

MEETING MINUTES

TOWNSHIP OF OCEAN COUNTY OF OCEAN BUSINESS MEETING August 9, 2018

Call to Order

ROLL CALL: BAULDERSTONE X LOPARO X 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.

Committee Reports

Mayor – Dan Collamer

Ordinance 2018-9 – Public Hearing. The law changed regarding Subdivision, Site Plan bonds. This ordinance will bring the Township into compliance with the new law.

Resolution 2018-236 authorizing the hiring of a full-time Plumbing Sub Code Official. This position is a shared service with Barnegat Township.

Resolution 2018-237 releases the performance bond on the Liquor Store. Mr. Reddy will be submitting new plans for a brand new building. Once the insurance company releases the building, he will be demolishing this structure and building a brand new building.

Resolution 2018-238 places a lien on a property due to property maintenance issues. Once Code Enforcement has written the property owner and followed the procedures, the Township can clean the property and place a lien.

Resolution 2018-241 A retirement separation agreement for a member of the Department of Public Works. Howard has worked for the Township for 29 years and has decided to retire. The information in the agreement is under the union contract and will be sent to the State Pension Board. Thank you Howard for your 29 years of service.

Resolution 2018-242 authorizes a small change in the Handicap Door project. The increase is to the account for as-built quantities of the pavement repair/ramp. The contract was increased \$800.00 which is a 1.4% increase.

The Construction and Zoning Department has been going through some transition this year. The Zoning Officer is now working part-time. As discussed earlier the Plumbing Sub Code Official is appointed Full-Time but is working 3 days in Barnegat and 2 days in Waretown.

The Office Hours for the Construction/Zoning Department are 8:00am–4:00pm.
Zoning Officer Hours – Tuesday & Thursday evenings 4:30pm–6:30pm
Construction Official – Tuesday & Thursday 9:00am–12:00pm
Plumbing Sub code – Tuesday & Thursday 8:00am–4:00pm
Electrical & Fire Sub codes – Tuesday & Thursday evenings as needed
Building Sub code – Tuesday & Thursday 11:00am–1:00pm

The Township is reviewing the staffing and how the office is operating at this time.

Projects

Route 9 at Bridge over Waretown Creek. There will be lane closures and an actual shut-down schedule. The Waretown Creek Bridge subject times will begin the week of 8/20/18 from 8pm - 6am (Monday – Thursday). The contractor, Gray Supply Corp., will utilize an alternating traffic pattern for that Monday (8/20/18) and Tuesday night (8/21/18) from 8pm - 6am. The contractor will then need to shut the road down Route 9 NB + SB that Wednesday (8/22/18) and Thursday night (8/23/18) from 8pm - 6am. Main Street will be used to detour the traffic from Bryant Road to Lighthouse Drive as approved.

Just as a reminder, any lane closures along Route 9 at Waretown Creek will only take place Monday - Thursday from 8pm - 6am, prior to Labor Day, to minimize traffic disruption. These dates are weather dependent and subject to change.

Grand Bay Harbor Street End. The bulkhead company has completed the project within the Department of Environmental Protection approved specifications.

NJ Department of Transportation – Roadway Improvement Program – Sheridan, Illinois Ave, Adriatic Avenue and portions of Michigan Avenue, Kennedy Drive, Lincoln. The project was awarded and the preconstruction meeting will take place on August 13, 2018.

Tradewinds at Waretown. As of August 6, 2018 the roadway/parking lot base paving is complete. The developer has begun foundation work for the first two buildings.

Deputy Mayor – Ben LoParo

Ordinance 2018-10 – Second Reading – Public Hearing - establishes the powers and duties of the Chief of Police. This ordinance is required for the Accreditation of the Ocean Township Police Department. As the process moves forward there will be additional ordinances.

Ordinance 2018-11 – 1st Reading. This ordinance was recommended by Chief Rogalski. This ordinance will mandate that each alcohol establishment licensee is required to ensure all front of the house employees (mangers, servers, hosts, bus employees and bartenders) are certified and keep current a certification in alcohol management. Training for Intervention Procedures – TIPS training – is designed to prevent intoxication, drunk driving and underage drinking. Ocean Township Detectives will provide training free of charge. The online course is \$40.00 per person. The Public Hearing will be at the September meeting.

Hooked on Fishing is sponsored by the Township of Ocean Municipal Alliance. This event took place on Friday, July 27th at Sands Point Park and was well-attended. The weather held off until the end. Donated prizes were given out, and I would like to thank the volunteers and Police Department for attending the event.

Committeeman – Ken Boulderstone

Ordinance 2018-8 – Public Hearing. This ordinance allows for energy aggregation for cheaper rates on residential electric bills. The Township is considering joining a co-op that will go out to bid for electric rates. The rate has to be lower than the utilities rate, per the state statute. If it is not lower the Township would not participate.

There will be public town meetings regarding the program. There is one setup for Greenbriar, August 17, 2018 and one for the community at the Firehouse, 6:00 pm on August 21, 2018. The Township Administrator is working on scheduling a meeting at the Skipper's Cove Beach Club and the Senior Advisory meeting. If a resident does not want to participate they have the opportunity to opt out of the program. There are no fees, no cancellation fees, no termination fee, and no fee to switch in and out of the program at a later date. The Township Committee is hoping to obtain feedback from the residents, if they would like to be part of this program.

Resolution 2018-235 authorizes the Tax Collector to refund an overpayment of taxes for 6 James Drive. This resolution is required by law.

Resolution 2018-240 authorizes the selling of equipment that is no longer needed for public use. The State of New Jersey requires the items be auctioned prior to disposal. The Township has been using GovDeals, an online service, to sell these items. On the list for selling is a generator, which was replaced with a brand new generator, and vehicles, which are no longer viable for the fleet. In the past, the Township's secondhand goods is someone else's treasurer. The money received from the auction is deposited into the budget.

Chief Michal Rogalski

Chief Rogalski read the July 2018 Police Report. The Police Department handled 3,254 calls for police service. One abandoned 911 call, 22 alarms were activated and responded to, 22 animal complaints were handled, 1,670 residential and business checks, 4 criminal mischief acts were investigated, 1 disorderly complaint, 18 domestic violence, verbal disputes and/or harassment complaints were handled, 16 disabled vehicles were assisted, 2 drunk drivers, 8 drug arrests, 83 first aid calls, 45 general complaints, 24 motor vehicle accidents, 514 motor vehicle stops of which 115 were issued tickets, 5 PESS evaluation, 41 persons were arrested on various warrants, 2 shoplifting incidents, 54 suspicious persons or vehicles were investigated, and 6 thefts from residents and/or commercial properties were investigated.

Chief Rogalski discussed there is a Free Little Library outside the Police Department. The library is a wooden birdhouse-like home for books, painted in Ocean Township Police Department blue and white and is located outside the police lobby at 50 Railroad Avenue. After applying to a program that donated

100 standard and mobile libraries to U.S. Police Departments, people can take and restock books for free. The initiative is part of the Little Free Library Organization's Kids, Community and Cops Program. The Ocean Township Police Department has provided space at the Little Free Library for the Waretown Branch of the Ocean County Library to put up their monthly activity schedule. The Waretown Library is located at 112 Main Street. Please visit the library, obtain a library card and learn about their digital resources and other programs offered. There was a Department of Justice study that reported 70% of crime can be stopped if the literacy rate goes up.

As of this afternoon, the Conductive Energy Devices (Tasers) are being carried by officers. Currently there are four operators in the department. On August 22, 2018, there will be an additional six operators. Half of the department will be trained by the end of the month.

Stafford Township Police Chief Dellane, will provide an officer to help provide a service to the high school students, called Not Even Once. Not Even Once is a program developed by the Manchester Township Police Department to help with the opioid crisis. It teaches students, much like the DARE program but with seniors in high school, about taking prescription medication, if they are hurt in sports and also the negative aspects of using prescription medication. Patrolman Bleichner will be sent to the high school for only a couple classes, along with their resource officers. If a Waretown student has a problem, it is a way for them to have a face in the Ocean Township Police Department they can go to.

Township Administrator/Clerk Ambrosio discussed there is an item that is missing from tonight's agenda that will be added. The item is an ordinance regarding retirees' health insurance. The ordinance was given to all employees and union representatives on July 30, 2018. The ordinance will be posted on the website tomorrow. Copies of the ordinance have been placed on the table in the back of the room tonight. The ordinance that was given to all employees and union representatives included notification of today's date of the introduction of the ordinance and the public hearing date in September.

PUBLIC PORTION:

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

Roll Call: Baulderstone: Yes, LoParo: Yes, Collamer: Yes

Lydia Dodd, 279 Wells Mills Road, inquired if there are plans to install safety ropes between the pilings on the dock at the end of Bryant Road.

Mayor Collamer discussed the Township has been considering that. The issue is any improvement made in that respect has to be Americans with Disabilities Act (ADA) compliant.

Township Administrator/Clerk Ambrosio discussed FEMA would not reimburse the Township for railings or rope at the time the dock was built. The Township Engineer has submitted the two (2) choices of how the Township can move forward and the costs involved.

Harry Dering, 15 Dock Avenue, inquired if the Township is breaking even with the Barnegat Shared Services and who controls their hours.

Mayor Collamer discussed all employees' hours are accounted for individually. When the employee works in Barnegat, the hours are accounted for. If it is an Ocean Township employee, Barnegat pays the Township of Ocean for those hours. If it is a Barnegat employee, the Township of Ocean pays Barnegat for those hours.

Township Administrator/Clerk Ambrosio discussed the Ocean Township Construction Official, Louis Fisher, oversees the hours for Waretown. The Barnegat Administrator and CFO oversee the hours in Barnegat. Sub Code Officials are a difficult commodity to hire. It is not just the Township of Ocean that is having difficulty hiring Sub Code Officials. Barnegat is busier than Waretown right now in the Construction Department.

Mayor Collamer discussed two years ago the process was refined, so the Township can have better accountability. The Sub Codes are responsible for recording when they arrive and depart each facility.

Mr. Dering discussed the taxes go up every year. The Chief of Police is doing a fantastic job with crime. The Township has to start doing different things. We have to start motivating and getting this town together. This town is not going in the right direction. Mr. Dering inquired if the Township Committee feels they are doing a good job with the taxes going up.

Mayor Collamer discussed the Township Committee is receptive to ideas. Please feel free to give us your suggestions. Mayor Collamer discussed he feels he is doing a good job. The taxes are going up in proportion to the Township's expenses.

Kevin Kennedy, 136 Bayville Way, inquired if the Resilient NJ Grant application has been completed and what is the status.

Township Administrator/Clerk Ambrosio discussed the Resilient NJ Grant has been researched and does not really work for the Township of Ocean, however, there is another grant the Township wants for the Living Shoreline. That grant will benefit the Township on many levels and areas.

Eileen Doyle, 243 11th Street, discussed her recycling was not picked up today. Township Administrator/Clerk Ambrosio discussed she will make sure it is picked up tomorrow. If it happens again, please call the Clerk's Office and we will make sure they come back out.

Mrs. Doyle inquired what zip code she needs to enter in the Nixle program for the reverse 9-1-1 notifications, as her mailing address is 08005. Township Administrator/Clerk Ambrosio discussed do not enter 08005 or you will receive Barnegat notifications. Please enter 08758 to receive Waretown notifications.

Mrs. Doyle inquired if the monthly statistical breakdown for police department calls are on the police website. Chief Rogalski discussed he has not posted them yet.

Mrs. Doyle discussed she is delighted the Township of Ocean is participating in the Little Library. The Engle Sprague Community Center also has a library in it. Anyone can come and take a book or leave a book. Mrs. Doyle also agrees with installing safety ropes at the end of Bryant Road. Mrs. Doyle inquired if Buy Rite Liquors has a time frame to tear down the burned down building. Township Administrator/Clerk Ambrosio discussed the owner has to wait until the insurance claim is complete and the NJ Division of Alcoholic Beverage Control inventories every single bottle. It will be a process over the next several months.

Mr. Dering inquired who owns the boat ramps at Sands Point Park. Township Administrator/Clerk Ambrosio discussed it is a combination of three entities, NJ Fish and Wildlife, the Township of Ocean and the NJ Department of Environmental Protection (DEP). The Township is responsible for the maintenance. Mr. Dering would like the Township to pass an ordinance that prohibits campers at Sands Point Park overnight. Township Administrator/Clerk Ambrosio discussed part of the stipulation of having the boat ramp is that it must be open 24 hours. This is the first time, since the park has been open, there has been a problem with the campers.

Mr. Dering discussed there is a boat parked in the water and inquired why this man has the right to put his boat there for free. Mayor Collamer discussed it is New Jersey State navigational rules. He is not violating anything. It is outside the Township's jurisdiction.

Township Attorney, Christopher Connors, discussed there is a boat moored in Oyster Creek. The boat is not ward on waterways that Mr. Dering has the riparian rights to. The boat is not moored on any riparian rights held by the municipality. The matter would be referred to the DEP and the Department of Law and Public Safety, Division of State Police, to determine if there are any issues regarding hazards to navigation. If he is moored overnight, then he has to show 360 degrees. He is probably entitled to moor over 1½ months there.

Chief Rogalski discussed the boat was parked at a marina in town. The marina severed its business with the owner and he was asked to move the boat. The boat was moving north and then the boat started having problems. The boat pulled into Oyster Creek. Someone drove down in a motor home to repair the boat and it was reported to the Police Department that someone was going back and forth to the motor home. The person was arrested for a child support warrant and he was sent to Essex County jail. He has been in jail for a while and cannot be expected to move a boat. It would be unfair for the Police Department to say it is abandoned, if we are the ones who put him in jail. The owner was released last night and is at the motor home today trying to leave. The State Police has told the Ocean Township Police Department that there is nothing that can be done and there was no problem with the boat. The owner was nice enough to move the motor home to the street. The Township is trying to rectify the situation and is making progress.

Janit Buccella, 116 Barnegat Beach Drive, inquired who is responsible for securing the liquor store and requested protective fencing around the site. Mayor Collamer discussed the building is secured. Chief Rogalski discussed part of the business checks that were completed by the Police Department were of that establishment. That establishment is secured from the outside. No one can get in. At night, any juvenile

can vandalize any building in the Township. There is nothing on the outside of that building that is different than before the fire occurred. Mayor Collamer discussed the Construction Official has deemed the building is not a structural hazard. Ms. Bucella thanked Mayor Collamer for getting back to her about the traffic speeding situation on Barnegat Beach Drive and Lighthouse Drive. Ms. Bucella would like the speed limit reduced to 25mph.

Motion to close Public Comment was moved by Deputy Mayor LoParo, seconded by Committeeman Boulderstone.

Roll Call: Boulderstone: Yes, LoParo: Yes, Collamer: Yes

Resolution 2018-234 Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$1,485,318.67

Motion to approve was moved by Deputy Mayor LoParo, seconded by Committeeman Boulderstone.

Roll Call: Boulderstone: Yes, LoParo: Yes, Collamer: Yes

Ordinance 2018-8 – 2nd Reading – Public Hearing

An Ordinance of the Township of Ocean, County of Ocean, State of New Jersey establishing an Electric and/or Natural Gas Aggregation Program

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

Roll Call: Boulderstone: Yes, LoParo: Yes, Collamer: Yes

John Petrosilli, 11 Vessel Road, inquired if the consensus of the residents is to not participate in the program, can the Township not participate. Mayor Collamer discussed, yes. Mr. Petrosilli inquired if there is a time frame residents are able to opt out. Mayor Collamer discussed residents can opt out at any time. Committeeman Boulderstone discussed residents can opt out before the program starts. Deputy Mayor LoParo discussed opt-out cards will be at the public meetings.

Eileen Doyle, 243 11th Street, is against the program and is concerned with the Township taking over citizens' right to make their own choices. Mayor Collamer discussed the Township cannot make the program available to people who might want to do it, without taking the steps we are taking. Township Administrator/Clerk Ambrosio discussed this program has been very successful in other towns. The residents have saved money. Everyone will be able to monitor the savings. Committeeman Boulderstone requested Mrs. Doyle come to the public meeting to discuss her concerns.

Motion to close Public Comment was moved by Deputy Mayor LoParo, seconded by Committeeman Boulderstone.

Roll Call: Boulderstone: Yes, LoParo: Yes, Collamer: Yes

Motion to approve Ordinance 2018-8 was moved by Deputy Mayor LoParo, seconded by Committeeman Baulderstone.

Roll Call: Baulderstone: Yes, LoParo: Yes, Collamer: Yes

Ordinance 2018-9 – 2nd Reading – Public Hearing

Ordinance of the Township of Ocean, County of Ocean, State of New Jersey, amending Chapter 340 of the Township Code of the Township of Ocean with respect to Subdivision & Site Plan Review

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

Roll Call: Baulderstone: Yes, LoParo: Yes, Collamer: Yes

No comment from the public.

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

Roll Call: Baulderstone: Yes, LoParo: Yes, Collamer: Yes

Motion to approve Ordinance 2018-9 was moved by Deputy Mayor LoParo, seconded by Committeeman Baulderstone.

Roll Call: Baulderstone: Yes, LoParo: Yes, Collamer: Yes

Ordinance 2018-10 – 2nd Reading – Public Hearing

ORDINANCE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 61 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF OCEAN TO ESTABLISH THE POWERS AND DUTIES OF THE TOWNSHIP'S CHIEF OF POLICE

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

Roll Call: Baulderstone: Yes, LoParo: Yes, Collamer: Yes

No comment from the public.

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

Roll Call: Baulderstone: Yes, LoParo: Yes, Collamer: Yes

Motion to approve Ordinance 2018-10 was moved by Deputy Mayor LoParo, seconded by Committeeman Baulderstone.

Roll Call: Baulderstone: Yes, LoParo: Yes, Collamer: Yes

Ordinance 2018-11 – First Reading – Title Only

ORDINANCE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 89 OF THE TOWNSHIP CODE RELATING TO “ALCOHOLIC BEVERAGES” TO REQUIRE CERTAIN TRAINING OF LICENSEES

Motion to approve Ordinance 2018-11 was moved by Deputy Mayor LoParo, seconded by Committeeman Boulderstone.

Roll Call: Boulderstone: Yes, LoParo: Yes, Collamer: Yes

Ordinance 2018-12 – First Reading – Title Only

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 approve Ordinance 2018-12 was moved by Deputy Mayor LoParo, seconded by Committeeman Boulderstone.

Roll Call: Boulderstone: Yes, LoParo: 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.

- 2018-235 Resolution authorizing the Tax Collector to refund overpayment of taxes to 6 James Drive in the amount of \$1,434.71
- 2018-236 Resolution authorizing the hiring of Lori Konescsny-Miceli as Full-Time Plumbing Subcode
- 2018-237 Resolution authorizing release of performance guarantee Reddy (Buy Rite Liquor Store) Block 41, Lot 42.04
- 2018-238 Resolution of the Township of Ocean, County of Ocean, State of New Jersey authorizing a lien be placed on Block 238, Lot 22 in the Township of Ocean
- 2018-239 Resolution appointing Christopher J. Dasti, Esquire under the Non-Fair and Open Process as Special Conflict Council
- 2018-240 Resolution Authorizing Disposal of Surplus Property of the Township of Ocean, County of Ocean, State of New Jersey
- 2018-241 Resolution authorizing the Mayor and Township Clerk to execute a retirement and separation agreement between the Township of Ocean and Howard Whited Jr., Operator 1
- 2018-242 RESOLUTION AUTHORIZING CHANGE ORDER NO. 1, BARRIER FREE ACCESS IMPROVEMENTS, MUNICIPAL BUILDING PROJECT

Motion to approve Resolutions 2018-235 through 2017-242:

Motion to approve was moved by Deputy Mayor LoParo, seconded by Committeeman Boulderstone.

Roll Call: Boulderstone: Yes, LoParo: Yes, Collamer: Yes

Resolution 2018-243

Resolution authorizing the Township Committee for Executive Session to discuss: Contracts, Litigation and Personnel Matters

Motion to approve was moved by Deputy Mayor LoParo, seconded by Committeeman Boulderstone.

Roll Call: Boulderstone: Yes, LoParo: Yes, Collamer: Yes

Motion to approve: Coastal Volunteers in Medicine Inc Social Affairs permit for the Charity Dinner Dance at Greenbriar Oceanaire on October 5, 2018

Motion to approve was moved by Deputy Mayor LoParo, seconded by Committeeman Boulderstone.

Roll Call: Boulderstone: Yes, LoParo: 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:

Kaitlyn Allen - September 15, 2018

Shannon Matthews – September 21, 2018

Nancy Matthews – September 2, 2018

Motion to approve was moved by Deputy Mayor LoParo, seconded by Committeeman Boulderstone.

Roll Call: Boulderstone: Yes, LoParo: Yes, Collamer: Yes

Motion to go into Executive Session:

Motion to approve was moved by Deputy Mayor LoParo, seconded by Committeeman Boulderstone.

Roll Call: Boulderstone: Yes, LoParo: Yes, Collamer: Yes

Motion to go into Open Session:

Motion to approve was moved by Deputy Mayor LoParo, seconded by Committeeman Boulderstone.

Roll Call: Boulderstone: Yes, LoParo: Yes, Collamer: Yes

Next Scheduled Meetings

August 23, 2018 – 10:00 am – Workshop/Business Meeting

September 13, 2018 – 7:00 pm – Regular Business Meeting

Adjournment:

Motion to adjourn was moved by Deputy Mayor LoParo, seconded by Committeeman Boulderstone.

Roll Call: Boulderstone: Yes, LoParo: Yes, Collamer: Yes

Signed and Submitted:

Diane B. Ambrosio, RMC
Municipal Clerk

Date