affordable housing development is highly desirable as it will not impact schools and will attract a population that will enhance the overall community, which will strengthen the ability of the town to attract additional commercial development. Please feel free to join us at the Willows groundbreaking on Monday, July 21, 2014 at 11:30 am at the site project on Memorial Drive behind the Shop Rite.

#### Traffic Signal on Route 9 and Pancoast Road

The Township, with the assistance of Greenbriar residents and Senator Chris Connors, is securing a new traffic signal at the intersection of State Highway 9 and Pancoast Road. This traffic signal was desperately needed, as a result of the growing Greenbriar community and the increasing use of the popular County Rail Trail. The Township recently submitted the necessary documents to the New Jersey Department of Transportation that are required to proceed with the installation work. While this is usually a lengthy and time-consuming process the state has been very responsive to the Township's needs. Deputy Mayor Wetter is hopeful this traffic signal will be installed in a timely manner and thanked the residents of Greenbriar for organizing a petition drive that got the attention of the state along with the hard work of Senator Chris Connors and the 9<sup>th</sup> District Legislators, who represented the best interest of Waretown.

#### Committeeman – Joseph Lachawiec

Committeeman Lachawiec inquired about the tax structure of the Willows and if there will be a Payment in Lieu of Taxes (PILOT) program.

Township Administrator Breeden discussed the Willows will have a PILOT program consistent with state law. The Willows will be 100% affordable housing. The PILOT program designated by the state is based on revenues derived from the development minus certain expenses, which has to be followed by the Township.

Committeeman Lachawiec inquired if the school district has discussed this with the Township, as they were very unhappy about the Town Center PILOT program. The PILOT goes directly to the Township. Nothing goes to the school district.

Township Administrator Breeden discussed the Township has no option and has to follow state law. Regarding the Town Center and Willows, Township Administrator Breeden commends the Township Committee for bringing development that has no impact on the school district or at the very least, low impact.

Committeeman Lachawiec discussed receiving a few calls about the Tuscarora Crystal Point Peninsula area. Residents, who go there with their children, paddle around in the water and use the picnic benches,

are complaining of unleashed dogs running loose and dog droppings not getting picked up. Committeeman Lachawiec requested the Township investigate the matter.

Mayor Tredy discussed there is a dispenser there with bags for the droppings and a Board of Health violations sign. That is a police issue.

### **Administrator Report**

Administrator – David Breeden

#### **Town Wide Clean Up**

Township Administrator Breeden discussed the 12<sup>th</sup> Annual Town Wide Clean Up Day. This is the 5<sup>th</sup> time Township Administrator Breeden observed the event. It is well-organized. The residents are in and out very quickly. The Township Committee should be recognized and acknowledged for hosting that event. Having that event reduces costs the Township incurs retrieving tires, paint and other garbage from the woods.

#### **Public Access to the Bay Front**

The state of New Jersey is strongly encouraging increase to public access to the waters, shores, bay fronts and oceans of the New Jersey coast. The Committee is in the lead on this issue, recognizing the need for public access. The Township is using multiple funding sources, state, federal and local to accomplish that.

#### **Affordable Housing**

Township Administrator Breeden has much experience with affordable housing. The Township Committee held firm regarding age-restricted affordable housing. The Township has been talking about the Willows since 2010. The Township Committee prevailed. 76 age-restricted units satisfies the Round 2 requirements. The project has no impact on the schools and enhances the community.

Committeeman Lachawiec discussed the residents of the project can walk to the Shop Rite.

Township Administrator Breeden discussed Township Attorney Jerry Dasti was involved in the early 1980's with the Mount Laurel decision and can discuss the constitutional obligation. The Township was able to work around that and secure a very favorable resolution to its affordable housing obligation.

Ordinance 2014-5, First Reading, authorizes the Township of Ocean to acquire land in Greenbriar, which contains a Township pump station. It is highly desirable for the Township to own land that has municipal assets on it, to prevent any future problems.

Resolution 2014-240 awards a contract for shore stabilization in the amount of \$21,200. The Township received three proposals between \$21,000 and \$38,000. The Township Engineer reviewed the proposals and made a recommendation to award the contract to the lowest responsible bidder.

Resolution 2014-255 authorizes T&M Engineer Associates to go out to bid on the 2014 NJ Department of Transportation Paving grant. Approximately 75% of the total work is paid for by the state and 25% is paid for by the Township. The Township is getting a newly paved road with drainage and ADA compliance.

Resolution 2014-257, authorizes the acceptance of the 2013 Municipal Audit. Required by state law, every municipality must be audited every year. The Township has secured a clean audit that does not have any exceptions. The audit has three minor comments consisting of traffic tickets with the Court system, interfunnds that reflect proper and appropriate treasury management and making sure payroll is consistent with the various and numerous labor agreements in place.

The Township Committee is pleased with this audit. The comments reflect minor deviations from the acceptable standards announced by the state.

**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

Eileen Doyle, 243 11<sup>th</sup> Street, inquired about the length of the PILOT program.

Township Administrator Breeden discussed the PILOT program is 30 years in accordance with state law. The federal and state governments are involved with affordable housing. The federal government handles the tax credits and it is 30 years.

Mrs. Doyle inquired when the Willows will be available for occupancy and the cost.

Township Administrator Breeden discussed completion is anticipated within 12-18 months.

Township Attorney Dasti discussed the costs are determined by the regulations adopted by the Council on Affordable Housing and the income.

Mrs. Doyle discussed the Independence Day Celebration was very enjoyable. The Township did a good job.

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

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

**RESOLUTION 2014-237** - Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$2,905,248.32

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

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

**Ordinance 2014- 5 – First Reading – Title Only**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING AND ACCEPTING ACQUISITION OF REAL PROPERTY, WITH IMPROVEMENTS THEREON, KNOWN AND DESIGNATED AS BLOCK 57.10, LOT 345, OCEAN TOWNSHIP, OCEAN COUNTY, NEW JERSEY**

Motion to approve Ordinance 2014-5 was moved by Committeeman Lachawiec, seconded by Deputy Mayor Wetter.

Roll Call: Lachawiec: Yes, 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.**

- 2014-238 Resolution authorizing a lien be placed on Block 124, Lot 32 in the Township of Ocean for failure to maintain property in the amount of \$90.62
- 2014-239 Resolution authorizing a lien be placed on Block 232, Lot 8.01 in the Township of Ocean for failure to maintain property in the amount of 258.74
- 2014-240 Resolution authorizing the award of a contract to Johnson Baran for Tuscarora Avenue Shore Stabilization
- 2014-241 Resolution authorizing the release of cash bond for concrete improvements for Lennar Greenbriar Oceanaire, Section 4, Phase B
- 2014-242 Resolution authorizing the release of lot grading cash bond for Lennar Greenbriar Oceanaire Section 3, Phase B
- 2014-243 Resolution authorizing the release of lot grading cash bond for Lennar Greenbriar Oceanaire Section 4 Phase B
- 2014-244 Resolution authorizing the release of lot grading cash bond for Lennar Greenbriar Oceanaire Section 3, Phase C
- 2014-245 Resolution authorizing the release of lot grading cash bond for Lennar Greenbriar Oceanaire Section 3, Phase A
- 2014-246 Resolution authorizing Utilities Department leak credit for 22 Walker Lane in the amount of \$250.00
- 2014-247 Resolution authorizing Utilities Department leak credit for 112 Fourth Street in the amount of \$491.31
- 2014-248 Resolution authorizing members to the Board of Health due to resignation of a member
- 2014-249 Resolution authoring the release of escrow money for Block 158, Lot 11 in the amount of \$127.75

- 2014-250 Resolution authorizing the release of escrow money for Bock 94, Lot 1.01 in the amount of \$1,451.53
- 2014-251 Resolution authorizing the hiring of Brent Cunningham as seasonal part-time in the Department of Public Works
- 2014-252 Resolution opposing S-2171 which would permit the governing body of a fifth or sixth class county to assume control and responsibility for the operation and maintenance of all beaches on the Atlantic Ocean within the county.
- 2014-253 Resolution fully supporting Joint Base McGuire-Dix-Lakehurst and Senate Resolution 79, NJ Assembly Resolution 110 and NJ Assembly Resolution 116 in keeping this base open
- 2014-254 Resolution authorizing the use of Waretown Memorial Park for the Waretown Fire Company's annual motorcycle run
- 2014-255 Resolution authorizing T & M Associates to go out for bid on the 2014 DOT project of Pocahontas Avenue
- 2014-256 Resolution authorizing the release of performance guarantee for Lennar Greenbriar Oceanaire  
Section 7, Grading and Earthwork

**Motion to approve Resolutions 2014-238 through 2014-256** was moved by Committeeman Lachawiec, seconded by Deputy Mayor Wetter.  
Roll Call: Lachawiec: Yes, Wetter: Yes, Tredy: Yes

**Resolution – 2014- 257**

Authorizing the acceptance of the 2013 Audit and that the governing body have personally reviewed, as a minimum, the Annual Report of Audit and specifically the sections of the Annual Audit entitled "Comments and Recommendations"

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

Roll Call: Lachawiec: Yes, 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. Michael Molinaro – July 26, 2014
2. Summer Adventure Camp – Extended Day Program – June – August, 2014
3. Lisa Anzovino- July 13, 2014
4. Barry Horner – August 17, 2014
5. Ingrid Claston - August 24, 2014

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

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

**MOTION OF APPROVAL:** Waretown Volunteer Fire Company, Social Affairs Permit for their Annual Motorcycle Run on August 10, 2014 and rain date of August 17, 2014

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

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

Mayor Tredy discussed next month will be our annual Hawaiian Shirt Night. At the next Township meeting, the Committee will be wearing Hawaiian shirts.

**Next Meeting – August 14, 2014 at 6:30 pm**

**Adjournment:**

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

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

Signed and Submitted:

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Diane B. Ambrosio, RMC  
Municipal Clerk

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Date