

MEETING MINUTES

TOWNSHIP OF OCEAN COUNTY OF OCEAN BUSINESS MEETING August 13, 2015

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

Mayor Wetter introduced Freeholder Jack Kelly, who will make a special presentation.

Freeholder Jack Kelly thanked the Governing Body for allowing him to read a Proclamation from the Office of the Freeholder Director, honoring Deputy Mayor Dennis Tredy for his dedication and commitment, serving the residents of the Township of Ocean in many capacities as a member of the Land Use Board, Zoning Board, Planning Board, Committeeman, Mayor, Waretown Volunteer Fire Company and his current position of Deputy Mayor. On June 25, 2015, Dennis Tredy graduated from the Ocean County Fire Academy, along with five other cadets from Station 36 Waretown Volunteer Fire Company, as the oldest candidate ever to graduate from the Ocean County Fire Academy.

Deputy Mayor Dennis Tredy thanked Freeholder Kelly, his wife Joan Tredy, and his family, who are in the audience and who stuck by him attending the many classes at the Fire Academy.

Deputy Mayor Tredy also thanked the Township of Ocean Police Officers, Firemen and employees who took the time to be here tonight.

Committee Reports

Mayor – Tina Wetter

As previously discussed, the Township, with the assistance of Greenbriar residents, were successful with securing a new traffic signal for the Route 9 and Pancoast Road intersection. Currently, the New Jersey Department of Transportation has contacted the town to apply to JCP&L for the electric service and obtain a DR #. JCP&L has given the Township the DR# and it has been forwarded to the Department of Transportation. The New Jersey Department of Transportation handles all aspects of this work for the new signal. This work is anticipated to take a few months to accomplish, but the project is steadily moving forward and we are hopeful for a new traffic signal at this intersection during the fall of 2015.

Committee Reports

Deputy Mayor – Dennis Tredy

1. Recreation

Improvement and upgrade work has completed to the tennis and basketball courts at the Waretown Lake along with enhancing the various hard court surfaces at Tuomey Park. There is a change order on tonight's agenda for a decrease in the original contract amount by 2.7%, which is about \$8,000.

2. Bryant Road Gazebo

The reconstruction of the T-Dock is complete as well as the majority of the bulkhead and walkways. The final utility lines were removed by Comcast and the utility poles were removed. It is expected that the entire project will be completed within 2–3 weeks.

3. Lightning Protection Improvements on the various Township Towers, Water Treatment Plants

The work on this project is complete and final inspections were performed.

4. DOT – Projects – Oregon & Pocahontas

The NJ Department of Transportation has authorized a grant for 2014 in the amount of \$190,000.00 for paving the road. The Township's policy when a road is to be paved, is to look at the whole project and include the drainage work as necessary. Tonight there is a bond on the agenda to cover the overage of the project. The amount estimated for the total project is \$360,000.00, a difference of \$170,000.00

The Department of Transportation has authorized a grant for 2015 in the amount of \$325,000.00. Again the Township has also incorporated drainage work that cannot be paid by the Department of Transportation under the bond that is being introduced tonight. The amount estimated for the total project is \$475,000.00, a difference of \$150,000.00.

In order to qualify for the 2016 Department of Transportation Municipal Aid Program, these two projects need to be bid. The Township also will bid them together, hoping for a better price by combining the projects.

5. Community Development Block Grant

This grant is ADA compliant improvements. The Township has been approved for a \$32,000 grant to make improvements to Town Hall's sidewalk and doors. The estimated costs for the entire project are \$65,000, a difference of \$33,000.00. This is also included in tonight's bond ordinance. As the Municipal Complex is older, it is important to have it be in compliance with the ADA standards.

Committee Reports

Committeeman – Joseph Lachawiec

On the agenda tonight is the second reading for the Comcast Cable franchise ordinance. Rob Clifton, a representative of Comcast, was here at the last meeting and explained what the Township needed to do for a franchise. Mr. Clifton discussed the fee is negotiable. The franchise amount is \$22,000 for 20 years. Every Township gets the same amount. That is not a negotiation. Committeeman Lachawiec discussed asking for additional funds, as cable also brings in the internet and telephone.

Deputy Mayor Tredy discussed the Township is receiving \$50,000.

Mayor Wetter discussed Mr. McGuckin is going to explain the franchise during the public comment of the second reading of the ordinance.

PUBLIC PORTION:

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

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

John Petrosilli, 11 Vessel Road, discussed the Township is bonding over \$4 million. Last year the Township bonded quite a bit to cover all these projects. Mr. Petrosilli inquired how much the Township bonded in the last year and a half.

Township Clerk Ambrosio will give Mr. Petrosilli the amount tomorrow. It is in the budget, which was not brought to the meeting tonight. The budget is on the website, if Mr. Petrosilli would like to review it.

Mr. Petrosilli inquired if the Bryant Road gazebo and dock project will have signage prohibiting bicycles and skateboards. Mr. Petrosilli discussed placing garbage receptacles at the dock.

Deputy Mayor Tredy discussed yes, there will be signage prohibiting bicycles and skateboards and whatever is necessary to keep the area clean and neat.

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

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

Resolution 2015-269 Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$2,901,026.83

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

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

Ordinance 2015-6 – Second Reading – Public Hearing – Comcast Cable Franchise

AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF NEW JERSEY. TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN OCEAN TOWNSHIP, NEW JERSEY

Township Attorney McGuckin discussed the Township had negotiations and discussions with Comcast on a number of occasions. Based on those discussions, Comcast agreed to raise their proposal to \$50,000. It is a separate side agreement between the municipality and Comcast, as the Board of Public Utilities (BPU) might not approve the agreement if it was in the actual agreement. The Township cannot change

federal law. Toms River has 20 times the number of customers that the Township of Ocean has and received approximately \$100,000.

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

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

Committeeman Lachawiec discussed the ordinance states a 15 year term.

Township Attorney McGuckin discussed a 15 year term, with a 10 year renewal, for a total of 25 years. It was \$22,000 for a 10 year initial approval. Then it was \$25,000 or \$30,000 for a 10 year with a 5 year renewal.

Committeeman Lachawiec discussed that is not such a good deal.

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

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

Motion to approve Ordinance 2015-6 was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: No, Tredy: Yes, Wetter: Yes

Ordinance 2015-10– Second Reading – Public Hearing

An Ordinance of the Township of Ocean, County of Ocean, State of New Jersey adopting certain regulations of Drone Technology and unmanned aircraft for the Township of Ocean

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

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

Township Attorney McGuckin discussed the ordinance defines unmanned aircraft, which is basically a model plane aircraft. The ordinance does not specifically indicate that it is not covered by this ordinance. A question could arise to someone who is flying a model airplane, which does not have a camera, recording device, or other sensing data, that would be covered under the ordinance.

Township Attorney McGuckin suggested the Township amend the Ordinance, Section E.1., to indicate the ordinance does not apply for an unmanned aircraft by any federal, state and local agency including but not limited to law enforcement and emergency services agencies or by any person or persons for lawful purposes and in a lawful manner.

Township Attorney McGuckin also recommended deleting #2 under that paragraph. It is a little bit confusing. It is a fair amendment to indicate the Township is not trying regulate unmanned aircrafts, model aircrafts. People still have to fly them in a lawful manner.

Motion to amend Ordinance 2015-10, Section E.1., to indicate the ordinance does not apply to unmanned aircraft by any federal, state and local agency including but not limited to law enforcement and emergency services agencies or by any person or persons for lawful purposes and in a lawful manner and deleting #2 under that paragraph was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

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

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

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

Motion to approve Ordinance 2015-10 with amendments was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

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

Ordinance 2015-11– First Reading – Title Only

AN ORDINANCE OF THE TOWNSHIP OF OCEAN, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE TOWNSHIP OF OCEAN AND APPROPRIATING \$1,088,000 THEREFORE, AND PROVIDING FOR THE ISSUANCE OF \$513,950 IN BONDS OR NOTES OF THE TOWNSHIP OF OCEAN TO FINANCE THE SAME.

Jason Worth, T&M Associates, discussed this bond ordinance covers several projects. The grants received from the NJ Department of Transportation are reimbursement grants. The municipality has to bond for that money first and then will be reimbursed.

Covered in this bond is improvements to Pocohontas Avenue for \$360,000 and Oregon Avenue for \$475,000, as well as the Community Development Block Grant (CDBG) project and improvements to the Pebble Beach Water Treatment Plant. Through the process, it has come up that there are other issues at the site, which need to be rectified to bring into compliance with DEP regulations, so there is money in the bond to take care of those issues as well. Of the bond, there is \$547,000 in grants that the Township will be reimbursed to offset the costs.

Committeeman Lachawiec discussed the Township is appropriating \$1.08 million, bonding \$513,950, and will be reimbursed \$547,000.

Township Engineer Jim Oris, T&M Engineering, discussed that is correct. The money that is reimbursed needs to be appropriated in order to spend it. The bonding reflects what the Township will ultimately have left over in debt.

Committeeman Lachawiec inquired if the reimbursement will be targeted for retirement of the bond or will it go into general funds.

Township Engineer Oris discussed the reimbursement goes directly back and cannot be spent for something else.

Motion to approve Ordinance 2015-11 was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

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

Ordinance 2015-12– First Reading – Title Only

BOND ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO FOUR MILLION TWO HUNDRED THOUSAND DOLLARS (\$4,200,000), 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

Jason Worth discussed this bond covers the 2016 NJ Environmental Infrastructure Trust (NJEIT) project. The project covers water/sewer main drainage and roadway improvements within the Pebble Beach area of the Township, Maplewood Road, Teaneck Road, Harborage Place, Stillwater Road, Dune Lane and Englewood Avenue. This project is an extension of the ongoing projects in that area. It is the oldest section of water/sewer infrastructure in the municipality. When the project is bid and awarded, the amount to be funded corresponds to the amount bid. The Township obtained \$2.1 million of principle forgiveness last year, so a significant portion of that project will not be paid back.

Motion to approve Ordinance 2015-12 was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

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

Ordinance 2015-13– First Reading – Title Only

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTERS 280-6 AND 280-7 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF OCEAN

Motion to approve Ordinance 2015-13 was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

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

Ordinance 2015-14– First Reading – Title Only

An Ordinance Amending Chapter 57 of The Codified Ordinances Of The Township Of Ocean Entitled "Personnel Policies

Motion to approve Ordinance 2015-14 was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

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

Ordinance 2015-15– First Reading – Title Only

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTERS 65-1 THROUGH 65-5 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF OCEAN

Motion to approve Ordinance 2015-15 was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

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

RESOLUTION 2015-270

RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26, 40A:2-11(c) and 58:11B-9(a) FOR FINANCING UNDER THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST 2016 FINANCING PROGRAM FOR THE REMOVAL AND REPLACEMENT OF WATER MAINS AND RELATED WATER SYSTEM IMPROVEMENTS IN THE PEBBLE BEACH AREA OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY.

Jason Worth discussed this goes with the bond ordinance. Each year, a resolution has to be passed for the water and one for the sewer, as part of the NJEIT Program.

Committeeman Lachawiec discussed the specific wording in the Resolutions states the work will be done in the Pebble Beach area of the Township of Ocean. Committeeman Lachawiec inquired if the work is limited to the Municipal bounds of the Township. The water system also extends into Barnegat Township.

Jason Worth discussed this water/sewer project is all Township of Ocean roadways, not Barnegat.

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

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

RESOLUTION 2015-271

RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26, 40A:2-11(c) and 58:11B-9(a) FOR FINANCING UNDER THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST 2016 FINANCING PROGRAM FOR THE REMOVAL AND REPLACEMENT OF SANITARY SEWER MAINS AND STORM WATER SYSTEM IMPROVEMENTS ON MAPLEWOOD ROAD, TEANECK ROAD, ENGLEWOOD AVENUE, DUNE LANE, STILLWATER ROAD, AND HARBORAGE PLACE IN THE PEBBLE BEACH AREA OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY

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

RESOLUTION 2015-272

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 Committeeman Lachawiec, seconded by Deputy Mayor Tredy.
Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

RESOLUTION 2015-273

Resolution authorizing the corrective action plan prepared by the Chief Financial officer in accordance with the Audit

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

RESOLUTION 2015-274

RESOLUTION ACCEPTING A PROPOSAL FOR EMERGENCY MEDICAL SERVICES FROM QUALITY MEDICAL TRANSPORT, RESPONSE AND TRANSPORTATION SYSTEM FOR THE TOWNSHIP OF OCEAN

Committeeman Lachawiec discussed the Township previously decided on ProCare Ambulance Services.

Mayor Wetter discussed Barnegat Township did not agree to the sharing of services.

Committeeman Lachawiec inquired if the Township sent out a second Request for Proposals.

Mayor Wetter discussed, yes.

Township Clerk Ambrosio discussed there were two responses, Monoc and Quality Medical Transport.

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

- 2015-275 Resolution authorizing a Utilities Department Leak Credit for 241 Montclair Road South in the amount of \$519.96
- 2015-276 Resolution authorizing a Utilities Department Leak Credit for 68 Lighthouse Drive in the amount of \$176.02
- 2015-277 Resolution authorizing a Utilities Department Leak Credit for 95 Brigantine Drive in the amount of \$24.03
- 2015-278 Resolution authorizing a Utilities Department Leak Credit for 116 Newark Road in the amount of \$56.06
- 2015-279 Resolution authorizing release of escrow money held in the name of Mackres Family LLC in the amount of \$4,977.14
- 2015-280 Resolution authorizing change order No. 2 Sanitary Sewer contract for emergency generator installations and electrical service improvements with Alpine East Electrical LLC
- 2015-281 Resolution authorizing change order No. 2 Potable Water contract for emergency generator installation and electrical service improvements with Alpine East Electrical LLC
- 2015-282 Resolution authorizing project closeout for lightning protection for various township facilities
- 2015-283 Resolution authorizing Change Order No. 1 Potable Water Contract for Skippers Cove, Seneca Boulevard and 11th Street Water and Sewer Main Replacement
- 2015-284 Resolution authorizing partial release of performance guarantees Higgins Site Plan
- 2015-285 Resolution authorizing Change Order #1 Waretown Lake Tennis and Basketball Court Improvements
- 2015-286 Resolution authorizing the Township of Ocean, County of Ocean in the State of New Jersey to apply for Post-Sandy Planning Assistance money for Debris Management Plan and Zoning Amendments Implementing Master Plan Recommendations for Community Resiliency and Hazard Mitigation in the amount of \$40,000

Motion to approve Resolutions 2015- 275 through 2015-286 was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

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

Motion to approve the below listed dates in 2015 for the use of the Community Center and Waretown Memorial Recreation Park:

1. George Gohr – September 6, 2015
2. Arc of Ocean County – July 22, 2015
3. Girl Scout Troop 451 – Thursday 2015 – 2016
4. Lisa Riepl – September 27, 2015

5. Sylvia Yacono – October 17, 2015
6. Cathy Rohowj – August 23, 2015
7. Kimberly Valor – July 19, 2015
8. Mary Andrews – December 5, 2015

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

Next Scheduled Meeting - September 10, 2015 at 6:30 pm

Adjournment

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

Signed and Submitted:

Diane B. Ambrosio, RMC
Municipal Clerk

Date