

MEETING MINUTES

**TOWNSHIP OF OCEAN
COUNTY OF OCEAN
BUSINESS MEETING
May 17, 2022
6:00 pm**

Call to Order

Flag Salute

ROLL CALL: DODD X BAULDERSTONE Absent LOPARO X

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

Resolution 2022-166

Resolution of the Township of Ocean, County of Ocean, State of New Jersey in Support of Senate Bill S-1697 and State Assembly Bill A-757 in support of the State Allowing Certain Volunteer Firefighters, Rescue and First Aid Squad members to Claim \$5,000 income Tax Deduction

Motion to approve was moved by Mayor LoParo, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, LoParo: Yes

Presentation

Proclamations

National EMS (Emergency Medical Services) Week – May 15-21, 2022

Committeewoman Dodd read and presented the proclamation to Captain Jason Dougherty of the Waretown First Aid Squad to honor National Emergency Medical Services Week (EMS), May 15-21, 2022.

National Police Week – May 15–21, 2022

Mayor LoParo read and presented the proclamation to Detective Jeremy Samuel of the Ocean Township Police Department to honor National Police Week, May 15-21, 2022.

National Firefighters’ Day – May 4, 2022

Committeewoman Dodd read and presented the proclamation to the Waretown Volunteer Fire Company Chief Shane Leaming, Assistant Chief Anthony O’Hara, Lieutenant Jeremy Sutton, President/Chief Engineer Robert Ziegenfuss and Firefighters Brent Cunningham and Hunter Hawk to honor National Firefighters’ Day May 4, 2022.

National Public Works Week May – 15-21, 2022

Mayor LoParo read and presented the proclamation to Superintendent of Public Works Matt Ambrosio and Heavy Equipment Operator Anthony O'Hara to honor National Public Works Week May 15-21, 2022.

Committee Reports

Committeewoman – Lydia M. Dodd

Thank you for joining us this evening.

I would first like to start by thanking everyone who came to the Dedication Ceremony for our Veteran's Memorial Park. The event was well attended by Veterans, Residents, Families, Police, Fire and First Aid. The 9th Legislative District and Ocean County Commissioners attended and presented the Township with a Proclamation. We want to thank Jason Worth from T&M Associates, the Department of Public Works and everyone who participated in the dedication ceremony, as well as those who came out to celebrate this important park.

April 2022 Reports

Zoning Department. 44 applications were approved, 21 applications pending review and 4 denial applications.

Code Enforcement. 22 Notices of Violation, 0 Second Notices of Violation, 0 properties abated their violations, 0 Property Liens and 7 Municipal Court Cases.

Construction. 58 Permits issued, 12 Permit updates, 27 Certificates of Approval issued, 2 Certificates of Occupancy, 1 Notice of Violation – Provision of the Plumbing Code and 1 Notice of Violation – UCC/DCA for allowing occupancy without a Certificate of Occupancy.

Justice Grown. Full permit released. Project in progress.

Joe's Bagels, which is moving into the old Dunkin Donuts building in the Shop Rite Plaza, has submitted permits for some renovations. All subcodes were released except plumbing. The contractor is working on the remaining issues.

Divine Interventions, storage buildings on Route 9, have submitted their resolution compliance packet and final site plan packet and is being reviewed by the engineers.

8th Street Water Tower. The contractor has completed the inside and is ready to fill the tank. The tank will be filled when the lettering and flag are complete, weather permitting. The tank should be filled starting on May 19th. Testing will take one week. This will keep the project within schedule to have the tank working at 100% by May 26th. The contractor will be using the same template for the flag. The flag will appear bigger, as the tank is smaller than the Birdsall tower.

Thank you.

Mayor – Ben LoParo

Thank you for coming to the Township Committee meeting this evening.

Ordinance 2022-11, 2022-136. 2022 Budget Public Hearing is this evening. The State of New Jersey has approved the budget. The Budget Summary will be advertised in the Asbury Park Press on May 25, 2022 and copies are available in the Clerk's office for free and posted on the Township website in accordance with New Jersey State law.

The budget being introduced represents a difficult and 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. I firmly believe we have struck that balance with the budget being introduced.

There were some shortfalls in the budget last year due to COVID19. The Township has been able to recover some of the shortfalls with the Ocean County Cares funding and the American Rescue Plan. The Township Committee continues to review areas that can be improved, and the Township is continuing the Shared Service Agreements for cost savings. This year includes a Shared Service Agreement with Toms River Township for our Municipal Clerk and Barnegat for our Recreation Director. The town also shares services and has part-time employees such as: Construction Official, Sub-Code Officials, Tax Collector, and Tax Assessor for additional cost savings.

As the Township Committee has discussed on several occasions, the garbage and recycling contracts, when bid, only received one bid. The cost of the garbage contract alone went up 23.70% and the recycling contract went up 27.17% per year. There are the annual costs of doing business that go up, including the price of fuel. The Township is now having to pay a federal tax that it did not have to pay in the past. Additionally, pension payments, salaries, natural gas and electric have all increased. The Township does need to provide the proper items necessary for the departments to continue to do their jobs effectively.

The Township Committee along with the Township Finance Officer and Business Administrator have been working diligently to have the 2022 budget complete. This year even with the Township working hard to keep costs down, the Township will have an increase of less than 2.5 cents (\$0.024).

	<u>Avg. House Assmt</u>	<u>Avg. Increase based upon \$.024</u>
Township Houses	\$271,500	\$65.16 - Total year
Greenbriar Houses	\$323,600	\$77.66 - Total year

Township Average is \$5.43 per month
Greenbriar Average is \$6.47 per month

Ordinances 2022-9, 2022-10 and 2022-12. Tonight, is the public hearing on both of the ordinances addressing cannabis businesses in the Township. Ordinance 2022-9 is repealing the ordinance that was put in place to not allow Cannabis in the Township of Ocean. Now that the State Committee has put the rules in place, the Township of Ocean wishes to allow the business within the Township. Ordinance 2022-10 is allowing the proper overlay zone for the businesses to be established. These ordinances were already sent to the Planning Board and there were no comments.

Resolution 2022-155. I would like to thank the negotiating team who worked on the PBA contract for the rank and file. The Township Committee will be approving a four-year contract from January 2022 through December 2025. In the agreement, the two payroll charts have been merged into one chart and reset the steps. The officers will receive a 2.5% increase each year until December 31, 2025. The police will receive retro payment on this contract starting April 1st. Also listed in the agreement is any officer starting after January 1, 2022 will not obtain funding for college classes each year. All Officers will receive a stipend for an associates or bachelor's degree. I would like to thank all the Officers for their service. Again, I would like to thank the Township Administrator, Detective Jeremy Samuels and Officer Kevin McKnight for working together to achieve a fair contract.

Municipal Alliance. Skate Night and DJ will take place on June 3rd at the Skate Park, Crab & Fishing tournament will take place on June 4th and the Drive in Movie will be June 18th – Shrek.

The Wine Festival last Saturday and Sunday was very well attended and a big success.

Recreation. Founder's Day Fireworks will be held over the bay on Saturday, May 28th Memorial Day weekend. There will be a DJ with music. Starting at 4:00 pm at Waretown Bayfront Park & Pier (end of Bryant Road) the New Saker Shop Rite will be providing a Food Truck and Family Games such as corn hole and Connect 4. They will be giving away free hot dogs, hamburgers, sausage sandwiches, chips, beverages, and ice cream. Bring a chair and come for some family games, music, and free food. Fireworks start at dusk (approximately 9:00 pm) depending on the weather. The rain date is May 29th.

Senior Center. On Monday, May 23rd at 12:00pm the Township, along with the Ocean County Commissioner and Ocean County Senior Services, will hold the Grand Opening of a Congregate Center.

This will offer free meals to Senior Citizens. The hot meals will be served every Monday and Wednesday each week. A person must RSVP by 10:00 am the day before. The Township has received a grant of \$70,000 from Ocean County Senior Services to participate in this program. This money will fund additional programs and more social recreation for our Senior Citizens.

This is the second grant obtained this year from Ocean County Senior Services. The first was \$32,500. These grants assist in paying for programs, speakers and exercise. I hope everyone can come out to this grand re-opening of the Engle Sprague Senior Center.

The entire Community Center will be open starting May 31st. If you would like to rent the building, please contact the Clerk's Office regarding availability. Please make sure you are signed up for the Township's e-mail. All information will be sent and copies can be obtained for all events at Town Hall and the Township's website.

Thank you.

PUBLIC COMMENT:

Motion to open Public Comment was moved by Mayor LoParo, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, LoParo: Yes

Gary Cottrell, 94 Main Street, discussed receiving a letter from the New Jersey Department of Environmental Protection (NJDEP) regarding the shellfish industry. There are seasonal waters in the Barnegat Bay that are used for shellfish harvesting. They are open from November 1st until April 30th. Mr. Cottrell discussed he leases several acres of ground from the State of New Jersey for shellfish harvesting and farming. NJDEP just took 25% of the Southern most lot, which is 15 acres and condemned it permanently for the harvest of shellfish, even in the seasonal time of year. The State is mentioning Waretown as the prime polluter.

Township Administrator/Clerk Ambrosio discussed the State did not notify the Township because the Township is not the property owner. Township Administrator/Clerk Ambrosio discussed she will contact NJDEP tomorrow. If a cup of oil is spilled in a driveway, the Township is notified. The Township has to post signs at condemned swimming areas, why doesn't the State have to post signs.

Shawn Denning, 92 Morey Place Road, discussed the wine festival was great. Next year the festival should include picnic tables so there is a place to eat and the lake needs more playground equipment.

Mr. Denning requested an update on the Morey Place Road report.

Township Administrator/Clerk Ambrosio discussed the report is no longer a draft. Mr. Denning may OPRA the report and it will be sent directly to him.

Mr. Denning discussed he received another flat tire on Morey Place Road. The road needs to be graded. Please do not dump more rocks. The dirt is so hard on Morey Place Road that the rocks jam into the tire. Mr. Denning inquired if the Township is in talks about doing anything with the information in the report.

Jason Worth, Township Engineer, discussed the report is preliminary right now, as it is a 3,400 linear foot long road in the CAFRA zone. Anything over 1,200 feet will require a CAFRA permit. The road is compacted, really hard and a drivable surface. There will be over an acre of disturbance. The Township will certainly have to account for stormwater and meet all the new rules. There is a habitat for endangered species on both sides of the exit onto Wells Mills Road and Waretown Creek is right behind there. It is hard to know the exact cost to pave the road. The State could start applying restrictions. It leaves a question mark if this could even be done.

Mr. Denning discussed this is the exact reason why the developer never paved the road. That subdivision should have never been approved. The Township took \$70,000 for the road. Mr. Denning discussed he needs a navigational street, dirt is fine, that does not washout every time it rains and does not put rocks in the tires.

Tom Donahue, United Food & Commercial Workers Labor Union, discussed this union is the official labor union of cannabis workers throughout the country and Canada. Mr. Donahue requested when writing the cannabis ordinance, the Township put in labor protections that are also in the State law. This union represents companies such as Garden State Dispensary and Verano. Justice Grown is going to be negotiating a contract for their workers.

Township Attorney Dasti discussed the ordinance is already written and adopts the State regulations and all cannabis requirements. When it comes time to issuing a license, there will be an application process that cannot be commented on yet, as those applications are not complete. Hiring locally and benefits are included in the ordinance.

Mr. Donohue gave his contact information to Township Administrator/Clerk Ambrosio and invited the Township Administrator and Committee to tour a facility that is already represented by the union.

Gary Cottrell discussed he has another lot North of the harbor at Holiday Harbor Marina, which is a twelve-acre parcel. The windmill company has discussed going right through the middle of it. When the windmill company hits land, it will fall on the Southern most park of Bob Lange's property.

Mayor LoParo discussed Orsted still has not committed to where they are making landfall yet.

Mr. Cottrell discussed he met with two of their representatives at his business last week and they showed him a chart and it looks like they are going to go through his lease and hit the South end of Bob Lange's property. They will need to compensate. It also looked like they will go through the County property along the South side of Lighthouse Drive.

Mayor LoParo discussed at the last meeting he attended, Orsted said they were looking at Dock Avenue and the farm.

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

Roll Call: Dodd: Yes, LoParo: Yes

Motion to approve Meeting Minutes of April 19, 2022

Motion to approve was moved by Mayor LoParo, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, LoParo: Yes

Resolution 2022-154: Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$4,753,267.70

Motion to approve was moved by Mayor LoParo, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, LoParo: Yes

Ordinance 2022-9 Second Reading – Public Hearing

AN ORDINANCE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY, REPEALING AND REPLACING CHAPTER 125 OF THE TOWNSHIP CODE WHICH PROHIBITED ALL CLASSES OF CANNABIS BUSINESS WITHIN THE TOWNSHIP AND AMENDING CHAPTER 125 OF THE TOWNSHIP CODE TO BE ENTITLED "CANNABIS BUSINESSES" TO PERMIT CERTAIN CLASSES OF CANNABIS LICENSES

Motion to open Public Comment on Ordinance 2022-9 was moved by Mayor LoParo, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, LoParo: Yes

No comment from the public.

Motion to close Public Comment on Ordinance 2022-9 was moved by Mayor LoParo, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, LoParo: Yes

Motion to approve Ordinance 2022-9 was moved by Mayor LoParo, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, LoParo: Yes

Ordinance 2022-10 Second Reading – Public Hearing

AN ORDINANCE OF THE TOWNSHIP OF OCEAN IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY TO AMEND THE OFFICIAL ZONING MAP OF THE TOWNSHIP AND CHAPTER 410 OF THE TOWNSHIP CODE IN ORDER TO ESTABLISH THE “CANNABIS USE OVERLAY ZONES” AND PROVIDE ASSOCIATED ZONING REQUIREMENTS

Motion to open Public Comment on Ordinance 2022-10 was moved by Mayor LoParo, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, LoParo: Yes

Shawn Denning, 92 Morey Place Road, inquired about the application process.

Township Administrator/Clerk Ambrosio discussed it has not been established yet. Once the ordinances are complete and advertised, it will be discussed at the June meeting.

Mr. Denning discussed if the Township allows farming, growers can grow their own strain. The pine needles are good for anxiety. If you grow your marijuana around pine needles, it will have an anxiety reducing effect.

Motion to close Public Comment on Ordinance 2022-10 was moved by Mayor LoParo, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, LoParo: Yes

Motion to approve Ordinance 2022-10 was moved by Mayor LoParo, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, LoParo: Yes

Ordinance 2022-11 Second Reading – Public Hearing

Ordinance to exceed the municipal Budget Appropriation Limits and to establish a Cap bank

Motion to open Public Comment on Ordinance 2022-11 was moved by Mayor LoParo, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, LoParo: Yes

No comment from the public.

Motion to close Public Comment and approve Ordinance 2022-11 was moved by Mayor LoParo, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, LoParo: Yes

Ordinance 2022-12– Second Reading Public Hearing

AN ORDINANCE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTING AN AMENDMENT TO THE PHASE 1- ROUTE 9 REDEVELOPMENT PLAN

Motion to open Public Comment on Ordinance 2022-12 was moved by Mayor LoParo, seconded by Committeewoman Dodd.

Roll Call: Dodd: Yes, LoParo: Yes

No comment from the public.

Motion to close Public Comment and approve Ordinance 2022-12 was moved by Mayor LoParo, seconded by Committeewoman Dodd.
Roll Call: Dodd: Yes, LoParo: Yes

Resolution 2022-136 Second Reading – Public Hearing

Authorizing the Municipal Budget of the Township of Ocean, County of Ocean, State of New Jersey for fiscal year 2022. The Budget Summary will be published on April 25, 2022 in the Asbury Park Press Newspaper. The Public Hearing on the Budget Resolution will be held May 17, 2022 at the Municipal Building Meeting Room, 50 Railroad Avenue, Waretown NJ 08758 at 6:00 pm for final passage

Motion to open Public Comment on Resolution 2022-136 was moved by Mayor LoParo, seconded by Committeewoman Dodd.
Roll Call: Dodd: Yes, LoParo: Yes

No comment from the public.

Motion to close Public Comment and approve Resolution 2022-136 was moved by Mayor LoParo, seconded by Committeewoman Dodd.
Roll Call: Dodd: Yes, LoParo: Yes

Resolution 2022-155

Resolution authorizing the Ocean Township Policemen's Benevolent Association Local #371 (Rank & File) four-year agreement dated January 1, 2022 – December 31, 2025

Motion to approve Resolution 2022-155 was moved by Mayor LoParo, seconded by Committeewoman Dodd.
Roll Call: Dodd: 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.

- 2022-156** Resolution accepting the resignation of Telecommunicator/Dispatcher Gabriella Kanko effective May 9, 2022
- 2022-157** Resolution authorizing the refund for over payment on 64 Barnegat Beach Drive in the amount of \$1,220.00
- 2022-158** A Resolution authorizing the release of escrow money left after all payables have been satisfied
- 2022-159** Resolution authorizing the hiring of Caitlyn Stevens as a part-time training dispatcher starting May 30, 2022
- 2022-160** Resolution authorizing the appointment of Barbara Olson to the Zoning Board of Adjustment term expires December 31, 2023
- 2022-161** Resolution authorizing Jared Yaockachonis has passed his New Jersey Commercial Driver's License and will be moved to the title of Truck Driver 1

- 2022-162** Resolution authorizing refund to 77 Baltic Avenue in the amount of \$3,820.14 a refund for overpayment
- 2022-163** Resolution authorizing Ryan Parks to be appointed as a full-time Telecommunicator/Dispatcher at the rate of \$18.50 per hour starting May 17, 2022
- 2022-164** Resolution authorizing RVE to assist with the Water Quality Act Report Preparation in the amount of \$6,000
- 2022-165** Resolution of the Township of Ocean, County of Ocean, State of New Jersey authorizing release of maintenance guarantee to MSC Enterprises LLC for Block 57, Lot 13

Motion to approve Resolutions 2022-156 through 2022-165

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

Motion to approve the below listed dates for use of the Community Center, Corliss Park Lake and Recreation Area, Waretown Bayfront Park & Pier, Toumey Park, and Ballfield:

Eyes on the Ball Tennis Camp – Recreation Department – July 25–29, 2022
Chess Wizards Summer Camp – Recreation Department – August 8–12, 2022
Crafty Katie – Summer Camp – 3 camp dates – 9:30am–11:00am
- June 27–July 1, 2022, July 18–22, 2022 and August 15–22, 2022
Magic Summer Camp – Recreation - July 25–28, 2022 and August 1-4, 2022
Shelly's Creation LLC Art Classes – Tuesdays – 1:00pm–3:00pm
Senior Advisory - Community Health Fair with Ocean County Health Department - Oct. 14, 2022

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

Next Scheduled Business Meetings

June 21, 2022 – 6:00 pm
July 19, 2022 – 6:00 pm

Adjournment

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

Signed and Submitted:

Diane B. Ambrosio, RMC
Municipal Clerk

Date