

MEETING MINUTES

TOWNSHIP OF OCEAN COUNTY OF OCEAN BUSINESS MEETING May 12, 2016

Call to Order

ROLL CALL: COLLAMER 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.

PUBLIC PORTION:

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

John Petrosilli, Vessel Road, discussed the agenda reads that the budget will be advertised on May 17, 2016 and the Second Reading, Public Hearing also states May 17, 2016.

Township Clerk/Administrator Ambrosio discussed there is an error on the agenda. The Second Reading Public Hearing will be June 9, 2016, as long as the state approves the budget. The Township is not self-examining the budget this year. After tonight's meeting, the budget will be sent to the state of for their review and approval. If approved, the Township will hold the budget hearing on June 9, 2016.

Mr. Petrosilli discussed the budget was supposed to be available one week before it was introduced. There were three criteria listed in the budget.

Township Clerk/Administrator Ambrosio discussed the criteria is that the Township introduces the budget, the budget has to be sent to the state within three (3) days, the budget has to be published. The dates count back from the public hearing on June 9, 2016. If the state changes anything on the budget, the Township will have to move the public hearing from June 9, 2016. The Township will have a motion on June 9, 2016, if the state does not approve it.

Eileen Doyle, 243 11th Street, inquired why the Committee Reports are not being read, explaining the ordinances.

Mayor Tredy discussed tonight, there are quite a few ordinances, which gives the public the opportunity to ask questions about the ordinances during the second reading, public hearing.

Deputy Mayor Wetter discussed second reading of the ordinances allows for the public to come up to the podium to comment or ask questions.

Mrs. Doyle inquired if the Police Department is still collecting shoes for the CASA Shoe Drive. There are shoes at the community center from last year.

Township Clerk/Administrator Ambrosio will inform Lt. Thompson. The CASA Shoe Drive is only one month out of the year. The shoes at the community center can be stored until the next shoe drive.

Mrs. Doyle complimented the painting that was done at the community center. Mrs. Doyle took the couch cushion covers off to wash them and the foam cushions are gone now.

Township Clerk/Administrator Ambrosio will investigate the matter.

Mrs. Doyle inquired about the dispute/remediation process at the Willows senior housing complex.

Township Clerk/Administrator Ambrosio discussed there is a process that tenants go through at the Willows. The residents have been to the management office and have called the state. Township Clerk/Administrator Ambrosio spoke to the Willows management office. Willows residents must go through the Willows management office to resolve their issues.

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Resolution 2016-236 Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$3,749,303.66

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Ordinance 2016 –4 – Second Reading – Public Hearing

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 61-3 OF THE TOWNSHIP CODE ENTITLED "POLICE DEPARTMENT".

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

John Petrosilli, 11 Vessel Road, discussed this ordinance puts a six-month limit on promotions and inquired if there were no limits prior to this change.

Mayor Tredy discussed, correct. After six months, the employees would be re-interviewed.

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Motion to approve Ordinance 2016-4 was moved by Committeeman Collamer, seconded by Deputy Mayor Wetter.

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Ordinance 2016 –5 – Second Reading – Public Hearing

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY, RE-ADOPTING THE TOWNSHIP'S POLICIES AND PROCEDURES MANUAL AND ESTABLISHING PROCEDURES TO AMEND SAME WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS AND INDEPENDENT CONTRACTORS IN THE TOWNSHIP OF OCEAN

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Township Attorney McGuckin discussed a typographical error in the title. The word “respective” should be changed to “prospective”.

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Motion to approve Ordinance 2016-5 was moved by Committeeman Collamer, seconded by Deputy Mayor Wetter.

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Ordinance 2016 –6 – Second Reading – Public Hearing

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING ORDINANCE 2015-18 OF THE TOWNSHIP OF OCEAN RELATING TO WATER AND SEWER UTILITY DEPARTMENT FEES

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

John Petrosilli, 11 Vessel Road, inquired about the amount of the rate increase.

Township Clerk/Administrator Ambrosio discussed last year there was an increase of 7% for the water/sewer rates. There were typographical errors that increased the “over 1,500 and over 40,000 gallons usage over 20%”. That was incorrect. The Township is correcting the error. Anyone who was charged the incorrect rates for the first quarter of this year is getting a credit to the account.

Mr. Petrosilli inquired if the numbers in this ordinance are the fixed rates now.

Committeeman Collamer discussed those are the amended numbers.

Mr. Petrosilli discussed if he uses no water, then that is what he will be charged quarterly. Anything used over that, up to 15 gallons, will be charged \$1.82 per 1,000 gallons.

Township Clerk/Administrator Ambrosio discussed, correct.

Mr. Petrosilli inquired if the numbers might end up being \$10.00 per year.

Township Clerk/Administrator Ambrosio discussed when the fees went up on just the basic rates, it wasn't even \$7.00. The overages are due to how much water is used.

Mr. Petrosilli inquired if the rate increase is to support the infrastructure bonding.

Township Clerk/Administrator Ambrosio discussed yes, and the Township has not had a rate increase in 8 years.

Committeeman Collamer discussed the Township paid rate increases to the County for receiving sewage that the Township never compensated itself for those increases.

Township Clerk/Administrator Ambrosio discussed the reason for the increase is more for the Ocean County Utilities Authority rate increase than the bonding of infrastructure and other outstanding debt from when it was the MUA.

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Motion to approve Ordinance 2016-6 was moved by Committeeman Collamer, seconded by Deputy Mayor Wetter.

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Ordinance 2016 -7 – Second Reading – Public Hearing

ORDINANCE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTIES BY NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT DOMAIN, SAID PROPERTIES BEING KNOWN AND DESIGNATED AS BLOCK 181.08, LOTS 7 AND 7.01, AKA 96 BRYANT ROAD, WARETOWN, NEW JERSEY

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

John Petrosilli, 11 Vessel Road, inquired if this property is the fishing station.

Mayor Tredy discussed, correct.

Mr. Petrosilli inquired if this ordinance is put in place so the Township can negotiate with somebody. Negotiations didn't work out prior because this ordinance discusses eminent domain.

Township Attorney McGuckin discussed the Township is required by law to pass this ordinance. The Township would have passed it anyway. The Township attempted to negotiate with the property owner and received no response. The Township performed appraisals as to the value of the property. There are outstanding violations of DEP regulations totaling over \$100,000 in fines on the property. The Township is owed almost \$190,000 in outstanding taxes and water/sewer fees. Therefore, the Township is going the eminent domain route. If it cannot be resolved, the Township will file for eminent domain. The Township would then be paid back and the Township would pay the difference of the value versus what the Township is owed.

The other item on the agenda is a tax lien, which the Township could never enforce because the property was constantly in bankruptcy, that is now dissolved. The property is not in bankruptcy. The Township is now in an In REM Foreclosure proceeding. There is a chance the Township could obtain the property through foreclosure. If the property owner pays all the outstanding taxes and water/sewer of \$190,000 and change, that would still give the Township the option, if the Township chooses, to use that money. That is what these agenda items are for. It's an effort to try to get these properties cleaned up and into Township hands. The Township has had discussions with the DEP about whether the fines would be waived, with respect to the Township. The Township received communication that the DEP would do that, provided the property is brought into compliance.

Mr. Petrosilli inquired if the goal is to demolish the building and build a park.

Mayor Tredy discussed that is one suggestion.

Mr. Petrosilli inquired if that property includes the dock and riparian rights.

Township Attorney McGuckin discussed riparian rights are included, however, the vast majority of the docks are illegal and were built without permits.

Mr. Petrosilli inquired if a Township Marina is in the plan.

Township Attorney McGuckin discussed that is a policy decision. The Township would be competing with the existing businesses within the Township. That is one of the options as would be leasing the property to another restaurant.

Committeeman Collamer discussed there has been no discussion of building a marina there

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Motion to approve Ordinance 2016-7 was moved by Committeeman Collamer, seconded by Deputy Mayor Wetter.

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Ordinance 2016-8 – First Reading – Title Only

Calendar year 2016 – Ordinance to exceed the Municipal Budget Appropriation limits and to establish a CAP Bank (N.J.S.A. 40A:4-45.14)

Motion to approve Ordinance 2016-8 was moved by Committeeman Collamer, seconded by Deputy Mayor Wetter.

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Resolution 2016-237

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 Resolution 2016-237 was moved by Committeeman Collamer, seconded by Deputy Mayor Wetter.

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Resolution 2016-238 – First Reading – (2016 Municipal Budget)

Authorizing the Municipal Budget of the Township of Ocean, County of Ocean for the fiscal year 2016. The Budget Summary will be published in the Asbury Park Press Newspaper in the issue of May 17, 2016. The Public Hearing on the Budget Resolution will be held at the Municipal Building Meeting room, 50 Railroad Avenue, Waretown, NJ 08758 on June 9, 2016 at 6:30 pm for final passage

Motion to approve Resolution 2016-238 was moved by Committeeman Collamer, seconded by Deputy Mayor Wetter.

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Resolution 2016-239

RESOLUTION AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS PURSUANT TO N.J.S.A. 20:3-1, ET SEQ FOR BLOCK 181.01, LOTS 7 AND 7.01, FORMERLY KNOWN AS BAYFRONT MARINA AND YACHT BASIN, 96 BRYANT ROAD, WARETOWN, NEW JERSEY

Motion to approve Resolution 2016-239 was moved by Committeeman Collamer, seconded by Deputy Mayor Wetter.

Roll Call: Collamer: 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.

- 2016-240 Resolution of the Township of Ocean, County of Ocean, State of New Jersey urging that Strong consideration be given to the devastating effect a New Jersey Natural Gas Rate Increase would have on residents and urging New Jersey Natural Gas rate increase would have on residents and urging the NJ Board of Public Utilities to Oppose the proposed rate increase.
- 2016-241 Resolution of the Township of Ocean, County of Ocean, State of New Jersey Proclaiming May 11, 2016 as National School Nurse Day
- 2016-242 Resolution of the Township of Ocean, County of Ocean, State of New Jersey authorizing a lien be placed for failure to abate property maintenance issues for 27 Letts Landing in the amount of \$386.35
- 2016-243 Resolution of the Township of Ocean, County of Ocean, State of New Jersey authorizing a lien be placed for failure to abate property maintenance issues for 403 Fifth Street in the amount of \$384.60
- 2016-244 Resolution of the Township of Ocean, County of Ocean, State of New Jersey authorizing a lien be placed for failure to abate property maintenance issues for 54 Beacon Drive in the amount of \$384.60
- 2016-245 Resolution Proclaiming Friday, April 29, 2016 as Arbor Day
- 2016-246 Resolution recognizing the Month of May as "Paint the Town Pink"
- 2016-247 Resolution proclaiming April as National Distracted Drivers Month
- 2016-248 Resolution hiring part-time Recreation Aide/Lifeguards
- 2016-249 Resolution hiring part-time temporary seasonal Department of Public Works
- 2016-250 Resolution moving an employee in Department of Public Works to the title Operator 1
- 2016-251 Resolution hiring for 90 days in Department of Public Works an Operator trainee 3
- 2016-252 Resolution hiring a part-time fill-in Fire Sub Code Official
- 2016-253 Resolution hiring a part-time Building Sub Code Official
- 2016-254 Resolution authorizing the release of performance guarantee for Greenbriar Oceanair Section 6, Phase C
- 2016-255 Resolution authorizing the release of performance guarantee for Greenbriar Oceanair Section 7, Phase B
- 2016-256 Resolution authorizing In Rem Foreclosure for Block 181.01, Lots 7 and 7.01
- 2016-257 Resolution proclaiming May 6 – 12, 2016 National Nurses Week
- 2016-258 Resolution proclaiming May 8 – 14, 2016 as National Women's Health Week
- 2016-259 Resolution proclaiming May 15-21, 2016 as National Hurricane Preparedness Week
- 2016-260 Resolution proclaiming May 23 – 29, 2016 National Healthy and Safe Swimming Week

- 2016-261 Resolution proclaiming May 2016 as Melanoma/Skin Cancer Detection and Prevention Month**
2016-262 Resolution increasing the Temporary Operating Budget
2016-263 Resolution increasing the Temporary Utility Operating Budget
2016-264 Resolution Authorizing an application for Cops in Shops through the Ocean Township Police Department

Motion to approve Resolutions 2016-240 through 2016-264 was moved by Committeeman Collamer, seconded by Deputy Mayor Wetter.

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Motion to approve the below listed dates in 2016 for the use of the Community Center and Waretown Memorial Recreation Park:

1. Barbara Drummond – June 18, 2016
2. Linda Strumeier – July 23, 2016
3. Waretown Historical Society – Music in Park - June 18, 2016

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Motion to approve: Pet Shop License for Pat's Pups, LLC

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Resolution 2016-264

Resolution authorizing the Township Committee to go into executive session to discuss: Litigation.

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Motion to move into Executive Session:

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Motion to move into Open Session:

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Next Scheduled Meeting - June 9, 2016 at 6:30 pm

Adjournment

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

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Signed and Submitted:

Diane B. Ambrosio, RMC
Municipal Clerk

Date