

# MEETING MINUTES

## TOWNSHIP OF OCEAN COUNTY OF OCEAN BUSINESS MEETING June 26, 2018

### Call to Order

ROLL CALL: BAULDERSTONE  X  LOPARO  X  COLLAMER  X

### Flag Salute

**STATEMENT:** Pursuant to the provisions of the New Jersey Open Public Meeting Act, adequate notice of this meeting was properly provided by sending a copy of the Notice of Meeting to two newspapers, The Asbury Park Press and the Press of Atlantic City. The Notice was posted at the office of the Township Clerk

### PUBLIC PORTION:

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

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

John Petrosilli, 11 Vessel Road, requested an update on the water/sewer infrastructure replacement projects going on in the Township.

Mayor Collamer discussed the Township went out to bid for another segment of the project in the Bay Haven section for drainage and paving. The bids came in over estimate. The Township Engineer made amendments to the bid specifications. The project will go out to bid again in the next week or so. The Township is hoping more contractors participate in the bid. This project covers Illinois, Sheridan, Adriatic and Michigan.

Township Administrator/Clerk Ambrosio discussed the Township will give 24 hours notice prior to any street closings for this project.

Mayor Collamer discussed there are sections of the Township that are in need of water/sewer infrastructure replacement, however, there is nothing scheduled at this point.

Kevin Kennedy, 136 Bayville Way, inquired if there is anything to be placed on the agenda that is not on the printed copy, as there were two additions added last night.

Township Administrator/Clerk Ambrosio discussed, no. The two resolutions that were put on the website last night are for property liens, which need to be voted on right away, before the property is sold.

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

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

**Resolution 2018-209**

RESOLUTION APPOINTING GREGORY MEZZANOTTE TO THE POSITION OF CLASS II POLICE OFFICER FOR THE OCEAN TOWNSHIP POLICE DEPARTMENT

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

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

**Resolution 2018-210**

Resolution authorizing the Township Committee to go into Executive Session: litigation, personnel, contractual matters

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

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

**Resolution 2018-211**

Resolution authorizing the a lien be place on Block 187, Lot 8 - 78 Adriatic Avenue for failure to abate property maintenance violations in the amount of \$623.74

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

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

**Resolution 2018-212**

Resolution authorizing the a lien be place on Block 124, Lot 14 – 37 Dolphin Way for failure to abate property maintenance violations in the amount of \$1,188.48

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

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

**Motion to go into Executive Session:**

Motion to go into Executive Session was moved by Deputy Mayor LoParo, seconded by Committeeman Boulderstone.

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

**Motion to go into Open Session**

Motion to go into Open Session was moved by Deputy Mayor LoParo, seconded by Committeeman Boulderstone.

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

Township Attorney McGuckin discussed two separate developers have submitted plans for Redevelopment. One is Mr. Mackres. The Township Committee and professionals have seen the plan and amendment to the plan. The developer is asking for another meeting. Township Attorney McGuckin

discussed with the developer, that the Township Committee is not ready to schedule the meeting until they had a chance to review the amended plan. Township Attorney McGuckin requested the Township Committee take another look at the plan and amendment and let him know if they would like another meeting or direct the developer to come to redevelopment or indicate there is no interest.

The second developer is on Route 532, Shoreline Management. The road permit has expired. The Township Engineer has indicated a new permit process would have to be started. If Shoreline Management contributed, they would like an idea of what they are allowed to develop, if anything, at the intersection of Route 532 and where their property is located.

Deputy Mayor LoParo inquired if Mr. Mackres wants to build age 55 and over apartments, and can that be changed to families or affordable.

Township Attorney McGuckin discussed, yes. This is going to be rentals. It is different from a condominium project where the developer would have to file certain deed restrictions. A few years back, the State of New Jersey, because the economy was bad, decided if you have an approved age 55 and over project, the developer can convert that automatically for a period of a year to family. The state did it by fiat and passed a law.

Deputy Mayor LoParo inquired if condominiums and town houses for sale, not for rent, can be locked in at age 55 and over.

Township Attorney McGuckin discussed, yes, if the state law does not change. The developer wants to do a combination of targeted senior as opposed to restricted senior.

Mayor Collamer discussed the Volunteer Way extension really needs to be there for the Shoreline Management project. The Township is not moving forward with Volunteer Way extension any time soon.

Deputy Mayor LoParo suggested the Township get the approvals for Volunteer Way and worry about the funding later. The Township needs that road. The traffic on the corner of Route 9 and Route 532 is ridiculous.

Committeeman Baulderstone discussed Volunteer Way is an issue with the developer looking to build an independent assisted living facility in the Town Center.

Deputy Mayor LoParo suggested the Township sell the piece of land along Route 532 for \$1 million. That would offset some of the costs.

Township Administrator/Clerk Ambrosio discussed asking the Township Engineer to supply costs to get the permits. Per the DEP, the Township is required to do snake studies. Township Attorney McGuckin discussed a project in Toms River was already approved and environmental organizations requested another hearing and are dragging their feet.

Township Attorney McGuckin will discuss with the Shoreline Attorney that the Township cannot do anything until the cost of the permit is addressed. If there is an approval in the future, there will be a contribution towards that, including land needed for the right-of-way.

Mayor Collamer discussed the Shoreline plan had access into their site, off Volunteer Way.

Township Attorney McGuckin discussed the original permit did not allow any access to the Shoreline property. Shoreline also indicated using their own engineers to do the application, if the Township agreed. The Township will provide Shoreline with the engineer's estimate and discuss that this is what the Township is willing to do. The Township would lose operational control.

Deputy Mayor LoParo discussed the Township may have to go with condominiums and townhouses for age 55 and over for the Mackres property.

Township Attorney McGuckin discussed Mackres definitely wants rentals and inquired if the Township Committee would agree to age-restricted residential, assuming it is deed restricted.

Mayor Collamer discussed he would prefer owner occupied and is more favorable to age-restricted.

Township Attorney McGuckin discussed the Township can lock the developer in to the age 55 and over as much as possible, absent changes in the law that cannot be predicted. Toms River did a redevelopment plan for an owner-occupied condominium project and the courts ruled against the Township and said it doesn't matter, multifamily is multifamily and whether they are condominiums or apartments, the Township has no right to decide what that is in a redevelopment project. This developer is using the same attorney who succeeded in that case. The Township can apply deed restrictions for 30 years. The Township can tell the developer it has to be age-restricted, for-sale versus rental. If the Township has to do rental, that would be a fall back, but age-restricted.

Township Administrator/Clerk Ambrosio discussed the property being discussed is part of the Affordable Housing Plan.

Township Attorney McGuckin discussed the developer has agreed to whatever the Affordable Housing Plan says. Township Attorney McGuckin will contact the developer with the Township Committee's decision.

Deputy Mayor LoParo discussed the developer also had an idea to build a business park.

Township Attorney McGuckin discussed that is not in their plan. That is not what they asked for.

**Next Scheduled Meetings**

July 12, 2018 – 7:00 pm – Regular Business Meeting

**Adjournment**

Motion to adjourn the meeting was moved by Deputy Mayor LoParo, seconded by Committeeman Baulderstone.

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

Signed and Submitted:

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Diane B. Ambrosio, RMC  
Municipal Clerk

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Date