

MEETING MINUTES

TOWNSHIP OF OCEAN
COUNTY OF OCEAN
BUSINESS MEETING
October 18, 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

Proclamations

Ocean County Library - Waretown Branch National Friends of the Library Week 2022

Mayor LoParo read and presented the National Friends of Libraries Week Proclamation to Jennifer Lennon, Branch Manager of the Ocean County Library, Waretown Branch.

Waretown Volunteer Fire Department - National Fire Prevention Week 2022

Deputy Mayor Baulderstone read and presented a proclamation to Shane Leaming, Chief of the Waretown Volunteer Fire Company for National Fire Prevention Week.

Committee Reports

Mayor – Ben LoParo

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

Public Notice. On Route 9, Gray Supply will be working for the next three weeks, depending on the weather, installing pipeline. On or around Monday, October 24th Grey Supply will start night work for a duration of three weeks. At the end of the three weeks, Grey Supply will be switching to three weeks of day shift work. The work will be from McDonalds in Barnegat to Clearwater Drive in Waretown. The Township will have a better schedule from Grey Supply after October 20th.

Ordinance 2022-19. This ordinance being introduced tonight allows retaining walls to be 24 inches in height and shall be permitted within the side and rear yard setbacks of the property. This issue was brought to the Township Committee's attention by residents. It was reviewed and the change is being made to assist residents to not have to obtain a variance. The 2nd reading, public hearing will be at the November 22nd meeting.

Resolution 2022-268. This resolution is for the playground equipment improvements to Corliss Park Lake and Recreation Area. The Township Committee has been discussing this project and obtained some grant funding, donations, and Open Space Funds for this great project. This project includes a large piece of play equipment and a section called thrive, which is workout/obstacle course equipment. The park

equipment will be ADA compliant for inclusionary play. Once this resolution is passed this evening, the park lead time is 8-10 weeks. They will work through mild winters, as long as the ground is not frozen. We are all looking forward to the completion of this play area as Corliss Park is being utilized more by all ages.

Resolution 2022-274. Ryan Cassan has successfully completed his training and is being appointed a full-time dispatcher.

The State Health Benefits Plan is being raised 24%. Waretown is not included in that. The Township Administrator/Clerk has had the foresight to keep the Township out of the State Health Benefits. The Township is saving residents tax money by doing that.

Thank you.

Deputy Mayor – Ken Baulderstone

Good evening.

Ordinance 2022-18. This ordinance being introduced tonight authorizes and encourages electric vehicle supply/service equipment and make-ready parking spaces in the Township. The 2nd reading public hearing will be at the November 22nd meeting.

Resolution 2022-264. This resolution authorizes the purchase of a Ford F-250 with snowplow through the Ocean County Cooperative. This vehicle is for the Utility Department and will be replacing the 2007 F-350 with 124,134 miles.

Resolution 2022-265. This resolution authorizes the purchase of a Ford F-550 Mason Dump Truck with snowplow through the Ocean County Cooperative. This vehicle will be replacing the 2003 F-450 with 121,187 miles and can no longer plow snow, due to the plow frame is badly compromised due to rust and wear.

Resolution 2022-266. This resolution authorizes the purchase of a Kubota MX 5400 tractor through the Educational Services Commission of New Jersey (ESCNJ) cooperative. This tractor has a front loader, rake and bucket. This is replacing the 1997 New Holland tractor, which is getting harder to obtain replacement parts.

Resolution 2022-267. The utility underground camera is being purchased through the Sourcewell Cooperative. This will replace a smaller, older camera that does not perform all the necessary duties and was purchased by the MUA.

All of these purchases have been budgeted and the Township will not be bonding for this equipment.

Recreation

The homes registered for the Halloween House decorating contest are now on-line and can be voted. The winners will be announced on November 1st.

Senior Center/Community Center calendars are in the back of the room. There are many exercise classes and social recreation including art, bingo, cards, Mahjong, Bunco, and other games that everyone is

welcome to attend. These events and lunches are being well attended. It is a great way to socialize, meet new people and just be out of the house.

Hot Meals are served Monday and Wednesday. Every Tuesday, Fulfill of Monmouth County provides a boxed lunch for attendees to eat in or take home.

Thank you.

Committeewoman – Lydia M. Dodd

Thank you for joining us this evening.

Ordinance 2022-20. This ordinance being introduced tonight is a new required law by the State of New Jersey regarding lead paint inspection of rental properties. The Township of Ocean has qualified for visual inspections of the properties only, as certified by the State of New Jersey. The 2nd reading public hearing will be at the November 22nd meeting.

Resolution 2022-275. This resolution authorizes the Township Committee to continue to submit the Plan Endorsement Municipal Self-Assessment report submitted by the Plan Endorsement Advisory Committee. This item needs to be completed and submitted to the State Planning Commission as part of the renewal of the Township Town Center.

Resolution 2022-276. This resolution authorizes the Municipal Clerk to advertise Requests for Proposals for professionals for the year 2023. All proposals will be due to the Clerk's office by November 18th at 11:00 am to be considered.

September 2022 Construction/Zoning Reports

Zoning Department. 37 applications approved, 10 applications pending review and 9 denial applications.

Code Enforcement. 25 Notices of Violation, 4 Second Notices of Violation, 8 properties abated their violations and zero liens were placed on properties.

Construction. 42 Permits Issued, 2 Permit updates, 26 Certificates of Approval issued, 4 Certificates of Occupancy, 4 Notices of Violation–work without a permit, 1 violating the provisions of the Uniform Construction Code (UCC) and 1 mechanical code violation.

Thank you.

Administrator – Diane B. Ambrosio – Discuss Best Practice Inventory

Since 2010 all local governments in the State of New Jersey are required to complete and publicly discuss the Best Practice Inventory in order to receive 100% of their State aid.

The results of that inventory or questionnaire will be the determination of whether or not the Township receives 100% of the State aid. Since 2010 the Township has been successful in answering the worksheets regarding Best Practices in order to obtain 100% of State aid. The Township Committee is pleased to report that once again, the Township of Ocean has accomplished the goal of answering enough questions affirmatively to receive 100% of their State aid. The worksheets this year consisted of 56 questions that are distributed amongst three scoring categories, Core Competencies, Best Practices and 13

Unscored Survey questions. This year there were a total of 11 new scored questions. The questions change from year to year.

The items discussed in this year's Best Practices Worksheet refer to general management, finance, audit, purchasing, budget preparation, personnel, affordable housing, stormwater management and shared services, to name a few categories. A sample of the questions is whether the Township maintains an updated website that includes postings of meeting dates, meeting minutes, Requests for Proposals (RFP's), adopted budgets and audits. This Township works on keeping the website up to date with all meeting schedules within the Township and all documentation required. The State requires a minimum of three years to be posted of the budgets and audits. At this time, the minutes and agendas are posted from 2008 to current. The budgets and audits are on the website from 2012 to current.

Township Engineer - Jason Worth – Presentation/Discussion - PLAN ENDORSEMENT MUNICIPAL SELF ASSESSMENT REPORT SUBMITTED BY THE PLAN ENDORSEMENT ADVISORY COMMITTEE

Resolution 2022-275 is a resolution authorizing the submission of the Municipal Self Assessment Report prepared by the Plan Endorsement Advisory Committee to the State Office of Planning Advocacy (OPA). The Township received Plan Endorsement fourteen or fifteen years ago. The Town Center technically expired although it has been extended through executive order and is still in place today. The Township of Ocean, along with many other municipalities, is seeking Plan Endorsement and an extension of that Town Center. This third step in that process is the preparation of the Municipal Self Assessment Report. The report has been prepared in accordance with State requirements. It's purpose is to review existing and future conditions of the Township, specifically relative to land use. Specifically it identifies demographic, housing and economic trends. It inventories land use characteristics. It discusses natural and community resources, considers environmental constraints and concerns and assesses the consistency of current planning and zoning documents with the New Jersey State Plan.

Two things highlighted to the Plan Endorsement Advisory Committee (PEAC) are an analysis and review with the Committee of the proposed Town Center Plan that the NJ Department of Environmental Protection (NJDEP) put together more than a year ago and made recommendations that there be changes to what they recommended. There are waterfront areas within the flood hazard zone, where they want to pull back the Town Center boundary, which is primarily developed residential but there are areas along Route 9, Main Street and Volunteer Way, where we believe the Town Center is still warranted. That is recommended in the Self Assessment, as well as different requests from different State agencies, where they can assist the Township. One being the NJDEP to assist the Township with permitting of Volunteer Way or at least helping in that cause. The Township is putting it out there that we are looking for these State agencies to be cooperative and work with us on our future desires and land use desires.

This is the third step in the process. This will get submitted to the OPA for review and the Township will hear comments back and the OPA will continue with the future steps, community visioning and eventually action plan. The Township is hoping to submit this, continue the process and be done with it early next year.

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

Shawn Denning, 92 Morey Place Road, discussed two weeks ago there was 11 inches of rain and sent an email asking for grading. A neighbor graded in some of the potholes. Mr. Denning discussed there are twelve houses on that street. The Township has received \$70,000 for the maintenance of that road. Morey Place Road is not like every other dirt road in this town. Morey Place Road has more houses and is longer and wider.

Mr. Denning discussed the Township approved the purchase of a tractor and finds it hard to believe the Township cannot find parts for the 1997 New Holland Tractor and inquired if the Township is getting a new rake and plow to grade Morey Place Road. Mr. Denning discussed the rocks give him flat tires and now the smaller rocks are worse. Mr. Denning discussed he needs to band together with his neighbors, get a lawyer and sue the Township. Mr. Denning is requesting grading. The maintenance is poor on Morey Place Road.

Deputy Mayor Baulderstone discussed the new tractor does include a rake.

Township Attorney Dasti discussed it is cost-prohibitive to the pave the whole street. The Township is looking at options. Mr. Denning is threatening a lawsuit. Mr. Denning and his neighbors bought on an unimproved street. The Township does not have \$1 million to pave the street. There is not a solution right now.

Township Administrator/Clerk Ambrosio discussed Morey Place Road is on the same schedule as the other dirt roads. The grader comes from the County.

Township Attorney Dasti discussed the road is not going to be graded every day. It is going to be done as needed. The Township has done that.

Township Engineer, Jason Worth, discussed two dirt roads are not made exactly the same. Some last longer than others. Maintenance is on an as-needed basis. There may be times when potholes show up in a storm or just by wearing. It may take a neighbor to say it needs to be addressed. The Township has certain resources and certain ability to monitor all the dirt roads it has. It is difficult to say it is every third Tuesday of the month that all of these are looked at. The Township does the best it can, with the resources it has, amongst all of the streets that have to be maintained and all of their duties.

Deputy Mayor Baulderstone discussed as a result of Mr. Denning coming to a Township meeting previously and complaining the stones were too large, he requested Public Works obtain smaller stones as a result of your previous comments.

Mr. Denning discussed the answer is, no stones. The road is rock hard. Heavy equipment needs to break up the road and massage the road appropriately. It needs comprehensive maintenance. Mr. Denning discussed he strongly desires no rocks and would like the road pitched adequately, shaped and tamped.

Deputy Mayor Baulderstone discussed the Township has an online Citizen Problem Reporter on the Township's website.

Mr. Worth discussed he will inspect the road with Public Works. The area of the six lots that were part of the subdivision is hard, solid and the water does not pool there. The crushed concrete is a mixture of aggregate and dirt and will harden and create a solid surface. Mr. Worth discussed he will look at the first section of 92-96 Morey Place Road and see if there are other adjustments that can be made to make it better.

Mr. Denning inquired if the Township could pave an apron at the 10-15 foot section from Route 532 onto Morey Place Road.

Township Attorney Dasti discussed if it touches Route 532, the Township will need County approval.

Deputy Mayor Baulderstone inquired if the residents' speeding is contributing to some of the issues.

Mr. Denning discussed one of the residents rarely gets flats because she drives so fast and just glides over the rocks. Another resident has a lot of visitors, who drive quicker. The speed limit for Morey Place Road is 50 miles per hour, due to it being an unimproved road. Speed is not the main cause.

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 September 20, 2022

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

Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Resolution 2022-261 Payment of Claims as presented to the Township Committee for payment thereof in the amount of \$3,794,398.64

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

Dodd: Yes, Baulderstone: Yes, LoParo: Yes

ORDINANCE 2022-17 – 2nd Reading, Public Hearing

ORDINANCE OF THE TOWNSHIP OF OCEAN, OCEAN COUNTY, NEW JERSEY, CONSENTING TO THE FRANCHISE RENEWAL RIGHTS FOR NEW JERSEY NATURAL GAS COMPANY TO LAY AND MAINTAIN GAS MAINS, PIPES, AND SERVICE PIPES, IN AND UNDER THE SURFACE OF ANY OR ALL OF THE ROADS, STREETS, AVENUES, HIGHWAYS, AND PUBLIC PLACES, FOR THE PURPOSE OF FURNISHING NATURAL GAS TO THE TOWNSHIP OF OCEAN

Motion to open Public Comment-Ordinance 2022-17 was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

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

Motion to close Public Comment-Ordinance 2022-17 was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

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

Motion to approve Ordinance 2022-17 was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

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

ORDINANCE 2022-18 – 1st Reading – Title Only

AN ORDINANCE BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING AND ENCOURAGING ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) AND MAKE-READY PARKING SPACES

Township Attorney Dasti discussed this is a revision to the law that has to be codified in the municipal ordinance and is determined by a percentage of parking spaces for new development.

Motion to approve Ordinance 2022-18 was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

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

ORDINANCE 2022-19 – 1st Reading – Title Only

AN ORDINANCE BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 410 OF THE TOWNSHIP CODE ENTITLED “ZONING” AND SPECIFICALLY SUBSECTIONS 40 ENTITLED “SWIMMING POOLS” AND 43.1 ENTITLED “DECKS”

Motion to approve Ordinance 2022-19 was moved by Committeewoman Dodd, seconded by Deputy Mayor Baulderstone.

Dodd: Yes, Baulderstone: Yes, LoParo: Yes

ORDINANCE 2022-20 – 1st Reading – Title Only

AN ORDINANCE BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY ESTABLISHING CHAPTER 280, SECTION 22 OF THE TOWNSHIP CODE ENTITLED “LEAD PAINT INSPECTION OF RENTAL PROPERTIES

Township Administrator/Clerk Ambrosio discussed since the Township does not require rental Certificates of Occupancy, this ordinance can be tied to the Landlord Disclosure and discussed she will create a form for review at the next Township Committee meeting.

Township Attorney Dasti discussed this ordinance is state-mandated. The landlord will have to fill out the form, send it back and have the lead paint inspected.

Motion to approve Ordinance 2022-20 was moved by Committeewoman Dodd, seconded by Deputy Mayor Baulderstone.

Dodd: Yes, Baulderstone: Yes, LoParo: Yes

ORDINANCE 2022-21 – 1st Reading – Title Only

An Ordinance by the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey Revising Chapter 280, Section 21, of the Township Code entitled “Maintenance of Vacant and Abandoned Properties”

Motion to approve Ordinance 2022-21 was moved by Committeewoman Dodd, seconded by Deputy Mayor Baulderstone.

Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Township Attorney Dasti discussed there were recent revisions to the property maintenance and abandonment and rehabilitation statute. This will help the Township in enforcing property maintenance ordinances and collecting fees.

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.

- 2022-262 Resolution proclaiming October 2022 as National Breast Cancer Awareness Month in the County of Ocean and encourages all residents to get an exam for breast cancer
- 2022-263 Resolution proclaiming October 13, 2022 joining in to celebrate the United State Navy 247th Birthday. Please make time to appreciate these brave people who serve us everyday
- 2022-264 Resolution authorizing the purchase through the Ocean County Cooperative purchasing program a Ford F-250 with snowplow in the amount of \$58,222.00
- 2022-265 Resolution authorizing the purchase through the Ocean County Cooperative purchasing program a Ford F-550 with snowplow in the amount of \$88,527.00
- 2022-266 Resolution authorizing the purchase through the ESCNJ Cooperative purchasing program for a Kubota tractor and loader in the amount of \$35,549.68
- 2022-267 Resolution authorizing the purchase through the Sourcewell Cooperative for a utility underground inspection camera in the amount of \$125,124.06
- 2022-268 Resolution authorizing the purchase of Playground Equipment through the ESCNJ cooperative in the amount of \$264,775.61
- 2022-269 Resolution of the Township of Ocean, County of Ocean, State of New Jersey recognizing the month of November 2022 as national Family Caregiver month
- 2022-270 Resolution authorizing a refund on taxes paid for the year 2022 for Block 57.28, Lot 36 due to disabled veterans tax exemption in the amount of \$358.87
- 2022-271 Resolution of the Township of Ocean, County of Ocean, State of New Jersey authorizing release of performance guarantee for 395 Route 9, Block 47, Lot 10
- 2022-272 Resolution authorizing the release of escrow money for 14 Barnegat Beach Drive in the amount of \$64.00
- 2022-273 Resolution authorizing a refund on taxes paid for the year 2022 for Block 252, Lot 6 due to Disabled Veterans Tax Exemption in the amount of \$5.80
- 2022-274 Resolution authorizing Ryan Cassan to the position of Full-Time Dispatcher starting October 20, 2022

Motion to approve Resolutions 2022-262 through 2022-274

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

Resolution 2022-275

RESOLUTION OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE GOVERNING BODY TO PURSUE THE PLAN ENDORSEMENT MUNICIPAL SELF ASSESSMENT REPORT SUBMITTED BY THE PLAN ENDORSEMENT ADVISORY COMMITTEE

Motion to approve Resolution 2022-275 was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

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

Resolution 2022-276

Resolution authorizing the Township Clerk to advertise Request for Proposals for professional positions for the year 2023. All RFP's must be received by November 18, 2022 by 11:00 am

Motion to approve Resolution 2022-276 as amended was moved by Committeewoman Dodd, seconded by Deputy Mayor Baulderstone.

Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Resolution 2022-277

Resolution authorizing the Township Committee to enter into Executive Session for the purpose of: Contractual

Motion to approve Resolution 2022-277 was moved by Committeewoman Dodd, seconded by Deputy Mayor Baulderstone.

Dodd: Yes, Baulderstone: Yes, LoParo: Yes

Township Attorney Dasti discussed the Township received the final close-out memorandum from the Water/Sewer Engineer regarding the 8th Street Water Tank. Resolution 2022-278 will be an add-on resolution to tonight's agenda and authorizes final payment and acceptance of a two-year maintenance bond, release of performance bond and \$6,000 retainage for the inspections at the two-year maintenance bond.

Resolution 2022-278

Resolution of the Township of Ocean, County of Ocean, State of new Jersey Authorizing Final payment, release of the performance Bond and acceptance of Maintenance Bond for the 8th Street Elevated Storage Water Tower Rehabilitation Project

Motion to approve Resolution 2022-278 was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

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

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

WISE Seminar Program – Senior Center – Thursday Dec 8 – Jan 12
Grand Bay Harbor – October 17, 2022
Road to Recovery – November 24, 2022

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

Next Scheduled Business Meetings

November 22, 2022 – 6:00 pm

December 20, 2022 – 6:00 pm

**Additional meetings can be scheduled and advertised*

Reorganizational Meeting – January 2, 2023 @ 12:30 pm

Township Administrator/Clerk Ambrosio discussed there will be no official action taken after Executive Session.

Motion to move into Executive Session and Adjourn meeting

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

Signed and Submitted:

Diane B. Ambrosio, RMC
Municipal Clerk

Date