

MEETING MINUTES

TOWNSHIP OF OCEAN COUNTY OF OCEAN BUSINESS MEETING August 8, 2019

Call to Order

ROLL CALL: DODD X BAULDERSTONE X LOPARO 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 – Ben LoParo

The Township Committee would like to acknowledge a letter from Wawa Corporation on their decision to close the Waretown Wawa. The letter is posted on the Township website and on the doors at Wawa. As stated in their letter, “After careful and extensive evaluation of repairs needed or the possibility of expansion, we’ve determined that neither option is feasible here.” Please know that the Township Committee is still in touch with Wawa and have made recommendation and put them in touch with different properties in town. The properties recommended are owned privately.

Wawa sent an email with their intentions for the store and the site. The next step is to remove the building. The Wawa real estate team is working through the next steps to list the land for sale with deed restrictions. The building demolition should take place before the end of the month of August. Deed restriction means no one can own the property who is a competitor. Wawa will continue to keep its commitments to our charitable organizations in town. The land is owned by Wawa. It will be for sale for approximately \$600,000.

96 Bryant Road

The Township has taken full ownership of the property. This has been a long process. Those of you who enjoy visiting the public dock can now see the building has been removed. The Township is working with the New Jersey Department of Environmental Protection on resolving the outstanding issues on the property that were put in improperly. The building with the bathrooms will remain. The Township has discussed at Township meetings the possibility of completing a request for proposal from companies that would like to have a non-motorized sporting activities and possibly a food truck or two, depending on approvals.

The Township has used Open Space funds and is obtaining Green Acres Funding for the property. Green Acres has required a Level II Environmental Study which is being completed at this time by the Township Engineer, T&M Associates. Once these items are complete the Township needs to submit a plan for the property for their review and approval.

Police Department

Chief Rogalski was not able to attend tonight's meeting.

(Attached is the report to be read into the record)

Please be aware that the Township Police Department has been working diligently to obtain Accreditation from the New Jersey State Association of Chief of Police. Part of this process is a site visit. The site visit will take place on August 19, 2019. They examine all aspects of the Ocean Township Police Department's policies and procedures, management, operations, and support services.

As part of the final on-site assessment, employees and members of the general public are invited to provide comments to the assessment team. They may do so by telephone or email. On Monday, August 19th between the hours of 9:00am–11:00am you can contact (609) 693-3302 ext. 222 or e-mail the Chief directly at MRogalski@twpoceannj.gov. Telephone comments are limited to 5 minute per call. There are 106 standards that must be achieved to receive accreditation status.

As per Chief Rogalski, "Accreditation results in greater accountability with the agency, reduce risk and liability exposure, stronger defense against civil lawsuits, increased community advocacy, and more confidence in the agency's ability to operate efficiently and respond to community needs".

Recreation

Summer Camp has ended today on August 8th. The camp averaged 35 children per week.

Golf Camp has concluded on July 30th. There were 11 children who participated in the program.

The Fishing Derby was held on July 26th. This event was well attended.

Town Wide Yard Sale was held on July 27. The event had 73 homes registered on the yard sale map. There were 22 residents signed up for the lake area, and it was reported that there were 40 residents signed up at the Greenbriar maintenance garage parking lot.

Municipal Alliance/Recreation

The 2019-2020 grant process had started. The Municipal Alliance will be compiling data for the next five (5) years.

Trips Scheduled – are all listed on the Township Website.

September 14th Boston Red Sox – Philadelphia Phillies - \$69.00 per person

September 25th – Cesar Casino "Musical Tribute to Carole King" \$84 per person with \$25 play back slots.

Deputy Mayor – Ken Baulderstone

Ordinance 2019-9, 2nd Reading, Public Hearing. This ordinance is the public hearing for the rate increase for the Utility Department Budget. The rates for the Township of Ocean Utility Department have not increased rates since 2015. The Township is introducing a 4% increase on the water and sewer rates. There are many factors that are included in the rate increase.

The Ocean County Utility Authority has raised their rates over the years and the Township of Ocean did not raise the town rates. This year instead of receiving a credit, as the town has received in the past, the town received an overage fee in January of this year of \$85,000.

The Township has been doing work over the past years regarding water mains, laterals in the roads and generators to keep the equipment working during storm situations and the cost of maintenance and upkeep on the equipment, pipes, sewer lines, pump stations, water filters and maintenance of the water filters to provide clean water.

The State of New Jersey has implemented the unfunded mandate of the Clean Water Act, which has many new rules that must be implemented and cost money. The Township has been proactive in working with the New Jersey Infrastructure Trust Fund to receive loan forgiveness for many of the projects. This year the town is working with USDA for low interest loans, also including the possibility of loan forgiveness.

Resolution 2019-213 through 2019-222. These resolutions are for property maintenance issues. The Township is placing a municipal lien on each of these properties for the work the Department of Public Works has completed to bring the property in compliance.

Energy Aggregation Update. There were 4,238 residents that were eligible to be part of the program. As of July 11th the total residents that have opted out were approximately 829 eligible homes.

Department of Public Works

Many projects have been going on throughout the town. Several sink holes have been fixed by the Department of Public Works throughout the Township. The following are areas this past month, Oak Street, James Drive, Laurelwyck Drive, and Carteret Court. There are areas where pavement has been patched and repairs have been made.

The Department of Public works continues cutting back brush and brush pick up. New siding was completed on the front of Town Hall.

A water main break on Beverly Drive was repaired.

When the demolition of 96 Bryant Road took place, a third artesian well was found. Permits need to be obtained to cap all three wells.

Clean Up Weekend. The totals for items collected during Clean Up Weekend have gone down compared to 2018 for the first time. Residents are using this program to dispose of items. Disposal Totals: 87.19 tons of garbage, 585 gallons of oil, 62 gallons antifreeze, 820 pounds of batteries, 2,356 pounds of concrete, 15 bins of paint and 5 boxes of metal – received \$1,425. The Township Committee would like to thank the Environmental Commission and all members of the Department of Public Works for making this a very successful event.

Township of Ocean Dog Park. The Township is still waiting on the NJ Department of Environmental Protection response on the jurisdictional determination. A request has been requested again but no response.

Volunteer Way. The Township has received a letter from the New Jersey Department of Environmental Protection with additional questions regarding storm water management design, based on the new rules. T&M Engineering is preparing a response.

Township Bulkhead Assessment. The Township Engineer, T&M Associates, is preparing the design plans and permit applications. The submittal should be made by early September. The permit is good for 5 years. Once the permit is obtained, the Township will assess how to proceed with the repairs.

Special Events. The Haunted Hayride will take place on October 18 & 19, 2019. Skit Contestants are wanted and prizes will be awarded for best skit. For more information please go to the Township Website or contact Jeanne Broadbent in Recreation.

Committeewoman – Lydia M. Dodd

Resolution 2019-210 authorizes the Township Committee to extend the grace period to pay the third quarter taxes until September 4, 2019.

The Township had to wait for the tax rate to be certified. Once the tax rate was certified by the State of New Jersey and Ocean County, the bills were printed and mailed. They arrived at residents the week of August 5th.

As required by New Jersey State Law a resolution must be completed extending the grace period. If the tax bill is not paid on or before September 4th, the interest will revert back to the original statutory due date of August 1st.

Included in the tax bill envelope was information regarding The Township of Ocean Property Tax Savings/Reward Program for Township property owners. The Township believes this agreement may stimulate the local economy and offer a Property Tax Savings Program for the residents. The taxpayer will earn greater rewards by shopping locally.

There is no cost to the Township but residents can shop locally and on-line to earn rewards that can be credited towards their property tax bill. The company Municipal Cards LLC will run the program. The information is on the Township website for details.

The payment to the tax bill will be in the 3rd quarter of each year. A resident can earn credits by shopping with a prepaid credit card to earn credit. It is a choice by each resident if they would like to participate.

GovDeals. Last month the Township Committee authorized the selling of equipment of obsolete and no longer viable for use. The Township sold the items and after the fee (7.5%) the Township has received \$9,307.60 for this equipment. This money will be placed into the Township's accounts.

The Vacant Property Program. During the month of July 2019, the program had two initial registrations for a total of \$750.00 and one first renewal for a total of \$2,000. The year to date collected in 2019 is \$58,500.00

Zoning and Code Enforcement. During the month of July, thirty-eight zoning applications were approved. One was denied. Forty-three have been received and are waiting to be reviewed and/or processed.

Construction. Six notices were sent out this month – two Unsafe Structures and four Notices of Violation/Order to Pay Penalties for UCC Codes, such as work without permits, exceeding scope of work, failed to obtain proper inspections.

Code Enforcement has written 16 notices of violation in the month of July, 17 of the violations were abated. There were 14 second notices issued.

Cornerstone at Waretown. Site work is proceeding nicely and the construction has begun. The footings/foundation/slabs are being poured and permits were issued.

Buy Rite Liquor Store. Building permit has been issued. The Construction Official is still working on an update for electrical and plumbing. The building is going up.

Kristy's Casual Dining. Kristy's received Planning Board approval for an outdoor patio. They have submitted for permits and are being reviewed and are awaiting updates from the contractor.

Tradewinds at Waretown. The Township Engineer issued a letter to Tradewinds to clean up the site. The developer and contractor have begun clean-up work and general stabilization.

PUBLIC COMMENT:

Motion to Open Public Comment was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Steve Adams, 27 Deal Lane, inquired about the Wawa.

Deputy Mayor LoParo discussed Wawa is going to knock the building down by the end of the month and will put the land up for sale for \$600,000. The land will be deed-restricted. No competitor can buy it for probably 20 years. Wawa has no interest in an alternative site.

Mr. Adams inquired if there will be another homestead credit between now and the end of the year.

Township Administrator/Clerk Ambrosio discussed that is a state question. Homestead is not decided by the Township.

Committeewoman Dodd discussed the State is sending the rebate in two payments this year.

Mr. Adams discussed with the Wawa gone, the stopped construction across from ShopRite, and the closing of Ocean First Bank, the Township is looking shabby.

Mayor LoParo discussed there was a discussion of a lease with the Ocean Bank property that fell through with the landlords. The external site next to Ocean First was supposed to be Dunkin Donuts. That is still up in the air. The Township does not know what the issue is there.

Township Administrator/Clerk Ambrosio discussed the Township issued a letter to the developer to clean up the site across from ShopRite. They are now cleaning up the site.

Township Attorney McGuckin discussed a lot of infrastructure and money was put into the ground. The developer's business model will justify the stop work. However, it is the developer's property and they can move on it when they want.

Mayor LoParo discussed they Township cannot force the developer to do more construction. The liquor store is going up. Kristy's Casual Dining is constructing a patio.

John Petrosilli, 11 Vessel Road, discussed the used car lot is looking bad.

Township Administrator/Clerk Ambrosio discussed the Zoning Officer is on top of it. The property owner was due to appear in court on Tuesday but did not appear. The Township will continue moving forward through the court system.

Nancy Cairra, 103 Atlantic Avenue, inquired if Bay Haven has a sign like every other section in Waretown.

Township Administrator/Clerk Ambrosio discussed there used to be a sign at the top of Bryant Road. I will look into it.

Ms. Cairra discussed it would be nice for residents to give input on what should be at the end of Bryant Road and create something nostalgic, similar to the old fishing station.

Shawn Denning Jr., 92 Morey Place Road, inquired if there is anything the municipality can do to override deed restriction.

Township Attorney McGuckin discussed if the Township was going to use it for a public purchase, the Township would have the right to condemn the property for public purpose. Public purpose would be to not sell it to another company. The Township could put a park there, public facilities or a parking lot. It is a prime commercial property on the corner. If the property is part of a redevelopment plan, the Township would not be able to condemn it. The Township would have to prove the property is underutilized and in such a dilapidated condition over a period of time, in order to meet the requirements for that. It has been a commercial business for years. It will continue to be some type of business in the future. It would have to remain vacant for 10-15 years before that could happen.

Mr. Denning discussed the municipal tax card is a great idea except it is prepaid and only .25%.

Township Attorney McGuckin discussed the plan is to expand the program. It all depends how much it is utilized.

Mr. Denning inquired if the Town Wide Clean Up could be scheduled for Saturday and Sunday and cycle off the employees.

Township Administrator/Clerk Ambrosio discussed it is not an overtime issue. It is due to emptying the dumpsters. The landfill closes early on Saturdays. Friday has been busier than Saturday. Residents seem to schedule their time to attend.

Mr. Denning commended the Committee for doing a great job and being level-headed, keeping the Township moving forward. People are upset the way the Township looks but slow and steady progress moving forward is what the town needs. The Township's careful planning will come into fruition.

Motion to close Public Comment was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Motion to approve: The Meeting Minutes of June 13, 2019 and June 25, 2019

Motion to approve was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.
Roll Call: Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Resolution 2019-209 Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$3,343,824.23

Motion to approve was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.
Roll Call: Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Resolution 2019-210

Resolution authorizing the grace period for third quarter taxes until September 4, 2019 after which the interest will revert back to the original statutory due date of August 1, 2019.

Motion to approve was moved by Committeewoman Dodd, seconded by Deputy Mayor Baulderstone.
Roll Call: Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Ordinance 2019-9 Second Reading – Public Hearing

An Ordinance Amending Ordinance No. 2015-18 of the Township of Ocean, County of Ocean, State of New Jersey, entitled “Water and Sewer Utility Department” Fees relating to Chapter 13 of the Township Code

Motion to open Public Comment on Ordinance 2019-9 was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, Baulderstone: Yes, LoParo: Yes.

No comment from the public.

Motion to close Public Comment on Ordinance 2019-9 was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Motion to approve Ordinance 2019-9 was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, Baulderstone: Yes, LoParo: 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.

- 2019-211 Resolution of the Township of Ocean, County of Ocean, State of New Jersey, Supporting participation in the New Jersey Coastal Coalition and its efforts to prepare Ocean County for future flood events
- 2019-212 Resolution of the Township of Ocean, County of Ocean, State of New Jersey Supporting the Lawsuit by the Ocean County Board of Freeholders, Challenging the Attorney General's Immigration Trust Directive
- 2019-213 Resolution of the Township of Ocean, County of Ocean, State of New Jersey, urging legislators to take action to oppose and seek changes to the reauthorization of the National Flood Insurance Program
- 2019-214 Resolution authorizing a Municipal Lien on 10 Point Road in the amount of \$640.59 for failure to abate property violations
- 2019-215 Resolution authorizing a Municipal Lien on 28 Willow Street in the amount of \$476.44 for failure to abate property violations
- 2019-216 Resolution authorizing a Municipal Lien on 119 Seneca Blvd in the amount of \$431.31 for failure to abate property violations
- 2019-217 Resolution authorizing a Municipal Lien on 121 Harborage Place in the amount of \$401.79 for failure to abate property violations
- 2019-218 Resolution authorizing a Municipal Lien on 20 Onedia Avenue in the amount of \$386.79 for failure to abate property violations
- 2019-219 Resolution authorizing a Municipal Lien on 39 Chestnut Street in the amount of \$322.68 for failure to abate property violations
- 2019-220 Resolution authorizing a Municipal Lien on 32 Chestnut Street in the amount of \$346.79 for failure to abate property violations
- 2019-221 Resolution authorizing a Municipal Lien on 39 Chestnut Street in the amount of \$346.79 for failure to abate property violations
- 2019-222 Resolution authorizing a Municipal Lien on 175 Main Street in the amount of \$346.79 for failure to abate property violations
- 2019-223 Resolution authorizing a Municipal Lien on 53 Central Avenue in the amount of \$1,189.16 for failure to abate property violations

Motion to approve Resolutions 2019-211 through 2019-223

Motion to approve was moved by Committeewoman Dodd, seconded by Deputy Mayor Baulderstone.
Roll Call: Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Resolution 2019-224

Resolution authorizing the Township Committee to go into Executive Session for the reasons: contractual litigation and personnel matter

Motion to approve was moved by Committeewoman Dodd, seconded by Deputy Mayor Baulderstone.
Roll Call: Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Motion to approve the below listed dates in 2019 for the use of the Community Center, Waretown Memorial Recreation Park, Tuomey Park and Ballfield:

Barbara Drummond – July 21, 2019

Motion to approve was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.
Roll Call: Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Motion to move into Executive Session:

Motion to move into Executive Session was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Motion to move into Open Session:

Motion to move into Open Session was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Next Scheduled Meeting

September 12, 2019 – 7:00 pm - Regular Business Meeting

Adjournment

Motion to adjourn was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.
Roll Call: Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Signed and Submitted:

Diane B. Ambrosio, RMC
Municipal Clerk

Date