

Ortley Beach Voters and Taxpayers Association
October Membership Meeting
Saturday, October 16, 2021, 9:30 a.m.
Via Zoom

Meeting called to order at 9:33 a.m. (Anthony Colucci)

Present: Anthony Colucci, Paul Jeffrey, Mary Ann Giordano Wallis, Cathy Crisafulli, Joe Cantalupo, Joan Strathern, Mike Wymbs.

Membership attendance: 41 participants at start; 53 participants at peak. Membership quorum established.

Anthony: This is the last association meeting of the year, but we hope to gather for a Surf Club celebration before the end of the year.

Pledge and Moment of Reflection (Mike Wymbs) for those who made the supreme sacrifice defending our beliefs.

Minutes: Motion to waive the reading and accept the minutes of the September 2021 meeting (Joe Cantalupo, Mike). Reading waived, minutes accepted.

Treasurer's Report: Anthony

Year to date to Sept. 30, \$8,778 spent on events, including mediation for the Surf Club.

Cash on hand: \$63,524, which exceeds the \$56,000 budget.

Membership continues to rise, largely as a result of the spring mailing. 758 paid memberships for this year, the largest ever; that helps us with leverage with the town as we work toward our goals year to year.

Mary Ann Wallis pointed out that membership is from July 1 to June 30, so if you paid for 2021 you do not need to renew until next June.

Anthony said with our Glue-Up system, members will get a reminder when dues are due.

Paul Jeffrey pointed out that we have 758 memberships but 990-plus members because some memberships are double. He said 90 families did not pay for 2021 and are getting reminders. If they do not pay by the end of October, they will be dropped from membership.

Motion made to accept the Treasurer's and Membership report (Joan Strathern, Paul): Approved.

Guests:

Council Member Maria Maruca:

Updates from the September meeting:

- **A bench** will be added to the Harding Avenue dune walk cutout in the spring.
- Not sure if the **notices for revaluation inspections** have gone out to Ortley Beach yet; Fisher Boulevard just got theirs.
- **Substantial Damage letters:** Toms River is sending out letters to owners whose homes were deemed substantially damaged after Sandy, with notice that the deadline is here for the homes to be elevated or demolished. 3,800 homes in Toms River were deemed substantially damaged (more than 50% of the stock). 82% have complied with raising their home, etc., as of the end of August. Town engineering has been very busy but is ready to meet with and advise residents. However, compliance usually involves elevation unless you can prove that your home was less

than substantially damaged. Paul asked why people who don't have flood insurance are subject to substantial damage rules; he's hearing lots of questions from owners about why FEMA rules are still in effect with no flood insurance. Mayor Hill jumped in to say that the "co-efficient," or FEMA Community Rating, for each town by FEMA is based on compliance and that it affects flood insurance for the entire township. Because Toms River has been in such compliance, with more than 80% of the affected homes complying, the overall rate is reduced. But while this is a FEMA program, it also affects the standing of homes with the township: owners will not be able to get building permits if not in compliance. (He said he personally has been willing to take that risk with his mother's home, which was not substantially damaged but is below flood grade. They took no insurance, and know that with another storm they won't be able to rebuild.) Paul said some homes have such expensive flood insurance that they opt out. Mayor Hill said the hammer is township permits. Paul asked for more information to be shared because there is a lot of confusion. Ms. Maruca said the town will work up a FAQ and post it on the town website; the OBVTA can direct people there or send a link to the membership. Anthony said he would do so.

- **Rules affecting short-term rentals** have changed. The limits have been 30 days on the mainland, but the barrier island was carved out and the minimum here is now two days between April 1 to Nov. 30 to accommodate owners who want to rent out for long weekends.
- **Drownings:** Ms. Maruca said it's been a tragic September with a couple of drownings and near drownings and that having beach patrols after Labor Day would be under consideration for next year. Anthony said with climate change the season is growing longer, which warrants at least weekend lifeguards through September, as well as signs and flags re: rip tides, etc. He said it's going to be Local-Plus Summer from now on.
- **Beach Sweeps** (cleanups) will be on Oct. 23. Paul said you must be registered to participate and the link is on the OBVTA Facebook page.
- **Dune Grass Planting on Nov 13.** Anthony said he spoke with Jared and Craig, who oversee the beaches, about directions for volunteers and they will be putting something out. The planting takes place from 9 a.m. to noon, between 5th and 8th avenues.
- **Pickle Ball courts:** On 35 South at 6th. The nets are up and we are just waiting for lighting, which has been held up in the supply chain shortages. A ribbon cutting will be scheduled.
- **Optimum:** Nothing new, but the problems seem to be ongoing and haven't gotten any better.
- **FEMA:** Cathy Crisafulli asked about FEMA's new formula, which is no longer based on base flood elevation. Paul said he took training for FEMA Risk Rating 2.0 and was familiar with the new rules: As of Oct. 1, FEMA has a new rating system. It will now rely on geospatial data to calculate how close a property is to the water and then will measure the height of the first floor above the ground. Those calculations will affect flood insurance rates. As of now, owners can opt to renew under either the old calculations or the new ones and they should reach out to their flood insurance companies to get the figures. But the old FEMA maps and the use of BFEs (Base Flood Elevations) to calculate flood insurance premiums is out. Under the new rules, 10% of homes in Lavallette, Seaside Heights, Ortley Beach and Silverton will see a rate decrease; 65% will see an increase of 10 to 15% a year, with a limit to 18% for a first home and about 25% for second homes, but this needs to be confirmed. The town still uses Base Flood Elevation for permits. FEMA is calling it equity, with people at the beach paying more than non-beach homeowners. It will not change much for those whose homes are elevated – just for those whose homes are on ground level.
- **Thank you:** Ms. Maruca thanked the OBVTA for its work on behalf of Ortley Beach. She was in turn thanked by board members, all of whom cited her commitment and hard work on behalf of

the community. She was especially thanked for attending our meetings every month. Mayor Hill said it had been an honor to serve with Ms. Maruca, who was the hardest working member of the Council and most responsive. He said even with her fulltime job, she always had time for everyone. He especially cited her advocacy for the Surf Club purchase, which he said led to his and the Council's eventual support.

Later, he and OBVTA board members again praised Ms. Maruca. She said the OBVTA had made her a better council representative. "It's good to see people so engaged."

Mayor Maurice "Mo" Hill:

- **Surf Club:** Mayor Hill said there continues to be a problem with the deed for some of the properties that the town is selling to Ocean County (the proceeds of which will be used for the town's share of the Surf Club purchase). He said he has directed Anthony Merlino, the town attorney, to bifurcate the troubled properties and move forward with 10 of the 18, using those sales to cover the town's costs to buy and demo the property. He said there is still some discussion with the state DEP about what they will be allowed to construct there. He said when the town sells the remaining properties, it will have the money to go forward with some development plans.
- **Boy Scout property:** The town took advantage of an opportunity to buy the Boy Scout property in Toms River and lease it back to the scouts for \$1 a year. He said it was a big pickup of open space for the town.
- **FEMA loans to the town:** Andy Kim and other federal representatives were able to obtain loan forgiveness of \$3 million for Toms River, money that FEMA had insisted the town had to pay back after it recovered from Hurricane Sandy. He said there had been an event at town hall with Kim, Pallone, Van Drew, Smith and council members to announce the forgiveness. The deal helps the town's bottom line and had been long sought (a portion of the loan was already paid back, but still). He said the next hurdle is to get homeowner claw back loans forgiven; that is an ongoing process.
- **Open Space Tax Increase:** Mayor Hill asked for support for a 1 cent increase in the Open Space Tax, to help replenish the depleted coffers of the fund. A vote (in the November election) for the referendum on the tax increase would allow the town to bond for about \$16 million in new land purchases to protect it from overdevelopment. With mandates to create more affordable housing, it is critical for the town to buy up properties, he said.
- **Toms River Little League:** Thank you to the OBVTA for its generous donation to the team, who made it to the final rounds of the World Series.
- **Council Campaign:** He said the tenor and content of circulating campaign literature would have you thinking he was on the ballot. He said much of the literature is offensive and untrue and he would respond to it if anyone calls him with questions. He said No votes accomplish nothing and that there were coordinated campaigns, as the literature was the same in Ward 1 and Ward 2.

Paul asked Mayor Hill to explain the justice department decision re: Houses of Worship. Mayor Hill said the settlement to allow houses of worship on two acres of property would not affect Ortleigh Beach, as there are no two-acre lots here. He said the town had had a two-acre limit until 1997, but that year had raised it to 10 acres; the Justice Department objected to that as discriminatory and the town faced a multi-million dollar fine (Bridgewater had to pay more than \$7 million and that is a smaller municipality). He said the town was advised that it was not going to win so it settled to roll back the zoning regulations to 2 acres, with conditional use (ie the applicant has to meet certain conditions for parking, etc.). The Council vote was 6 to 1. He said

the negative hits being put out by the dissenting council member would have factored into the DOJ decision and hurt the town.

Lou Amoruso, the township administrator, said the lawsuit against Toms River was authorized by former Attorney General Bill Barr in September 2020. He said the town had been in negotiations with Justice for two years but the suit really put pressure on the township. The town relied on an expert from the University of Pennsylvania, who said they would not win. Besides hefty fines, the town also faced having to give up control over its zoning to the feds; home rule would have been suspended, which would have been even more damaging than the fines. The town has maps on its website showing the affected areas and what's changed and what hasn't.

Anthony: The OBVTA wants to be involved in the redevelopment of the Surf Club property, as well as on the ongoing emergency response discussions about the island. He said improving emergency response year-round will stay on OBVTA's agenda into the new year. Mayor Hill said the town is still in talks with Station 1 to add help for the barrier island. He said he is very pleased with the town's response over the summer, but that EMS and fire protection remain on the town's radar.

Question: The beach has lost quite a bit of sand; is there any update from the Army Corps of Engineers about replenishment?

Mr. Amoruso said he doesn't have an answer. He said the Army Corps is not listening to anyone. He said the town is reaching out to representatives re: FEMA's decision to not reimburse the town for hundreds of thousands it spent last spring on adding sand to the beaches. He said that was "really disappointing and not fair." The town IS scheduled for Army Corps attention next year. He said the town does not have the capacity to dredge and pump, only to scrape from the high water line to the water line.

Paul said there are lots of comments about the state of the beach and dunes and that it would be useful for residents to write to their Congressional representatives and ask them to approve the funding for replenishment.

Mr. Amoruso said there are two soft spots along the barrier island, Ortley and Mantoloking. That speaks to a revised design, he said, and an additional concentration of efforts in those two areas.

Question about keeping tax rates under control.

Mr. Amoruso said only a quarter of the real estate tax goes to the township. A big issue is the loss of state funding to the school district, which accounts for about 50% of the tax bill. Fire gets a portion and the county gets 23 to 24%. Anthony asked what taxpayers get for its county taxes. Mr. Amoruso said the county budget includes the sheriff's budget, county roads, senior services. He said the county also served as a "bank" for Toms River after Sandy and had worked with it to get FEMA reimbursement. "The county does a really good job," he said. What they pay their employees is "very economical." They've done a good job of keeping down costs over the years. Anthony said there is still a lot of duplication of services but thanked Mr. Amoruso for the information.

Paul asked why the restrooms on the boardwalk are closed at the end of the summer season. He said people want to see them kept open and asked why the town can't get someone to open, clean and lock them up. He said the town needs to keep bringing this up with Jared, who heads the recreation department.

Question about the lack of dune grass in certain sections, including in front of the Golden Gull. The beach replanting in November will concentrate on the area between 5th and 8th avenues.

Question about debris on the pickle ball courts and also a report that a neighbor's fence was damaged in the construction. The neighbor should contact engineering.

TRPD Lt. Gene Bachonski:

- **He added to the praise for Ms. Maruca.**
- **He noted the call for off-season coverage** and said the PD will try to beef up staffing if it could find help.
- **Analysis of calls from Ortley:** He said the bulk of calls were about:
 - **Fraud:** If any doubt about a phone call, just hang up.
 - **Overdoses:** On Oct. 1 there was an overdose in a CVS bathroom. He urged people to avoid public restrooms, as heroin addicts shoot up there and leave paraphernalia.
 - **Car burglary:** On Oct. 6 on 4th Avenue. There have been a few of them. A wallet was taken from an unlocked car. Officers found the empty wallet outside Bakin' Bagels. He urged residents to lock all doors.
 - **Donation to the TRPD protective vest Pizza Hut fundraiser:** Thank you.
 - **The town is hiring officers for the jails.**
 - **Neighborhood Watch:** There's been lots of inquiries. They are going to try to relaunch it now that Covid has somewhat abated. There will be a startup meeting in November with free coffee and donuts. Stay tuned.
 - **Coffee with a cop is resuming.**
 - **The Tunney Bridge will be closing for repairs** – 1 lane – in mid-October. Will find out more about dates.
- **Question about Operation Watchdog:** The town has a program in which residents with outdoor cameras register so they could be contacted by the TRPD to look at the video in the event of a crime. He said Officer Mark Bajada is heading that up and that it is ongoing. Paul said he would add links to the "useful links" on the OBVTA website. [Post meeting note: Operation Watchdog has been suspended for now].
- **Question about the blinking red light on 35 South near Stewart's:** Solid red means stop. When it goes to flashing red, you can move, though that is not consistent with other signals. Joan Strathern and others noted that the light changes back to flashing red when pedestrians are halfway across the road. Paul said New Providence, NJ, uses an interesting flag system to signal safe crossing; could Toms River do that when there's a shortage of Class 1 officers in Ortley?

Board Member Comments:

- **Mike** said if the town is asking for our support to increase the open space tax, it should look into using some of the \$16 million in bonds to purchase part of the Ocean County Utilities Authority property. We have no meeting place for events and we have been asking for use or purchase of some of the property for years, he said. **Joe** said we have been asking about access to that property for 30 years. Ms. Maruca pointed out that the OCUA is an autonomous board and the town has not had success in getting them to respond to these requests. She said if there is new leadership there, maybe this will change. She said the town would be supportive in getting access to some of the land. She noted that if the open space tax increase is not approved, there would be no money to make any such purpose. Anthony said if the county gets a couple of new

commissioners, it might be able to appoint new OCUA board members who would be more responsive.

Motion to adjourn (Joe, Paul) approved. Meeting adjourned at 11:16 a.m.

Last meeting of the year. See you in April.

END