

M E E T I N G M I N U T E S

TOWNSHIP OF OCEAN COUNTY OF OCEAN BUSINESS MEETING

March 12, 2015

Call to Order

ROLL CALL: LACHAWIEC X TREDY X WETTER 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

Proclamation Chief Gerhard Frenz

Mayor Wetter presented a proclamation to Police Chief, Gerhard Frenz.

Chief Frenz discussed working with a great Township Committee. The police officers have made him what he is today. Without the police officers, this would not be possible. Chief Frenz thanked the Township residents who have supported him and will greatly miss everyone.

Police Department Presentations

Departmental Awards:

2014 Officer of the Year
High Firearms Award
K-9 Remmi – Receiving his Badge

Mayor Wetter discussed 2014 marks the second year of the Township of Ocean Police Department awards program, which was first established in 2013, to recognize the honorable actions of the members of the Township of Ocean Police Department.

Lieutenant George Thompson discussed the Township of Ocean Police Department could not have gone forward with this awards program for the officers, if it had not been for Chief Frenz. This is another item to add to Chief Frenz's accomplishments and great leadership. The awards program is a way for the department to recognize the outstanding service for the Police Department and the Township. The Township of Ocean truly does have some of the best officers in the state. Lieutenant Thompson was a Detective with the Township and has had the opportunity to work in a lot of departments throughout the

state and has not come across a better group of professional officers than the officers here in the Township of Ocean.

2014 Officer of the Year Award

The first award presented will be the Officer of the Year award. This award is chosen by the officers' peers. Every officer has their own method of selecting Officer of the Year. This year it was unanimous.

The Officer of the Year for 2014 is Detective Andrew Risdan. Detective Risdan is the nightshift detective and has been with the Township of Ocean Police Department since 2003. Detective Risdan has had 10 years of patrol, is a former member of the Ocean County SWAT Team and is a certified firearms instructor. In 2007 Detective Risdan became a field training officer. In 2012 he received the Mothers Against Drunk Driving award for his enforcement of DWI's. In 2013 he was selected as Detective. In 2014, Detective Risdan can add Officer of the Year award to his long list of awards. Lieutenant Thompson presented the award to Officer Risdan.

High Firearms Award

Lieutenant Thompson discussed this award is given out to officers who have displayed expertise in firearms over the course of an entire year. Firearms qualifications are done throughout the year. There are four (4) sets of qualifications, which include handgun and patrol riding qualifications. The firearms instructor scores a total of 12 qualifications for the entire year. To be presented with this award the officer has to maintain an average of 98% or above, which is extremely difficult.

Sgt. Michael Ward, who is unfortunately on vacation in Hawaii this week, is a recipient of the award this year and also received the award last year. Sgt. Ward is probably the best shot in the Police Department and has consistently always had the highest score. Sgt. Ward had a 99.2% out of 100% score. That is twelve separate qualifications, both day and night firearms. His award will be presented at a later date.

Sgt. Dennis Jarin, who is also not here tonight, is the next officer to receive this award, with a score of 99% throughout the year. Sgt. Jarin is a firearms instructor and a phenomenal shot. This is the first year Sgt. Jarin has been a recipient of this award. Sgt. Jarin will receive this award at a later date.

Sgt. James Kinlan is the next recipient of the High Firearms Award. Officer Kinlan was just recently promoted to Sergeant. Sgt. Kinlan sets a goal and works toward it. This is Sgt. Kinlan's first year to receive this award and received a 98.9% out of 100%. A tremendous fete. Lt. Thompson presented the High Firearms Award to Sgt. Kinlan.

Sgt. James Capaccio is the next recipient. Sgt. Capaccio is also a firearms instructor with the Township of Ocean Police Department. Sgt. Capaccio has just been recently promoted to Sergeant.

Sgt. Capaccio has always been a good shot and was also part of the Regional SWAT Team.

Sgt. Capaccio is an amazing officer. Sgt. Capaccio scored 99% out of 100%. Lt. Thompson presented the award to Sgt. Capaccio.

K-9 Remmi – Receiving his Badge

Mayor Wetter discussed Remmi, a 1½ year old German Shepherd, joined the Township of Ocean Police Department towards the end of 2014. Both K-9 Remmi and Patrolman Nicholas McGavin attended and successfully completed the Basic K-9 Patrol School #2 in January 2015. Mayor Wetter placed the badge on K-9 Remmi.

Committee Reports

Mayor – Tina Wetter

Project Medicine Drop initiative, hosted by the Township of Ocean Police Department, will be on March 14, 2015, from 10:00 am – 2:00 pm at Shop Rite. If you have drugs to dispose of, bring them to Shop Rite on that day.

The Police Department is also hosting CASA Shoe Drive (Court Appointed Special Advocates). The shoe drive is accepting any type of shoes, gently used, any color, any style, any gender, to help children in need. Drop off locations are at the Police Department, Town Hall, Community Center and the Greenbriar Club House.

Deputy Mayor – Dennis F. Tredy

Since 2010, this Township Committee has made a commitment to the enhancement of the Township's infrastructure in order to improve the quality of life in Waretown. In addition, damage caused by Superstorm Sandy has provided the Township with an opportunity to upgraded those municipal facilities adversely impacted by the storm.

As an example of our commitment to improve, update and expand upon the municipal infrastructure, some major capital projects that will commence this spring include the following:

1. RECREATION

Improvement and upgrade work to the tennis and basketball courts at the Waretown Lake along with enhancement of various hard court surfaces at Toumey Park should start with the arrival of favorable weather conditions and should be completed by Memorial Day weekend. As the town grows, the demand for these type of recreational facilities increases.

2. BRYANT ROAD GAZEBO

The Bryant Road gazebo and dock area experienced considerable damage as a result of Superstorm Sandy. In response, the Township will take the opportunity during the recovery process to expand and upgrade the municipal facilities at the end of Bryant Road, which will include a bench. The cost of this work will be partially funded through FEMA and insurance proceeds with the balance being paid by the Township. Consistent with direction from the state, this work will enhance and expand public access to

the bayfront area of the community. While the project will not be fully completed by Memorial Day or Founders Day weekend, we are hopeful that substantial completion will be realized during the second half of the summer season. Also, as part of this project, the existing gazebo will be preserved and moved to County property on Bryant Road, an area immediately adjacent to the street end.

3. WATER AND SEWER IMPROVEMENTS

The upcoming water and sewer improvement work planned for the Eleventh Street area along with some lagoon finger streets in Skippers Cove represents the largest public works project in Waretown history. This 6 million dollar project is being financed by the New Jersey Environmental Infrastructure Trust fund, which offers no interest loans and principal forgiveness on projects financed by the program. Since 2010, the Township has been successful every year with securing funding from this program and has received in excess of \$600,000 in principal forgiveness along with over \$2.1 million in no interest loans. By utilizing this program, the Township has been able to adopt an aggressive approach to water, sewer and storm water improvements while minimizing the financial impact on the residents of both Waretown and Barnegat. The Township of Ocean also services a large portion of Barnegat that is adjacent to Waretown.

Committeeman – Joseph Lachawiec

Committeeman Lachawiec received the proposal for preliminary assessment for the bay front property. The price of \$4,400 is no big deal. Committeeman Lachawiec inquired if the Township will be buying that property.

Township Administrator Breeden discussed the Township is taking a look at buying the property. The Township will be in a position sometime in the near future to acquire the property. As a practice of due diligence, the Township would like to get the Phase I Environmental Study out of the way in order to quickly proceed when the opportunity arises.

Committeeman Lachawiec inquired if the Township has talked to the Department of Environmental Protection or the state about funding.

Township Administrator Breeden discussed talking with the DEP about funding and the fines that are levied against the property. DEP was encouraged and pleased the Township is considering purchasing the property, as it will increase public access to the bay front. The DEP is willing to waive all the fines levied against the property, if the Township acquires it.

Administrator Report

Administrator – David Breeden

Ordinance 2015-1, Second Reading, Public Hearing, Final Adoption, amending the ordinance establishing the Township of Ocean Police Department. The purpose of this ordinance is to recognize the organizational chart of the police department, which will consist of one (1) police chief and two (2) lieutenants, five (5) sergeants and the balance would be patrol. One lieutenant would be a patrol lieutenant and the second lieutenant would be an administrative lieutenant. This organizational structure is consistent with the promotions approved by the Township Committee at last month's meeting.

Resolution 2015-131 supporting no-passing zones on Route 9. The NJ Department of Transportation did a site inspection of Route 9 and determined the no-passing zones on Route 9 are consistent and in compliance with existing and current traffic regulations. This resolution represents a formality that the Township agrees with the no-passing zone on Route 9. Once this resolution is adopted, the Department of Transportation will officially issue a traffic order recognizing and acknowledging the no-passing zones on Route 9.

Resolution 2015-134 accepting a proposal for Emergency Medical Services, response and transportation. In September 2014, the Township entered into an agreement with ProCare to provide emergency medical (EMS) and basic life support (BLS) services to the Township of Ocean. As a result of economic conditions and financial stress on volunteers, many times during the day, the first aid squads throughout the county and state do not have sufficient members to respond to calls in a timely fashion. This is not a reflection on the Waretown First Aid Squad. There are many dedicated volunteers committed to this community. This is simply an acknowledgement of the financial realities. Sometimes, volunteers have to work 2 or 3 jobs, in order to maintain their families. Since September, the Township has discovered that this arrangement has proven to be very successful for the Township of Ocean.

In December, the Township issued a joint request for proposals with Barnegat Township to secure BLS or EMS services for a three (3) year period, with the option of two (2), one-year (1yr) extensions, at the determination of the Township. As a result of that request for proposals, three (3) firms submitted very competitive, comprehensive and detailed bids. The Governing Body interviewed all three entities that submitted proposals. All three were fully capable of providing EMS services to Waretown and Barnegat. Once the evaluation process was completed, it was determined that ProCare was in the strongest position to provide EMS services to Waretown and Barnegat for a three (3) year period.

Some of the terms and conditions of this contract is ProCare will be obligated to place one (1) EMS rig in Waretown and two (2) in Barnegat. ProCare will be obligated to provide EMS/BLS services to Waretown and Barnegat, Monday through Friday, 6:00am – 6:00pm, which is a time period most difficult for volunteers to respond. In addition ProCare will have to rent a building in Barnegat that can be utilized as a headquarters for them to locate or site additional EMS rigs. There is no direct cost to the Township for this contract. ProCare will bill the patients for services rendered. Ability to pay is not a determination of whether or not services will be rendered. ProCare will respond to any and all calls, regardless of ability to pay. If an individual does not have the ability to pay, arrangements will be made to

accommodate that. This contract is an example of another successful joint venture between Waretown and Barnegat.

Resolution 2015-136 awarding a contract to the Township Engineer for \$4,400 to do a Phase I Environmental Study of the Bayfront Grill Restaurant Marina, which is adjacent to the Bryant Road Gazebo and Dock. This property would be a nice asset to the Township and would increase and enhance public access to the bay. The Township may have an opportunity in the near future to move quickly into acquisition of the property. In order to practice due diligence, this study needs to be completed.

Township Attorney McGuckin discussed the Township has had discussions with the prior owner of the property who was seeking an astronomical price for the property. The Township then withdrew any further discussions with the prior owner. Only as a result of that property owner losing the property to foreclosure, has the new owner then asked if the Township would be interested in entering into negotiations.

Resolutions 2015-140 and 2015-141 represent severance agreements for two (2) longtime employees. Resolution 2015-140 is a severance agreement for the Police Chief and 2015-141 is a severance agreement for the Chief Financial Officer, who will be retiring on May 1, 2015.

PUBLIC PORTION:

Motion to open Public Comment was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Eileen Doyle, 243 11th Street, inquired if patients will be billed through their insurance companies for EMS services.

Township Administrator Breeden stated, “yes”.

Mrs. Doyle inquired if ProCare will balance-bill the patient if the insurance does not pay for the whole bill.

Township Attorney McGuckin discussed ProCare is required by federal law to submit a bill. There is no requirement to collect, but they have to make a reasonable effort to collect. ProCare has discussed they intend to follow the law.

Committeeman Lachawiec discussed the cost doesn’t matter. If the patient cannot pay, then they cannot pay.

Township Administrator Breeden discussed patients will not be denied service if they do not have the ability to pay.

Township Attorney McGuckin discussed the rates of all three vendors were competitive. All three vendors had the exact same rate. All three vendors will take you to Southern Ocean Medical Center or Community Memorial Hospital.

Mrs. Doyle inquired if the Township has a new Chief of Police at this time.

Mayor Wetter discussed, not at this time.

Motion to close Public Comment was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Resolution 2015-125 Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$5,231,005.20

Motion to approve was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Ordinance 2015-1 – Second Reading – Public Hearing

An Ordinance of the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey Amending Chapter 61-3 of the Codified Ordinance of the Township of Ocean

Motion to open Public Hearing was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

No comments from the public.

Motion to close Public Hearing was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Motion to approve Ordinance 2015-1 was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: 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.

- 2015-126 Resolution authorizing appropriation transfers in the amount of \$208,000.00
- 2015-127 Resolution authorizing Temporary Operating Budget increase in the amount of \$2,551,950.00
- 2015-128 Resolution authorizing Utility Temporary Operating Budget increase in the amount of \$630,000.00
- 2015-129 Resolution authorizing return of Escrow for block 234, Lot 19 in the amount of \$804.00
- 2015-130 Resolution authorizing an appointment to the Municipal Alliance
- 2015-131 Resolution of the Township of Ocean, County of Ocean, State of New Jersey supporting the use of a "No Passing Zone" on Route US 9 in the Township of Ocean as recommended by NJDOT
- 2015-132 Resolution authorizing a refund of taxes based on County Board Judgment for Block 105,
Lot 1.11 in the amount of \$460.00
- 2015-133 Resolution of the Township of Ocean, County of Ocean, State of New Jersey, Supporting Assembly Bill No. A-2704
- 2015-134 ~~Resolution accepting a proposal for Emergency Medical Services, response and transportation system for the Township of Ocean and the Township of Barnegat~~
- 2015-135 Authorizing the Wine Festival the weekend of April 25 & 26, 2015 at the Waretown Memorial Park
- 2015-136 Authorizing T & M Associates to proceed with the preliminary assessment on Block 181.01,
Lot 7, 96 Bryant Road
- 2015-137 Authorizing utilities department leak credit for 231 Rahway Road in the amount of \$161.61
- 2015-138 ~~Resolution authorizing the presentation of service weapon, Glock Model #22, Serial No. GPT325 to Chief Frenz upon his retirement.~~

Motion to approve Resolutions 2015-126 through 2015-133 and Resolutions 2015-135 through 2015-137 was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.
Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

2015-134 Resolution accepting a proposal for Emergency Medical Services, response and transportation system for the Township of Ocean and the Township of Barnegat

Committeeman Lachawiec discussed the Township requested proposals for EMS services. Three weeks ago the Township Committee had a public meeting, where the three companies that applied gave presentations. This Township Committee did a great job asking questions to find out as much as possible and then went into deliberations so it could be voted on tonight. Committeeman Lachawiec discussed ProCare gave the best presentation and will do a great job for the Township as well as Barnegat.

Motion to approve Resolution 2015-134 was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Resolution 2015-139

Resolution authorizing a refund of an overpayment Utility payment amount of \$72.30 to Grand Bay Harbor as there was in error in billing.

Township Attorney McGuckin inquired if Committeeman Lachawiec is a member of and pays dues to the Grand Bay Harbor Homeowners Association.

Committeeman Lachawiec discussed yes.

Township Attorney McGuckin advised Committeeman Lachawiec not to vote on this resolution.

Committeeman Lachawiec discussed Mayor Wetter is a member of the Greenbriar Homeowners Association and inquired if Mayor Wetter could vote on Greenbriar matters.

Township Attorney McGuckin discussed Mayor Wetter cannot vote on any payment from the Township to the Greenbriar Homeowners Association.

Committeeman Lachawiec inquired if that includes escrow payments.

Township Attorney McGuckin stated, escrow payments are paid to the developer. Payments are not made to the association.

Motion to approve Resolution 2015-139 was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Abstain, Tredy: Yes, Wetter: Yes

Resolution 2015-140

Resolution authorizing the Mayor and Township Clerk to execute a retirement and separation agreement between the Township of Ocean and Police Chief Gerhard Frenz

Motion to approve was moved by Committeeman Lachawiec, seconded Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Resolution 2015-141

Resolution authorizing the Mayor and Township Clerk to execute a retirement and separation agreement between the Township of Ocean and Christine Thorne, Chief Financial Officer

Motion to approve was moved by Committeeman Lachawiec, seconded Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Resolution 2015-138

Resolution authorizing the presentation of service weapon, Glock Model #22, Serial No. GPT325 to Chief Frenz upon his retirement.

Motion to approve was moved by Committeeman Lachawiec, seconded Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Motion to approve the below listed dates in 2015 for the use of the Community Center and Waretown Memorial Recreation Park:

1. Linda Flatt – April 4, 2015
2. Ellen Berberich – May 31, 2015
3. Ashley Damodio – March 8, 2015
4. Christiner Tvocha – March 15, 2015

Motion to approve was moved by Committeeman Lachawiec, seconded Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Motion to approve: Towing Licenses for year 2015 Thomas Makuch LLC

dba Accurate Towing

Motion to approve was moved by Committeeman Lachawiec, seconded Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Next Scheduled Meeting – NEW DATE

April 23, 2015 at 6:30 pm

Adjournment

Motion to adjourn meeting was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Signed and Submitted:

Diane B. Ambrosio, RMC
Municipal Clerk

Date