

MEETING MINUTES

TOWNSHIP OF OCEAN COUNTY OF OCEAN BUSINESS MEETING May 10, 2018

Call to Order

ROLL CALL: BAULDERSTONE X LOPARO Absent COLLAMER 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

Proclamation

Presented to: Master Gardeners of Ocean County – Tick Awareness Month

Mayor Collamer presented a proclamation for Tick Awareness Month to Suzanne Keane, Master Gardeners of Ocean County Waretown Representative.

Committee Reports

Mayor – Dan Collamer

2018 Budget – Public Hearing

The budget represents a remarkable job of balancing the needs of sustaining a professional municipal operation versus the financial realities of our taxpayers. It is a delicate balance between the two but I firmly believe we have struck that balance.

There were some shortfalls in the budget last year and the Township Committee did make changes in those departments. One of the departments is the Construction Department, as building has gone down, Greenbriar is complete and most of the storm recovery construction is complete.

There are the annual increases to costs of doing business, including healthcare, salaries, gas, electric etc. The Township does need to provide the items necessary for the departments to continue to do their jobs effectively. This year even with the Township working hard to keep cost down, the Township will have an increase of approximately .0252 cents. That equates to a home in the general part of town with an average value of \$268,838.00 and an increase of \$67.75 annually. A home in Greenbriar average assessment of \$323,235.00 would be an annual increase of \$81.46.

Ordinance 2018-6 authorizes the changing of health benefits for Employees of the Township. I have been contacted by several citizens and employees and would like to ask the Township Committee to table this item this evening for further research and discussions on the matter.

Department of Public Works. Park – Update

Sands Point Park. The playground mulch is being replenished and has been completed. The representative from Gametime Equipment is scheduled to inspect and review the equipment Friday. The bathrooms are open and are scheduled to be repainted. The parking lot needs additional clam shells. The Township is obtaining a quote on the material. A company has reviewed the camera equipment and make recommendations to improve the security camera system. The Township will receive the quote tomorrow.

Tuomey Park. The playground mulch replenishment is complete. The ball fields have received some infield mix and have been raked.

Lake Area and Recreation Park. The bathrooms are open. The recreation area has been mulched. The swimming area will open on June 18th.

The storm brush pick up is complete. If you have a brush pick up, please contact the Clerk's office to be placed on the list for pick up. Pick up for brush is scheduled every 1st and 3rd Thursday of each month.

Leaf Pick Up continues as listed on the Township calendar. Each section pick up starts on Sunday and continues through the week. Section 1 – Sands Point was this week and is complete.

Committeeman – Ken Baulderstone

Resolutions 2018-177 to 2018-179. These resolutions are returning escrow money regarding traffic control. Once the job is complete and inspected, the Township will return the remaining escrow money.

Resolutions 2018-182. Authorizing the return of escrow for a project that was never approved.

Resolution 2018-183. It is this time of year again. This resolution proclaims May as “Paint the Town Pink Month” to raise awareness of the importance of an annual mammography. Early detection is the best defense against breast cancer.

Ocean County Dog Park. Several residents have expressed interest in having a dog park, as there are a lot of dogs in the Township. At one time, Greenbriar proposed a location within their community, which was opposed by many Greenbriar residents. The Township Committee has requested that the Ocean County Freeholder's have a park in Southern Ocean County. Wells Mills Park would be an excellent site for the park. The Freeholder's have replied that they will discuss the matter and meet with the Parks Director and let the Township Committee know their thoughts after the meeting. There are several Greenbriar residents that are going to attend the next Freeholder's meeting on Wednesday, May 16, 2018 at 4:00 pm to express their interest in this subject.

Founder's Day – is scheduled for May 26th. The events will be held at the Frederic Priff School from 9:00 am – 3:00 pm. There will be a pet costume contest, cupcake decorating contest, the theme is your favorite sports team, and a pie eating contest. Fireworks on the bay will start at 9:00 pm at the end of Bryant Road.

Town Wide Yard Sale – July 28th. This event is free. If a resident would like to be on the town map, they need to register. Residents who do not want or cannot have it at their home can bring their items to the Waretown Lake. Spots at the lake are awarded on a first come basis.

Mayor Collamer discussed the Town Wide Clean Up Weekend is Friday, June 15th 8:00 am-5:00 pm and Saturday, June 16th 8:00 am-3:00 pm – or until the dumpsters are full. Acceptable items are bulk garbage, couches, chairs, electronics, televisions, computers, metal, appliances, propane tanks and items with Freon will be taken free of charge, clean waste oil will be taken free of charge, brush, branches, household and marine batteries, latex paints, oil and boat paints. Unacceptable items are tires, wood stains and preservatives, gasoline cans, kerosene, aerosol cans and turpentine. This event is not open to contractors, only residents.

Monday, May 14, 2018 from 5:00pm – 7:00pm at the Ocean County Library Waretown Branch will be a Meet the Mayor event.

Chief of Police – Michal Rogaski

The following is a list of Police Department activities since last month's meeting. The department handled 3,742 calls for police service during the month of April. Last year's amount for this time period was 3,090, which shows an increase of 17%. Of those 3,742 calls is 1 abandoned 9-1-1 call, 24 alarms were activated and responded to, 16 separate animal complaints were handled, 1,844 individual business and home checks, 3 criminal mischief acts were investigated, 6 incidents of domestic violence, 6 disabled vehicles were assisted, 1 drunk driver was arrested, 6 separate drug incidents resulted in arrests, 69 first aid calls, 28 general complaints, 21 motor vehicle accidents, 393 motor vehicle stops of which 122 drivers received summons, 7 psychiatric evaluations, 34 individuals were arrested on various warrants, 1 robbery arrest, 4 shoplifting incidents, 47 suspicious persons and/or vehicles investigated, 1 stolen vehicle which was recovered, 5 thefts from residents and/or commercial businesses were investigated and 2 thefts from motor vehicles.

Chief Rogalski discussed Mayor Collamer contacted him regarding traffic speeding studies in the Bay Haven section of town. Chief Rogalski directed officers to spend two (2) half-hour blocks, per shift, per officer, during the day and at night, in the Bay Haven section of town, monitoring speeds. At the conclusion of a three-week period, the data determined approximately 8 motor vehicle stops. One was for speeding 50mph in a 35mph area on Main Street. That person was issued a summons. These speed studies will be continued throughout the town as the weeks go by.

Chief Rogalski discussed on May 8, 2018, at approximately 12:00 pm, officers were dispatched to the end of Bryant Road for a report of a suspicious motor vehicle with two males. As officers were responding, the vehicle left. The highly-trained dispatchers reported the description of the males, the van and the direction of travel. Lieutenant Murphy happened to be leaving headquarters, spotted the vehicle at the CVS Pharmacy and initiated a motor vehicle stop there. Shortly after Sargent Ward and Patrolman Calanni arrived to assist. Two hispanic males, wearing Fedex uniforms, were located. There were no packages inside the van. Their stories did not match. First they worked for Fedex. After a request to call their supervisor, they were not able to provide any numbers. The driver had numerous warrants, as well as the passenger. They were arrested and brought to headquarters. Detective Riden conducted interviews. As a result of the interviews, it was determined the reason the males were there, were to steal

packages. They were dressed in Fedex uniforms. They rented a white van from Enterprise. They must have been doing this a lot, as receipts were found, from prior times, for renting vans. That information was released to Police Departments throughout the state for cross-referencing their records, to see if there were any incidents matching those dates of packages stolen in their towns. One male was from Bridgeport, Connecticut, staying in Paterson, NJ. The other male was from Paterson, NJ. They have no ties here. They affixed a tinted cover on the back license plate.

PUBLIC PORTION:

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

Roll Call: Baulderstone: Yes, Collamer: Yes

Harry Dering, 15 Dock Avenue, discussed Oyster Creek is not getting dredged. The silt has caved into his property. He used to have 2-3 feet and now has 3 inches.

Mayor Collamer discussed the Township sent a letter to the NJ Department of Environmental Protection (DEP), requesting they allow the contractor that was already there to be privately hired to do dredging and expedite a permit. The Township was denied.

Mr Dering inquired if he can file a class action suit against the DEP.

Township Attorney McGuckin discussed any of the property owners, who believe they have been injured or believe there are damages as a result of the power plant or whoever is doing the work, has the right to sue them. The property owners could file one suit together.

Mr. Dering inquired if residents can get money from Superstorm Sandy to dredge.

Mayor Collamer discussed there were no funds allocated for dredging.

Patricia Johnson, 73 Oregon Avenue, discussed filing a complaint about her neighbor's tree. She did everything the Township told her to do. The Township sent a letter to the neighbor in November stating they need to do something about it. An arborist inspected the tree and claimed it was dead. On December 29th, the Township sent another letter stating something has to be done. Now Ms. Johnson is being told the neighbor got an attorney, is filing suit, and the Township is not going to do anything about it. The neighbor gave the Township an illegal survey, showing the tree is not on his property. Ms. Johnson has a survey showing the tree is on his property.

Mayor Collamer discussed this is a neighbor dispute, which the Township typically does not get involved in. This issue does not involve Township property.

Township Administrator Ambrosio discussed the Zoning Officer has been handling this matter. Ms. Johnson would like to put up a fence and have the tree taken down.

Ms. Johnson discussed there are three neighbors all complaining about the same tree. It is going to fall. Ms. Johnson showed Township Attorney McGuckin the letters from the Township to the neighbor.

Township Attorney McGuckin discussed notices of violation were sent out. No summons was issued to the neighbor. This is a dispute between two property owners. The Code Enforcement Officer attempted to try to get the neighbor to comply as a result of your complaints. The next step would have been to issue a summons. The Code Enforcement Officer determined it is a dispute between two property owners on private property and it is not for the Township to take sides and decide who should be responsible for the tree.

Ms. Johnson discussed the neighbor threatened to sue the Township and the Township did not want to get involved in a lawsuit.

Township Attorney McGuckin discussed the Township gets sued fairly often and is not afraid of being sued. The Township does not lose too many. The Township is not going to get into a dispute between two property owners over a fence or a tree that sits between two property owners. The Code Enforcement Officer has determined it would not be appropriate for the Township to issue a summons to prove beyond a reasonable doubt a criminal violation in municipal court. Ms. Johnson has the right to file a lawsuit against the neighbor.

Ms. Johnson discussed there are two properties on the end of Ocean Avenue and Sheridan, with a paper street going through to a beach and inquired if the owner pays taxes on the house as beach front property.

Township Attorney McGuckin discussed the property owner pays taxes on the lots on the one side of the street and taxes on the lots on the other side of the street. It is not beach front, as there is a paper street.

Ms. Johnson discussed the street is blocked off with a sign that says private property and suggested the Township sell the street and collect beach front property taxes. She originally was allowed on that property.

Township Attorney McGuckin discussed the Township will take the signs down tomorrow. The Township cannot sell a paper street. If the Township vacated the street, it automatically goes to the property owners on both sides at no cost. The Township receives no money from it. The only reason it is not available to the owner because the public has an interest in the paper street. As long as the Township continues that interest, that street will be open to the public. The Tax Assessor has made sure the owner is paying the fair market value for those lots.

Township Attorney McGuckin discussed legally, you have never been allowed on that property. The property owner allowed you to. The beach is the owner's property. You are entitled to use the right of way.

Kevin Kennedy, 136 Bayville Way, discussed the copies of the agenda in the back of the meeting room tonight do not have the motion to approve minutes of the two previous meetings, as listed on the agenda on the website. Mr. Kennedy inquired if anything has been added to the agenda on the website that is not on the printed agenda in the back of the room.

Township Administrator/Clerk Ambrosio discussed there has been nothing added. The Township Committee did not have time to review the minutes. The minutes will be approved at the next workshop meeting or next business meeting.

Committeeman Boulderstone discussed the audio of the meetings are available.

Jennifer Whited, Spruce Street, discussed she is disappointed with the retirement ordinance. Mrs. Whited's husband has worked for the Township for almost 30 years and took a smaller salary because of the benefits. One of the benefits is when he retired, health benefits would be covered by the Township. Now the Township wants to take away part of that benefit, and not cover spouses and dependents. This directly impacts Mrs. Whited's family and health. This benefit has been promised for years, without any provisions for employees with 20 years. Mrs. Whited's husband has 29 years of dedicated service to the Township. Mrs. Whited inquired if the dependents can pay partial or offset the supplemental insurance. This is important. Please reconsider. The Township holds employee's livelihoods in its hands.

Mayor Collamer discussed he proposes the ordinance be tabled, as it is definitely in need of some changes.

Stephine Capaccio, 52 Dock Avenue, discussed leaving a job that paid substantially more to work for a Township because the benefits were better. Township employees are hardworking and enjoy their jobs. She discussed it is disheartening to find out about this ordinance on a Facebook post.

Mayor Collamer discussed it was never intended to blindside or upset anybody. It just unfolded that way. The Township Committee is going to take a long hard look at the ordinance and make it better.

Eileen Doyle, 243 11th Street, discussed there are a lot of trees in the Pebble Beach area blocking stop signs and intersections. The bus has to nose out into traffic to see if anyone is coming. The corners of 5th Street and Seminole Avenue and 8th Street and Seneca Boulevard are bad.

Township Administrator/Clerk Ambrosio discussed it is the property owner's responsibility but the Department of Public Works will be sent out to look at it.

Mayor Collamer discussed if it is an issue of safety, the Department of Public Works will address it.

Mrs. Doyle discussed the Automated External Defibrillator (AED) arrived at the Community Center. Hopefully it will never be used.

Township Administrator/Clerk Ambrosio discussed everyone has been trained to use the AED and is ready to go.

Kevin Kennedy submitted and read aloud a list of questions to be answered the next time Ordinance 2018-06, Retirement Insurance Benefits, is voted on. Whose idea was the ordinance and why was it not on the printed agenda handed out at the last meeting. Does this ordinance apply to employees retiring before the effective date of the ordinance or just those who retire after the effective date of the ordinance or eliminating the provisions from employees with service under 20 years? Has the Township considered applying this ordinance respectively to new-hires and not to current employees? Have employees affected by this been asked their opinion of the ordinance, if yes, what did they say and what were they

told. How many employees are affected by this, how many years of service does each have, how many dependents does each have and how much money per year does the Township estimate they will save under this ordinance. Are any current or former elected officials covered under the Township's health insurance or are they reimbursed for coverage they have elsewhere, such as Medicare, if yes, who are they, are their dependents covered and what does it cost per year, per person. These questions should be answered the next time this ordinance is voted on.

Mayor Collamer discussed the Township Committee will review the questions.

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

Roll Call: Baulderstone: Yes, Collamer: Yes

Resolution 2018-176 Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$2,276,540.82

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

Roll Call: Baulderstone: Yes, Collamer: Yes

Ordinance 2018-5 – Second Reading – Public Hearing

CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Motion to open to the Public was moved by Committeeman Baulderstone, seconded by Mayor Collamer.

Roll Call: Baulderstone: Yes, Collamer: Yes

John Petrosilli, Vessel Road, inquired if the 3.5% increase is over what is being proposed for the budget or is this an increase for last year's budget.

Township CFO Ed Simone discussed the state allows an increase in budget appropriations. The state has determined for the 2018 year, that municipalities are allowed to have a 2.5% increase in certain expenditures. There is also a state provision that allows, per an ordinance of the Governing Body, to go to 3.5%. The Township is authorizing the potential increase in the budget could be an addition 1% increase. The Township is not using the 1% increase. The advantage is it is available in subsequent years, in case something unforeseen happens, an increase in salaries or health insurance. This ordinance is not increasing the budget 3.5%. It is just saying the state allows the Township to increase the CAP by an additional 1%, which amounts to about \$90,000.

Mr. Petrosilli inquired if it applies to the numbers on the budget tonight or to the budget already in place and can the 3.5% be added on to 2019 budget.

CFO Simone discussed this is for the 2018 budget. If the budget is not increased and left at 2.5%, the Township is not using the 2.5% CAP anyway, so it will apply to subsequent years as an increase to the

budget. Whatever isn't used expires after a three-year period. The oldest one expires after a three-year period.

Township Attorney McGuckin discussed this came in handy after Superstorm Sandy. The Township was in a position where the CAP was needed.

Motion to close to the Public was moved by Committeeman Baulderstone, seconded by Mayor Collamer.

Roll Call: Baulderstone: Yes, Collamer: Yes

Motion to approve Ordinance 2018-5 was moved by Committeeman Baulderstone, seconded by Mayor Collamer.

Roll Call: Baulderstone: Yes, Collamer: Yes

Resolution 2018-160– Second Reading – Public Hearing

Authorizing the Municipal Budget of the Township of Ocean, County of Ocean, State of New Jersey for fiscal year 2018. The Budget Summary was published on April 17, 2018 in the Asbury Park Press Newspaper. The Public Hearing on the Budget Resolution will be held May 10, 2018 at the Municipal Building Meeting Room, 50 Railroad Avenue, Waretown NJ 08758 at 7:00 pm for final passage

Motion to open to the Public was moved by Committeeman Baulderstone, seconded by Mayor Collamer.

Roll Call: Baulderstone: Yes, Collamer: Yes

John Petrosilli, Vessel Road, discussed a \$25 million budget is a lot of money for less than 10,000 people.

Mayor Collamer discussed the budget includes the school levy, not just the municipal portion.

Township Attorney McGuckin discussed the Township is \$11 million. The school is the additional \$14 million.

Township Administrator/Clerk Ambrosio discussed the budget increased \$137,179.00 from 2017 to 2018.

CFO Simone discussed it is a little less than a 1.5% increase for the 2017 budget.

Mr. Petrosilli discussed that does not include increases from the County and the library. That number will increase based on whatever happens at the County or school.

Township Administrator/Clerk Ambrosio discussed that will be on your tax bill. The Township does not have a say in the County or School taxes. This meeting is for the Town Budget for 2018.

Mayor Collamer discussed the Township collects money for several different entities on the tax bill.

Motion to close to the Public was moved by Committeeman Boulderstone, seconded by Mayor Collamer.

Roll Call: Boulderstone: Yes, Collamer: Yes

Motion to approve Resolution 2018-160 was moved by Committeeman Boulderstone, seconded by Mayor Collamer.

Roll Call: Boulderstone: Yes, Collamer: Yes

Ordinance 2018-6 – Second Reading – Public Hearing

ORDINANCE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 57-36 ENTITLED “RETIREMENT INSURANCE BENEFITS” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF OCEAN

Motion to table Ordinance 2018-6 was moved by Committeeman Boulderstone, seconded by Mayor Collamer.

Roll Call: Boulderstone: Yes, Collamer: 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.

- 2018-177 Resolution authorizing the release of escrow money held for traffic control in the name of Andrew E. Wurst, DVM in the amount of \$523.13
- 2018-178 Resolution authorizing the release of escrow money held for traffic control in the name of Orchard Holdings, LLC in the amount of \$1,982.54
- 2018-179 Resolution authorizing the release of escrow money held for traffic control in the name of Perlmart, Inc. in the amount of \$1,675.59
- 2018-180 Resolution authorizing the appointment of Recreation Aide/Lifeguard/Part-Time Employees at the Rate of \$10.00 per hour
- 2018-181 Resolution authorizing the hiring of the Summer Recreation/Summer Camp program staff for the year 2018, Brent Cunningham, Theresa Russo, Tara Ahearn, Alexa Tabacchino.
- 2018-182 Resolution authorizing the release of escrow money for Waretown Village Associates, LLC in the amount of \$17,412.59
- 2018-183 Resolution of the Township, County of Ocean, State of New Jersey recognizing the Month of May as “Paint the Town Pink”
- 2018-184 Resolution of the Township of Ocean, County of Ocean, State of New Jersey proclaiming May as Older Americans Month

- 2018-185 RESOLUTION AUTHORIZING CHANGE ORDER NO. 2, ROUTE 532 WATER TREATMENT PLANT FILTER BACKWASH CONTROL SYSTEM MODIFICATIONS WITH TKT CONSTRUCTION CO., INC.
- 2018-186 Resolution of the Township of Ocean, County of Ocean, State of New Jersey opposing Senate Bill 2029 proposing to revise laws governing assessment of real property

Township Attorney McGuckin discussed Resolution 2018-185 Change Order No. 2 for the 532 WTP Modification and indicated the percentage of the increase is higher than normally authorized. This is a sole-sourced technical bid, which is why it exceeds the usual 20% of the change order requirements.

Motion to approve Resolutions 2018-177 through 2018-186

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

Roll Call: Baulderstone: Yes, Collamer: Yes

Motion to approve the below listed dates in 2018 for the use of the Community Center, Waretown Memorial Recreation Park, Toumey Park and Ballfield:

Girl Scouts Troop 269 – June 24, 2018

James Dunnkosky – June 10, 2018

Ocean Township Summer Adventure Program – June 27 – August 24, 2018

Lord of Lords Church – July 8, 2018

Girl Scouts of the Jersey Shore – April 27, 2018

South Jersey Baseball League – Tournaments 2018

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

Roll Call: Baulderstone: Yes, Collamer: Yes

Township Administrator/Clerk Ambrosio discussed changing the time of the May 24, 2018 Workshop/Business Meeting, as it conflicts with a Stakeholders Meeting regarding the Oyster Creek power plant closure. It is important the Mayor and Administrator attend all Oyster Creek Power Plant Stakeholder meetings.

Mayor Collamer discussed the May 24, 2018 Workshop/Business meeting should start at 12:00 pm.

Township Administrator/Clerk Ambrosio discussed re-advertising the Township Committee Workshop/Regular Business Meeting for 12:00 pm on Thursday, May 24, 2018.

Next Scheduled Meetings

May 24, 2018 – 12:00 pm - Workshop/Business Meeting
June 14, 2018 – 7:00 pm – Regular Business Meeting

Adjournment:

Motion to adjourn meeting was moved by Committeeman Boulderstone, seconded by Mayor Collamer.

Roll Call: Boulderstone: Yes, Collamer: Yes

Signed and Submitted:

Diane B. Ambrosio, RMC
Municipal Clerk

Date