

MEETING MINUTES

TOWNSHIP OF OCEAN COUNTY OF OCEAN BUSINESS MEETING January 24, 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

Workshop - Discussion

1. Dredging Permits – Update

Jason Worth, T&M Associates, discussed there are copies of the dredging plans available. The survey is complete and plans have been submitted to the NJ Department of Environmental Protection (DEP). Dredge plans include Holiday Harbor, Pebble Beach, Barnegat Beach and Skippers Cove. There is approximately 11,580 cubic yards to be dug out of all those locations. The Township is proposing to dig down to four feet below mean low water, with an allowable overdredge down to five feet below mean low water. The Crystal Point area will be used as a dewatering location. After dewatering, the material will be trucked away and disposed of. The Township's permit will identify the Ocean County Landfill as the final destination. If the associations' contractor wants an alternative location because it is cheaper, they could choose another location, and the Township will submit the paperwork for approval to the DEP, typically if the site has accepted dredge materials in the past, it would be approved.

The Holiday Harbor area has 1,290 cubic yards of material to be removed from its location. Skippers Cove has 3,440 cubic yards, Barnegat Beach has 4,400 cubic yards and Pebble Beach has 2,450 cubic yards of material to be removed. The application is under review with the DEP and the 90 day decision deadline is February 12, 2019. The Township should have the permit in the next couple of weeks.

PUBLIC COMMENT:

Motion to Open Public Comment: was moved by Deputy Mayor Baulderstone, seconded by Mayor LoParo.

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

John Petrosilli, 11 Vessell Road, inquired how the dredge material is going to Crystal Point.

Mr. Worth discussed the material is put into containers on barges and barged to Crystal Point. After dewatering, the material is placed in trucks with watertight seals and trucked away.

Stephanie Gebhardt, 16 One Eye Way, inquired if the material is clean-fill and can be used on the beach.

Mayor LoParo discussed there has been testing of the shorelines in Waretown. The granular matter of the dredge has to be matched up with the shoreline. Some of the matter may be put on the shoreline for fill. Once it is dried, it cannot be put back in the water. It has to be put back on land due to the bacterial implications. A sinking shoreline can be fortified with the matter. It has to be permitted with the DEP.

Fred Kutner, Hornblower Drive, discussed the engineer sent a letter to certain residents and inquired if that letter has changed.

Mr. Worth discussed, no, it is a notification the permit has been submitted to the DEP, which is issued to residents within 200 feet of the dredge site.

Nick Cafaro, 33 Hornblower, inquired if there is another dredging location above Holiday Harbor, where the water comes out of the power plant.

Mr. Worth discussed Oyster Creek is not part of this plan. I believe the boundary of the municipality is close to the middle of Oyster Creek. I would question whether Oyster Creek is a state or federal waterway.

Mickey Sherry, 167 Seneca Boulevard, thanked the Township of Ocean for assisting with and paying for the permit. At the meeting with Senator Connors, it was discussed the dredge spoils could be placed on the islands in Oyster Creek or on the shoreline. It should be looked into as it would save a lot of money.

Township Administrator/Clerk Ambrosio discussed Stan Hale's office, Barnegat Bay Partnership, would like to set up another meeting to discuss like-on-like permits. A like-on-like permit allows wet dredge material to be placed on a shelf on property, as long as it is still wet and is tested. It is a very difficult permit to obtain. The Lighthouse Camp is applying for a permit and grant money to save their property, as turtle and fish studies take place at the camp. The Township is researching areas in the Township that the DEP would allow this and would like to piggyback onto that type of permit.

Mr. Sherry discussed Paula from the Lighthouse Center told him they were approved to put barriers in the water to hold it. Township Administrator/Clerk Ambrosio discussed those barriers are very expensive. That is why the Township is looking into a grant.

Vince Spadafora, Long Key Marina, discussed hardly anything can get in or out of the entrance to the lagoons. The lagoon interiors are full of sediment. Fifteen years ago the Township had a meeting with the State and were told the main lagoon, which included Waretown Creek, was number one in the state line to have dredging. At the time, the Township had no place for sediment. The DEP would not allow the placement of the sediment due to wildlife and required a berm be built around the sediment. The property East of the power plant for the sediment is no longer part of the power plant, as the power plant closed. The dredge material from the Double Creek channel went to a retaining basin over there. 700,000 cubic yards of sediment could go in there. The state should honor their commitment to the Township. The Township should contact the state.

Township Administrator/Clerk Ambrosio discussed the Township has contacted the DEP and met with Senator Connors. That property is not for anyone's use, except for what they did.

Ms. Gebhardt discussed the middle 20 feet at the end of each lagoon is owned by the Township or State. Six of those seven lagoons are in very bad shape. There are holes in the bulkhead into the end of the lagoon.

Township Administrator/Clerk Ambrosio discussed the Township is aware of some of the bulkhead issues. It is an issue that has to be addressed. The Township has been fixing them as necessary. It is not just in Skippers Cove. Bulkhead issues will be discussed for the budget this year. Bulkheads are not part of dredging.

Township Attorney McGuckin discussed if the bulkhead is part of a street end, it is probably the Township's responsibility.

Angelo Fiore, 19 Bluebeard Way, inquired after the permit is approved, what are the responsibilities of the Township and the associations, what is the turnaround time once the contractor has been selected.

Mr. Worth discussed in the past, the associations have individually put out bids or reached out to contractors for price quotes. Prior to the work starting, the association will contact the Township. There will be a preconstruction meeting with representatives from the associations. If the contractor is looking to use an alternative disposal facility from the Ocean County Landfill, the Township needs to make sure the DEP approves the new location. The Township needs to be notified as the work progresses. The Township will then go over soil erosion and sediment control measures that need to be enacted on Crystal Point. Once the association has found their contractor, they know they have a schedule for construction. It is not a long turnaround once the contractor is selected.

Mayor LoParo discussed the Township is still going to pursue repurposing the dredge, which is filling in the eroding shoreline with the dredge. This DEP option will save the associations a lot of money.

Mr. Fiore discussed some of the dredging is outside the end bulkhead on the bay and inquired how far out is the association responsible for.

Mr. Worth discussed, using Pebble Beach as an example, the Township surveyed from 100-200 feet outward of the bulkhead. The association is not responsible for that but the DEP was notified that there may be some cleanup work out there so boats do not hit a speed bump out in the water. The associations can choose to dredge as far as we have shown or you can pull it back. It can also be a phased approach. The permit is good for five years.

Township Attorney McGuckin discussed the associations can dredge up to 200 feet, depending what is shown on the permit. Beyond that, the association has no responsibility or authority either way.

Township Administrator/Clerk Ambrosio discussed there is no money for dredging. The state is not in favor of dredging.

Mr. Kutner discussed he appreciates all the Township has done to get the dredging approved and paid for but the Township should take the lead in this. Each association is going to get a separate contractor and will be competing over who is going to get Crystal Point first.

Township Attorney McGuckin discussed if the Township takes the lead, the Township is subject to public bidding. Public bidding requires prevailing wages and other issues that private associations do not have to deal with. The associations will actually get a better price than the Township ever could.

Mr. Kutner discussed he has no experience with dredging. The Township should give their expertise to help the associations with the dredging beyond getting the permits.

Township Attorney McGuckin discussed the Township cannot recommend contractors.

Mayor LoParo discussed it was not simple to get the permits, soil samples or soundings. There have been numerous dredging meetings. The Township is trying to do something productive with the dredge material so the associations do not have to pay for moving it. The Township is having more meetings than the associations know about to try and get it done. The Township is putting in a lot of time and effort to save everyone money and make this go faster.

Mr. Kutner inquired about the plan to take the spoils someplace else.

Township Administrator/Clerk Ambrosio discussed like-on-like is what the meetings are about. The Township has met with the Barnegat Bay Partnership and the Lighthouse Camp. The Lighthouse Camp has completed a lot of mapping and has been approved for certain items.

Mr. Worth discussed these traditional dredging projects throughout the years have been to dig up the material from the lagoons and place them in confined disposable facilities. There are many around in the marsh, on the bay, on the ocean, or trucking it to a landfill or an old mining pit. That has always been the traditional route. It can be expensive. Some of the things the municipalities, counties, state and the federal government has been looking at is how much erosion has been occurring in these marsh areas along the shoreline. They have the tidelands plain line. It is a line established in 1977 and you can see where the shoreline was. At the Lighthouse Camp, the shoreline was out and now it is 100 feet back. They are looking at ways to do projects that re-extend that shoreline, where it is restored back to where it once was. The question is what material can be used to do that restoration. If dredge material can be used, it can be a big win, as it is not being trucked. It is being pumped into this location. The key is making sure it is like-on-like. The second part is stabilizing it and making sure it is not going to erode again. That can get very costly, if the Township is going to put some sort of rock there. There is not a lot of money available for any of these items.

While, the Township has secured a permit for this traditional dredging and transportation, the Township is still looking at ways to save money for the associations. If there is grant money or a project potentially out there to keep the material here, the Township would certainly like to do that.

Mr. Kutner discussed the like-on-like should be determined before the associations look for contractors.

Mayor LoParo discussed let's see how this works out with the DEP and the like-on-like. It will be up to each association on how they want to proceed.

Mr. Kutner discussed the associations have to spend \$80,000 - \$90,000 to dredge and inquired where that money is going to come from.

Township Administrator/Clerk Ambrosio discussed when the associations dredged 10-15 years ago, the Township obtained the permits and each association, with their members, decided on how they wanted to proceed. It would cost alot more by using the public contracting laws. Each association knows how much money they have to spend. Each association handled it themselves and contacted the Township when they were ready to start dredging.

Mr. Kutner discussed not being included in the meeting with the Senator.

Township Administrator/Clerk Ambrosio discussed that meeting was set up by Mickey Sherry. Mr. Sherry invited us and we attended.

Bob Lange, 2 Shore Drive, Owner of Holiday Harbor Marina, discussed he has been in the marina business for 35 years and is pessimistic about the like-on-like. It took me a year and a half to get a permit. Dredging cannot take place from January 1st through June 10th. There are four basic contractors in the area. The associations should contact all four contractors, get an estimate and ask them to work with the association when they are slow, for a cost break. If the associations work with union contractors they are going to pay triple and they are going to be slow. The Township is lucky to have Crystal Point. The Township appropriated money to buy that property just for this purpose. The state does not want to pay any money for anything. The rules change at the DEP all the time. I have a commercial business with 200 customers, 200 slips, 300 storage and commercial fisherman that come in and out. The Township Committee is trying as hard as they can. Dredging is a tough battle. The associations should stay involved and work together.

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

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

Township Administrator/Clerk Ambrosio discussed once the Township hears from the DEP that the permit has been awarded, the Township will notify the homeowners associations and inform them if there are any stipulations. The DEP may have questions before issuing the permit. The Township will try to meet with the Barnegat Bay Partnership again, who are working with the Lighthouse Camp to see what else the Township can piggyback on. Township Administrator/Clerk Ambrosio will keep in touch with the associations.

Mayor LoParo discussed the Township is cautiously optimistic with getting involved with the Lighthouse Camp. Stan Hale, Barnegat Bay Partnership, is well-known around the state. It will help the Township.

Township Administrator/Clerk Ambrosio discussed people involved in the environmental industry know Stan Hale and the work he has done.

Workshop - Discussion

2. Dock Railing – End of Bryant Road

Township Administrator/Clerk Ambrosio discussed there was discussion about installing metal railings. The metal railing must be ADA (Americans with Disabilities Act) compliant. The metal railing is a little expensive. The plastic railing was researched. Ropes are not ADA compliant. Public Works can install it to save money. Edge protection is very important with the ADA.

Jason Worth, T&M Associates, discussed the piles are 42 inches above the decking. There can be a top rail somewhere right around that. 25% of the railing can be no higher than 34 inches. In certain areas, the pile will be lower. That is for people in wheelchairs. Depending on where that railing is placed, inside or

outside of the pile, there could be that edge protection, a 2 inch high piece of wood on the bottom so a wheelchair cannot go over the edge.

Deputy Mayor Baulderstone inquired the difference between plastic, vinyl or metal.

Mr. Worth discussed a recent boat launch project used southern yellow pine wood. It was several railings attached to the piles with a top cap. If a flat surface is needed, the top would have to be cut or fit between the piles. That cost is \$50-\$60 per linear foot and that is with a public bid and 100-200 feet of railing. This project is 500 feet going all the way around. The cost would be \$25,000.

Mayor LoParo discussed preventing seagulls from messing up the dock. Mr. Worth discussed birds can land on anything. The tops can be angled. The wood piles are wrapped in vinyl. The southern yellow pine wood can also be wrapped in vinyl. There is Trex decking on the dock. Vinyl wrapped is considered non-polluting.

Deputy Mayor Baulderstone discussed the wood splintering.

Mr. Worth discussed the Township should definitely have a treated wood out there.

Mayor LoParo inquired how much more money metal is instead of wood.

Mr. Worth discussed he will look into the pricing.

Township Administrator/Clerk Ambrosio inquired if the metal will rust. Mr. Worth discussed the metal would have to be galvanized stainless steel. The metal will be hotter in the summer. A wood is more typical of what you will see on this type of project.

Township Administrator/Clerk Ambrosio discussed the dock is one of the nicest places in the Township. It is used for photos for weddings and proms and residents fish, crab and enjoy the bay.

Township Attorney McGuckin discussed the Township could receive an ADA complaint if it is not done.

Township Administrator/Clerk Ambrosio discussed FEMA would not pay for the railings when the dock was rebuilt.

Mr. Worth will draw up sketches of the top railing.

Deputy Mayor Baulderstone discussed once the Bayfront Grill area is improved, the usage of this area will increase.

Mayor LoParo inquired if Public Works can demolish the Bayfront Grill. Township Administrator/Clerk Ambrosio discussed Public Works does not have the equipment at this time to handle this work. The Township would obtain quotes, as it should be below the bid threshold.

Motion to approve the Minutes: December 13, 2018 and Executive Session meeting minutes December 13, 2018 was moved by Mayor LoParo, seconded by Deputy Mayor Baulderstone.

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

Resolution 2019-118 Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$2,880,293.19

Motion to approve 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- 119 Resolution for the Township of Ocean, County of Ocean State of New Jersey, authorizing the Execution of Shared Services Agreement with the County of Ocean pursuant to N.J.S.A. 40:8A-1 et Sec., for Sherriff's Program – Child Restraint Program Grant

2019-120 Resolution authorizing the hiring of a Full-Time Zoning Official and Code Enforcement Officer – Lorraine Clune

2019-121 Resolution accepting the resignation from Katie Paone from the position of dispatchers in the Township of Ocean Police Department

2019-122 Resolution authorizing the donation of one summer camp registration donated to the Ocean Township PTA Gift Auction for the year 2019

Motion to approve Resolutions 2019-119 through 2019-122

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

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

Resolution 2019–123

Resolution authorizing the Township Committee to go into Executive Session for the reasons: Litigation and Contracts

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

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

Motion to approve: Towing License for South Shore Towing for 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 approve 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 approve was moved by Deputy Mayor Baulderstone, seconded by Committeewoman Dodd.

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

RESOLUTION 2019-124 Resolution of the Township of Ocean Committee, Ocean County, State of New Jersey authorizing the settlement of the case of Pirozzi vs. Township of Ocean, Docket #OCN-705-17

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

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

Next Scheduled Meetings

February 14, 2019– 7:00 pm – Regular Business Meeting

February 28, 2019 – 10:00 am – Workshop/Business Meeting

Adjournment:

Motion to approve 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