

# MEETING MINUTES

**TOWNSHIP OF OCEAN  
COUNTY OF OCEAN  
BUSINESS MEETING  
July 19, 2022  
6:00 pm**

**Call to Order**

**Flag Salute**

**ROLL CALL: DODD   X   BAULDERSTONE   X   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

## **Committee Reports**

**Committeewoman – Lydia M. Dodd**

Thank you for joining us this evening.

Committeewoman Dodd discussed the Township received a letter from the International Institute of Municipal Clerks, awarding our Municipal Clerk, Diane Ambrosio, the designation of Certified Municipal Clerk. Included in the package is Diane's hard-earned certificate as well as the CMC lapel pin. The Township of Ocean is very proud of our Clerk. The CMC designation is granted to only those Municipal Clerks who complete demanding education requirements and who have a record of significant contributions to their local government, their community and State. The Township Committee applauds your educational accomplishments and salutes you.

Ordinance 2022-13. Tonight, the Township is introducing an update to the salary ordinance. This ordinance is completed every few years. This is a salary range and job title as per New Jersey State Law. Every municipality must have this ordinance. These are put in place to last up to five years without having to update every year. This is also reviewed as part of the Township's audit. Tonight, is the first reading. The public hearing will be August 2<sup>nd</sup>.

Resolution 2022-208. This resolution is authorizing a grant amount into the 2022 Budget. This is for the American Rescue Plan Act in the amount of \$475,613.19.

Resolutions 2022-206, 207, 211. These resolutions are returning escrow and cash bonds. These must be completed by resolution.

Resolution 2022-212. This resolution is for a change order and closeout documents for Veteran's Memorial Park. The change order was a decrease in the overall contract approximately by \$14,000. The contractor has posted a 2-year maintenance bond.

The Township is continuing to work with the State Department of Environmental Protection discussing the issues with their regulations on crabbing and clamming in Barnegat Bay. The Township was able to have the Ocean County Municipal Utility authority come to the Township with their camera to look at

some of the sewer lines in town. This review is ongoing and any recommendations to improve water quality are welcome.

Residents need to be reminded that what goes down the storm drains ends up in the bay. Using fertilizer and not picking up pet waste are two factors that continually contribute to water quality. People are strongly reminded to pick up after your pets. All Township parks have signs, garbage cans and bags for people to use to be responsible to pick up after your pet.

#### June 2022 Reports

Zoning Department. 47 applications approved, 7 application pending review, 2 denial applications.

Code Enforcement. 20 Notices of Violation, 4 Second Notices of Violation, 7 properties abated their violations, 9 Municipal Court Cases, 1 lien placed on property for failure to maintain property-Resolution 2022-215.

Construction. 59 Permits Issued, 8 Permit updates, 87 Certificates of Approval issued, 10 Certificates of Occupancy, 1 Notice of Violation–failure to comply with an order, 3 Notices of Violation non-compliance, 5 Notices of Violation for work without permits, 1 Notice of Violation for occupying structure without a Certificate of Occupancy.

Joe's Bagels is moving into the old Dunkin Donuts building in the Shop Rite Plaza. They need Ocean County Board of Health approval.

Planning Board Meeting on August 4<sup>th</sup> at 7:00 pm will be hearing the Zell property final major site plan and subdivision. The project was approved by Redevelopment with a Redevelopment Plan and the Planning Board with some changes to the site plan. This meeting is for compliance with the approvals already received.

Thank you.

#### **Deputy Mayor – Ken Baulderstone**

Good evening.

Ordinance 2022-13 and 2022-14. Tonight, the Township Committee is introducing two bond ordinances. The first ordinance is for General Capital items. The items listed in the ordinance are receiving funding through grants. The project includes NJDCA Local Recreation Grant for the trail from Royal Oaks Drive to Railroad Avenue. The Township was awarded a \$75,000 Community Development Block Grant which will allow the Township to have the Construction and Zoning building become 100% ADA compliant.

New Jersey Department of Transportation roadway improvements. The Township was awarded \$208,000.00. The Township is responsible for the stormwater improvements within the roads. This project is Bonita Road, Marine Road, and Bayview Drive in the Barnegat Beach section of town.

The other bond is for the water utility capital account to start the process of reviewing and constructing a new water treatment plant in Pebble Beach. The State of New Jersey has put out for water improvement loans with possible loan forgiveness. This will be a large undertaking for this plant. The Township is moving forward to try and obtain the funding for this project. The building, as well as the equipment inside of the building, need to be brought up to date. The 2<sup>nd</sup> reading public hearing will be on August 2<sup>nd</sup>.

Resolution 2022-209. This is a resolution for the Diamond Drive upgrades to the pump station and authorizing a change order and final payment with a decrease in the contract of approximately \$3,700.00. The project is complete and a two-year maintenance bond will be in place.

Resolution 2022-213. This resolution is for the refurbishing of the Township's fuel tanks. The tanks are approximately 18 years old. This contract is being awarded through a New Jersey State contract with E.O. Habegger Inc. in the amount of \$108,150.00. This will be paid through the funds received in the American Rescue Plan. This will bring the Township into compliance with state laws regarding fueling stations. To have new tanks installed with the new guidelines would be approximately \$500,000 and the Township would need to find a new location.

#### Department of Public Works

The document shredding event held in the Town Hall parking lot in conjunction with the Ocean County Board of Commissioners was well attended. The Township residents appreciate having this event locally. We want to thank the Ocean County Commissioners and will send a letter requesting to be placed on the schedule again next year.

#### Recreation

Recreation held their first bus trip to the Tropicana. There were 30 people in attendance. Everyone was happy to be back on a bus heading to a fun event.

Bus Trip to Citizens Bank Park has been rescheduled to August 20<sup>th</sup>. Mets vs Phillies game. Tickets are still available. Please contact Recreation.

#### Senior Center/Community Center

Exercise classes are being well attended.

Senior Congregate Meals are doing well. These include a lunch and learn item each day. The hot meals are served on Monday & Wednesday 12 noon each week. After lunch is always followed with Bunco, Bingo or other games. It is a great way to socialize, meet new people and just be able to be out of the house.

July 25<sup>th</sup> – Farm Fresh Voucher program. Information and distribution will be at the Senior Center, courtesy of the St. Francis Center at 11:30 am.

Every Tuesday, Fulfill of Monmouth County provides a boxed lunch for attendees to eat in or take home.

Thank you.

Mayor LoParo inquired if special needs adults, who are not seniors, can attend the Congregate Meal Program.

Township Administrator/Clerk Ambrosio discussed, yes, absolutely, however, no transportation is available at this time.

## Mayor – Ben LoParo

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

On July 14<sup>th</sup> the Township of Ocean hosted the first of three meetings. The Township was awarded a grant in the amount of \$100,000 for the planning and report preparation regarding resiliency. This program will assist the Township's resilience to the effects of extreme heat, sea level rise, coastal storms, flooding, and other impacts of climate change.

The meeting was setup to hear from residents and the public regarding areas of concern and problem area identification, as well as other conversations that impact the town. This will assist in obtaining the goals for resiliency and identification of critical community assets. The Township Committee and I look forward to having the public and professionals' input and feedback in this planning process.

I want to thank Township Administrator/Clerk Ambrosio, Jason Worth of T&M Engineering and the public that attended this event. Mayor LoParo was also in attendance. It was very helpful in information gathering. There is another meeting in December and will follow up in March.

Ordinance 2022-6. Tonight is the first reading of this ordinance amending Ordinance 2022-9 for cannabis. The Township of Ocean is now putting in place the criteria for cannabis in the Township of Ocean and the application process for the Township Committee to review and vote on at a public meeting. The applicant will need to provide the ownership of the business, business plan, and community benefits. The fees to the Township are a \$2,500 application fee, non-refundable, and a \$10,000 annual fee to operate a cultivation, manufacturing, or medical cannabis facility in the Township of Ocean. The 2<sup>nd</sup> Reading will be August 2<sup>nd</sup>.

Resolution 2022-205. I would like to thank the negotiating team who worked on the PBA Superior Officers contract. The Township Committee will be approving a 4-year contract January 2022 through December 2025. In the agreement, the Superior Officers salaries are a percentage of the Rank-and-File Contract. The police will receive retro payment on this contract starting April 1<sup>st</sup>. Also, listed in the agreement is any officer starting after January 1, 2022 will not obtain funding for college classes each year. The Officers also agreed to cap the Comp Time that can be earned from 450 hours to a total of 375 hours. I would like to thank the Township Administrator, Lt. Scott Murphy and Sgt. James Capaccio for working together to achieve a fair contract.

Resolution 2022-210. This resolution is authorizing the purchase of a Ford Police Interceptor. The Township Committee has budgeted for the vehicle. This item is being purchased through a State cooperative and a resolution is required for the purchase. The Township is looking into electric vehicles for the Police Department.

### Municipal Alliance

The Drive-In Movie will take place on July 30<sup>th</sup>. The movie will begin at dusk approximately 9:00pm. There will be a food truck and ice cream truck on site throughout the event.

Mayor LoParo thanked the Department of Public Works for cleaning up James Drive. Someone dropped hundreds of small cement screws on the road. More than a dozen people had flat tires.

**PUBLIC COMMENT:**

**Motion to open Public Comment** was moved by Committeewoman Dodd, seconded by Deputy Mayor Baulderstone.  
Roll Call: Dodd: Yes, Baulderstone: Yes, LoParo

John Petrosilli, 11 Vessel Road, discussed the bulkhead at Waretown Bayfront Park & Pier is starting to erode. There is a big hole on the land side of the bulkhead and the fence is broken by the bulkhead. There is also a lot of trash around the park.

Township Administrator/Clerk Ambrosio discussed she will send Public Works to inspect the bulkhead and the trash is removed from the park by Public Works every day.

Dave Pharo, 51 Jones Road, inquired who he should contact for motorcycle noise issues.

Township Administrator/Clerk Ambrosio discussed residents should call the Police Department for noise complaints.

Burt Betrix, 16 Jones Road, discussed he is having a problem with dump trucks dumping loads of grass clippings for years at the Manual Pereira property. Last week the trucks were five days a week from 7am on, dumping stumps, wood chips and grass clippings. All the pesticides on the grass are going into the groundwater. The land has been stripped. There is no topsoil left because he is selling it all. He is making topsoil out of all this stuff and selling it, and in the meantime, nearby residents are getting all the contaminants.

Township Administrator/Clerk Ambrosio discussed the Zoning Officer has brought this issue to her attention. The Zoning Officer has been in touch with the NJ Department of Environmental Protection (NJDEP) and the Pinelands Commission. The property is deeded as farmland.

Township Attorney Dasti discussed he will speak with the Zoning Officer tomorrow.

Bill Harrington, 42 Jones Road, discussed he has lived here for 30 years and his road is in the best shape it has ever been. Thank you. You guys are doing a dynamite job.

Mr. Harrington discussed at the end of his driveway it smells like a landfill, due to the dumping. The property owner is not making money off farming. He is making money off dumping. Twenty-yard dumpsters are backed up onto his property and dumped. Mr. Harrington discussed he has sent letters to the Pinelands Commission, US Environmental Protection Agency, NJDEP and nothing is done.

Township Attorney Dasti discussed this is the first he is hearing about it. The Zoning Officer was out there yesterday and will get right on it.

Jim Oris, Township Engineer, discussed it sounds like Mr. Pereira is operating a de facto recycling yard, which is not farming and offered to discuss the matter with the Zoning Officer. The Zoning Officer and Mr. Oris have had several discussions over the years about the use of that property and its protection under the Right To Farm Act. If he has gone from farming to recycling, that is a different use. That is something the Pinelands, DEP and Ocean County need to be involved in. Recycling is governed by the Ocean County Department of Solid Waste.

Township Administrator/Clerk Ambrosio discussed that is an unimproved road the trailers are driving on. The property owner has access from Route 532. The Township would prefer all trucks to use that entrance.

Roy Hendrickson, 6 North Olympia Drive, discussed his neighbors leave garbage at the curb all week, during holidays, all weekend.

Township Attorney Dasti discussed if the Township Committee is interested, the ordinance could be amended.

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

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

**Resolution 2022-204** Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$1,436,569.35

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

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

**Ordinance 2022-13**

**BOND ORDINANCE APPROPRIATING ONE MILLION THREE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$1,375,000) AND AUTHORIZING THE ISSUANCE OF ONE MILLION THREE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$1,375,000) IN BONDS OR NOTES OF THE TOWNSHIP OF OCEAN FOR CAPITAL IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF OCEAN, IN THE COUNTY OF OCEAN, NEW JERSEY**

**Motion to approve Ordinance 2022-13** was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

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

**Ordinance 2022-14**

**BOND ORDINANCE PROVIDING FOR A WATER UTILITY CAPITAL IMPROVEMENT IN AND BY THE TOWNSHIP OF OCEAN, IN THE COUNTY OF OCEAN, NEW JERSEY APPROPRIATING THREE HUNDRED THOUSAND DOLLARS (\$300,000) THEREFOR AND AUTHORIZING THE ISSUANCE OF UP TO THREE HUNDRED THOUSAND DOLLARS (\$300,000) AGGREGATE PRINCIPAL AMOUNT BONDS OR NOTES OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, NEW JERSEY TO FINANCE THE COST THEREOF**

**Motion to approve Ordinance 2022-14** was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

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

**Ordinance 2022-15**

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “AN ORDINANCE FIXING AND DETERMINING THE ANNUAL SALARIES AND WAGES OF CERTAIN OFFICIALS AND TOWNSHIP EMPLOYEES AND SETTING FORTH AN HOURLY RATE FOR TEMPORARY SEASONAL EMPLOYEES OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN AND STATE OF NEW JERSEY”.**

**Motion to approve Ordinance 2022-15** was moved by Committeewoman Dodd, seconded by Deputy Mayor Baulderstone.

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

**Ordinance 2022-16**

**AN ORDINANCE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING ORDINANCE 2022-9 AND AMENDING AND SUPPLEMENTING CHAPER 125 OF THE TOWNSHIP CODE ENTITLED “CANNABIS BUSINESSES”.**

Mayor LoParo discussed the types of licenses the Township is approving tonight.

Township Attorney Dasti discussed there are four classes of general licenses. Class I is the cannabis cultivator. Class II is the cannabis manufacturer. Class III is the cannabis wholesaler. Class IV is a cultivator and a medical dispensary. These uses are already permitted uses pursuant to the ordinance that was adopted earlier in the year. This changes the application process. Recreation retail is excluded.

Mayor LoParo discussed 57% of the Township’s voters voted yes to recreational marijuana. The Township is doing the voters a disservice by not doing what they voted for. The Township approved the medical. It is an easy transition. The Township is also giving up 2% of the gross income of the recreational dispensary, which could end up being hundreds of thousands of dollars in the tax account. That could buy Police cars.

Deputy Mayor Baulderstone discussed he is quite happy to look at the subject once the medical facility is up and running.

Township Attorney Dasti discussed this ordinance does not change what the Township has already permitted. The constitutional amendment that was passed was to just legalize cannabis statewide.

Deputy Mayor Baulderstone discussed Ocean Township is where 80% of the municipalities in the State are, in terms of not approving recreational marijuana as of yet. The steps this Township has taken are more than 80% of the municipalities in the State.

Mayor LoParo discussed this Township is different than 80% of the municipalities because we are very small and have a very tight budget. This Township can benefit greatly from the taxes.

Committeewoman Dodd discussed she is not ready to do that.

**Motion to approve Ordinance 2022-16** was moved by Committeewoman Dodd, seconded by Deputy Mayor Baulderstone.

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

**Resolution 2022- 205**

Resolution authorizing the Mayor and Township Clerk to Execute the Agreement with the Ocean Township Superior Officers contract for the period January 1, 2022 – December 31, 2025

**Motion to approve Resolution 2022-205** 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.**

- 2022-206 Resolution of the Township of Ocean, County of Ocean, State of New Jersey authorizing release of escrow money for Block 52.01, Lot 14 in the amount of \$3,630.90
- 2022-207 Resolution of the Township of Ocean, State of New Jersey, authorizing release of escrow money for George and Linda Hardy in the amount of \$181.38
- 2022-208 Resolution authorizing an insertion of an item of revenue in the 2022 budget in the amount of \$475,613.91 revenue from the American Rescue Plan Act
- 2022-209 Resolution of the Township of Ocean, County of Ocean, State of New Jersey, authorizing Change Order No. 1 and final payment for the Diamond Drive Pump Station Upgrades rebid project and release of the Performance Bond and acceptance of Maintenance Bond
- 2022-210 Resolution authorizing the award of cooperative contract to Beyer Ford for the acquisition of a 2022 Ford Police Interceptor for the Township of Ocean Police Department
- 2022-211 Resolution of the Township of Ocean, County of Ocean, State of New Jersey authorizing release of performance Bond for 16 Keelson Drive, Block 109, Lot 1.07
- 2022-212 Resolution of the Township of Ocean, County of Ocean, State of New Jersey authorizing change order No. 1 Final payment and acceptance of maintenance bond for Veterans Memorial Park
- 2022-213 Resolution authoring the award of state contract to E.O. Habhegger, Inc. for the Fuel Management and Fuel Tank refurbishment and upgrades for the Township in the amount of \$108,150.00
- 2022-214 Resolution of the Township of Ocean, County of Ocean, State of New Jersey, authorizing a lien on 123 Bonita Road for owners' failure to abate the property maintenance in amount \$378.22
- 2022-215 Resolution appointing Zachary Brown as a part-time/per diem Department of Public Works employee at the rate of \$15.00 per hour for hours worked

**Motion to approve Resolutions 2022-206 through 2022-215**

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

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



**Motion to approve:** Trident Multisport on August 13, 2022 8:00am–10:30am – Brookville Triathlon/Duathlon start and finish at the Joseph Citta Boy scout Camp.

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

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

**Motion to approve:** Social Affair permit for US Home We Care Foundation for Greenbriar Oceanaire Golf & Country Club on October 11, 2022.

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

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

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

Township of Ocean Regular Republican Club 3<sup>rd</sup> Tuesday at 7:00 pm

Picnic District – 15 Southern Area 45 AA – August 27, 2022

Barnegat Bay Assembly of God Picnic – September 11, 2022

Marleen Miller – July 30, 2022

Debra Brown – August 6, 2022

Alena Bareiszis-Lynskey – July 6, 2022

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

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

Next Scheduled Business Meetings

August 2, 2022 – 10:00am

August 16, 2022 – 6:00pm

**Adjournment**

Motion to adjourn meeting was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

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

Signed and Submitted:

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Diane B. Ambrosio, RMC  
Municipal Clerk

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Date