

TOWNSHIP OF OCEAN  
PLANNING BOARD  
REGULAR MEETING  
July 2, 2009

Meeting began at 7:30 PM

The meeting of the Ocean Township Planning Board was held on the above date and time; Chairman Anepete presided and called the meeting to order.

Pledge of Allegiance

**STATEMENT:** Pursuant to the provisions of the New Jersey Open Public Meetings Act, sending copies of the notice of the meeting properly provided adequate notice of the meeting to the Times-Beacon and the Atlantic City Press. Notice was posted on the bulletin board in the Administration Building.

**ROLL CALL**

Members Present:	Vince Anepete	Robert Knowles	Rita Sweeney
	Ralph Avellino	Ronald Negra	Dennis Tredy
	James Eckert	Richard Reilly	Lee Eagles

Members Absent: Gordon VonSchmidt, Craig James

Chairman Anepete asked for a motion to approve the minutes of the May 7, 2009 Regular Meeting. Mrs. Sweeney made a motion to approve, Mr. Tredy seconded the motion. Chairman Anepete asked for a typographical error to be corrected – second page – third line “recuse”. All in favor: (aye) Sweeney, Tredy, Avellino, Eckert, Knowles, Negra, Reilly, Eagles, Anepete.

Chairman Anepete asked for a motion to approve the voucher list attached in the board packet. Mr. Avellino made a motion to approve the vouchers. Mr. Tredy seconded the motion. All in favor: (aye) Avellino, Tredy, Eckert, Knowles, Negra, Reilly, Sweeney, Eagles, Anepete.

Correspondence list was attached in the board’s packet and the Chairman offered that if anyone would like to review the correspondence it is always available in the board office.

Chairman Anepete asked for a motion to amend the agenda to put Board Comments after New Business. Mr. Avellino made a motion to amend the agenda. Mrs. Sweeney seconded the motion. All in favor: (aye) Avellino, Sweeney, Eckert, Knowles, Negra, Reilly, Tredy, Eagles, Anepete.

**OLD BUSINESS**

None.

## **NEW BUSINESS**

- **Lange, Block 99, Lot 1.01, 2 Shore Drive, Minor Subdivision**

Robert G. Lange Jr., 2 Shore Drive, was sworn in by Mr. Yost. The lot at 2 Shore Drive was bought 4 years ago. The existing house was knocked down and a new house was built in its place. This is the Lange residence. Mr. Lange wishes to subdivide the lot in half which conforms to the ordinance of the Township. No variances or waivers are needed. Mr. Lange expressed that the neighbor to his North, Margaret Filippio, would have to change her address. Her current address is 4 Shore Drive. Mr. Lange would like to change the new address to being 2A so that his neighbor would not have to change her address. Chairman Anepete comment that this board cannot act on that matter. Mr. Lange expressed that he would like to have this worked out if at all possible. Chairman Anepete brought to the board's and Mr. Lange's attention a typographical error on the application. The applicant should read that the height requirements should not exceed 35' not 235' as stated. Mr. Lange stated that they plan to make two conforming lots out of one.

Mr. McVicar spoke and referred to his letter dated March 25, 2009. Design Comments were reviewed. Items 1 and 2 Mr. Lange agreed to. Item 3 Mr. Lange is aware of. The three items under Plat Details Mr. Lange has no problem with and has already completed some. Outside Agency Approvals were reviewed. The only question remains if he can work out the address with the Tax Assessor. Mr. Lange commented that he will do the best he can to keep his neighbor happy.

Chairman Anepete asked for any questions from the board. There were none.

Chairman asked the board for action on the application. Mr. Knowles made a motion to approve as presented. Mr. Avellino seconded the motion. Roll Call: (aye) Knowles, Avellino, Eckert, Negra, Reilly, Sweeney, Tredy, Eagles, Anepete.

Chairman Anepete asked for a motion to open to the public. Mr. Tredy made a motion, Mr. Avellino seconded the motion. All in favor: (aye).

## **PUBLIC COMMENTS OPEN**

Mr. Travisano, 11 Strathmere Street approached and spoke. Mr. Travisano was present at a meeting a few months ago. Mr. Travisano had sent a letter to the Chairman. Mr. Travisano has heard that the Chairman was offended with regards to the comment in his letter about the members who recused themselves sat in the audience. Mr. Travisano stated he thought Oceanaire was 50% of the town and should not be treated as intruders. Chairman Anepete responded that Oceanaire is probably 30% at best in population and that we welcome Oceanaire as part of the community. Chairman Anepete offered that Oceanaire is a fine asset to the community. Chairman Anepete stated that he would like to dissuade Mr. Travisano from thinking that the felt negatively because it is not the case. Mr. Travisano thanked the board.

Chairman Anepete asked for a motion to close to the public. Mr. Tredy made a motion, Mrs. Sweeney seconded the motion. All in favor: (aye).

## **PUBLIC COMMENTS CLOSE**

## **BOARD COMMENTS**

Chairman Anepete asked for any comments from the board at this time.

Mr. Knowles spoke about the letters he received from the Chairman and Mr. Mosca. Mr. Mosca had said in his letter, depending on what the board does, would indicate further action by him. He was uncertain as to where it stood. Mr. Knowles asked Mr. Yost if it was proper procedure to ask that the minutes be changed before the meeting. Mr. Yost replied that it is really not proper procedure. We are a quasi-judicial board and any decisions for the board should be made at the public meeting before the whole board. The business of the board has to be determined in front of the board. Decisions on applications or minutes are done at that time where everyone can participate.

Chairman Anepete stated to the board that the letter he sent to the Township Committee was merely to point out procedurally how the minutes have always been handled in the past and how we intend to handle them in the future. The board secretary provides the minutes in the packets, the entire board reviews them. If the board has comments, they are brought up at the board meeting, and amendments are made at that time. Chairman requested a motion from the board so that the secretary can be directed to act that way in the future. There will be no changes to the minutes once the secretary has submitted them to the entire board. Mr. Tredy added that the Chairman should be allowed to direct the secretary to how he feels the board wants the minutes to be received. Mr. Tredy felt this needed further discussion. Chairman Anepete suggested that procedurally once the minutes are sent out to the entire board in the packet that they are not changed from that point until they are in open public session and the entire board votes on that action. Mr. Yost reiterated that decisions of the board should take place at the open meeting with the entire board able to participate and comment.

Mr. Tredy made the motion that there will be no changes to the minutes once the secretary has submitted them to the entire board.

Mrs. Sweeney asked if we follow Robert Rules. It was confirmed yes. Mrs. Sweeney then commented that in following Roberts Rules, you do not have to present verbatim minutes. Verbatim is not required, or expected.

The board had a brief discussion regarding how much information should be placed in the minutes and that they shouldn't show any subjective attitude towards one specific application putting in more or less information. Minutes are done one way only. The Planning Board has always been as objective as possible. Only the merits of the application are looked at. The Planning Board must stay completely objective on all issues. Mr. Tredy added that we must absolutely work on the merits of the application. Mob rule doesn't make decisions.

Chairman Anepete summarized that the motion should be once the minutes are provided to the Planning Board, those minutes are not to be changed unless in the open meeting. Amendments can be made at that time. Verbatim minutes are not required, but adequate coverage of what occurred basically and what action was taken. Lastly, any time anything is suggested regarding a change in the minutes that the secretary notifies the Chairman. The Chairman must be involved in any issues of that sort. Mr. Avellino agreed and commended the Chairman on pursuing this issue and getting this matter clarified.

Mr. Tredy reiterated his making of the motion. Mr. Avellino seconded the motion. All in favor: (aye) Tredy, Avellino, Eckert, Knowles, Negra, Reilly, Sweeney, Eagles, Anepete.

Mr. Tredy spoke regarding the response letter from Mr. Mosca, Administrator and the fact that it was hand-delivered. Mr. Tredy expressed his concern that a township employee used a personal vehicle on township time at the direction of a superior which he felt jeopardized the town for liabilities. Mr. Tredy felt that Mr. Mosca should be spoken to regarding this matter. Mr. Reilly said he would speak with the Mayor. Mr. Yost was asked his legal opinion about the two communications. Mr. Yost stated his opinion is that Chairman Anepete's letter was acting within the role of the Planning Board Chairman and trying to protect the procedural integrity of the board.

Chairman Anepete discussed the memo that was written to the Township Committee requesting additional alternates to be appointed to the board to avoid the possibility of a quorum question. No response has been given from the Township Committee yet. Mr. Reilly has not had any discussion with Mayor Kraft or Committeeman Lachaweic regarding this matter. Mr. Reilly will mention that this is still an open matter when he sees the Mayor and Committeeman next.

Mr. Avellino brought up that a sub-committee for ordinance review which consisted of Chairman Anepete, Vice-Chairman Avellino and Mr. Tredy spent quite a few hours with the Zoning Officer reviewing suggestions for additions, revisions, changes to various ordinances in town. They were sent to the Township Committee for review and the sub-committee has never received a reply either positive or negative. The committee was formed at the request of the Zoning Department. Mr. Reilly added that he was not on the Town Council when the committee was initiated; he was the Chairman of the Planning Board at the time. Mr. Tredy suggested that the secretary go through the files and get copies of the letters that were initially sent and have them resent to the new Township Committee. Mr. Tredy made a motion to that effect. Mr. Eckert amended that motion with the following and seconded the motion. The board should pass a Resolution once we have gone over the changes that we would like a response on them. The sub-committee came back with reports several times to the Planning Board. The Zoning Officer has the recommendations for change. Mr. Reilly felt there are new board members who don't know what the prior recommendations were. Mr. Reilly felt that the changes should be brought before this board first and then sent to the Township Committee. Mr. Eckert reiterated his second to the motion that a concise report should be brought back before this board to review and then one concise Resolution be adopted by the Planning Board and sent to the Township Committee for their action. Mr. Yost felt this would be a good procedure to follow. Mrs. Sweeney suggested perhaps a few could be addressed at each meeting. Mr. Eagles commended

the sub-committee for all the work and time that has been put forth so far on this. He thanked the board for pressing for an answer. Chairman Anepete felt that the sub-committee should have a meeting with the Zoning Officer to see where all these recommendations stand.

A roll call was taken on the motion made by Mr. Tredy, amended and seconded by Mr. Eckert. All in favor: (aye) Tredy, Eckert, Avellino, Knowles, Negra, Sweeney, Eagles, Anepete. Abstain: Reilly.

A motion to adjourn was made by Mr. Knowles, seconded by Mr. Eagles. All in favor: (aye).

The meeting ended at 8:19 PM.

Respectfully submitted,

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Beth O'Connor  
Planning Board Secretary