

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

**TOWNSHIP OF OCEAN  
COUNTY OF OCEAN  
REGULAR BUSINESS MEETING  
March 26, 2009**

**FLAG SALUTE**

**ROLL CALL:**            **REILLY**     **X**                **KRAFT**     **X**    

STATEMENT: Pursuant to the provisions of the New Jersey Open Public Meetings Act, adequate notice of this meeting was properly provided by sending copies of the Notice of Meeting to two newspapers, The Atlantic City Press and the Asbury Park Press. The Notice was posted at the office of the Township Clerk and on the bulletin board in the Administration Building.

**MEETING MINUTES:**

Approval of the Meeting Minutes for the Workshop and Regular Business Meeting of March 12, 2009  
A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.  
Roll Call: Reilly: Yes, Kraft: Yes

**RESOLUTION NO. 2009-140: Payment of Claims** – as presented to the Township Committee for payment thereof in the amount of \$229,869.95  
A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.  
Roll Call: Reilly: Yes, Kraft: 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.

**RESOLUTIONS**

- 2009-141**      **Resolution demanding that the Governor immediately direct the Attorney General to stop providing a defense for COAH to the various challenges to COAH's revised third round rules pending before the appellate court as COAH consistently has violated the appellate court's orders, the requirements of the FHA and the APA and has withheld vital information that proves that the data that COAH Relied upon to determine the state wide need for affordable housing is flawed in inaccurate**
- 2009-142**      **Resolution supporting S-2485 that is pending before the New Jersey State Senate and recommending that certain amendments be made to S-2485 that would be in the best interests of the Township of Ocean and all New Jerseyans in that such amendments would result in both economic recovery and the production of affordable housing throughout the state in this time of unprecedented economic peril**

- 2009-143** Resolution authorizing the release of escrow money for Block 131, Lot 9.01 in the amount of 213.33
- 2009-144** Resolution proclaiming April 12<sup>th</sup> – 18<sup>th</sup> 2009 as National Library Week and encourage all people to explore all the riches available at the library
- 2009-145** Resolution authorizing CMX Engineering to go out to bid for the Waretown Lake Water Dredging and Water Quality Improvement Project in accordance with the Local Public Contract Law
- 2009-146** Resolution authorizing the release of escrow money for Harbor Investments in the amount of \$3,021.68
- 2009-147** Resolution authorizing disposal of Surplus property of the Township of Ocean, items to be sold utility truck, Dodge truck
- 2009-148** Resolution authorizing the Township Administrator to sign proposed agreement with Magellan Hill for local and long distance telephone service which will result in a monthly cost savings of approximately \$670.00
- 2009-149** Resolution objecting to S-2577 & A-3772 adopted by the New Jersey Legislature and that is now pending the Governor's signature and recommending amendments to same regarding age restricted developments
- 2009-150** Resolution proclaiming the month of April as Autism Awareness Month to ensure that all people with autism receive appropriate effective services to maximize their growth potential
- 2009-151** Resolution Amending Resolution 2008-319 authorizing bond release for Greenbriar Oceanaire – Section 1, phase A – D to include a lot grading remedial action escrow account in the amount of \$26,000.00

Deputy Mayor Reilly inquired if Resolution 2009-151 is releasing or posting a bond.

Township Clerk Ambrosio stated the town is amending Resolution 2008-319, which is releasing a bond.

Township Attorney McGuckin stated the town is required to amend that resolution to post an additional \$26,000 escrow.

**MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2009-141 through Resolution 2009-151**

A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

**Motion of Approval for use of the Community Center:**

- 1. Republican Club – March 20 & March 27, 2009**
- 2. Roxanne Lacey – April 12, 2009**
- 3. Jennifer Volk – April 25, 2009**
- 4. Judy Schaffren – May 3, 2009**

A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

**Motion of Approval for use of Township Ballfield at Toumey Park**

**1. Matt Caufield, Tuesdays March 24 – August 25, 2009**

A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

**Motion of Approval for use of Waretown Memorial Recreation Park**

**1. Jake and Kristine Schon – April 26, 2009**

**2. WAA Baseball – July 11, 2009**

A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

**Motion of Approval for canvassers and/or solicitors permit (ice cream truck) Gregory Hall, H&W Food Services**

A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

**Motion to accept the Tax Collector's Report**

A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

**Motion to accept the Utility Collector's Report**

A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

**Motion to accept the Finance Report**

A motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes

Township Attorney McGuckin stated there is a vacancy on the Governing Body in the Township of Ocean. Former Mayor Van Pelt executed a letter of resignation effective February 28, 2009. Under the municipal vacancy statute, if a vacancy occurs in a seat, which had been filled by a nominated political party, the Municipal Committee for the party in question submits three names to the township's Governing Body for review and consideration. The Municipal Committee submitted three names: Joseph Lachawiec, Frank Luna and William Sneddon. Each member of the Governing Body had separately interviewed the three individuals. Township Attorney McGuckin received a call from each member of the Governing Body requesting a resolution be prepared. Mr. Kraft and Mr. Reilly chose Joseph Lachawiec. Township Attorney McGuckin read the resolution.

**RESOLUTION 2009-152 Appointing Joseph Lachawiec to serve the unexpired term of former Township Committeeman Daniel M. Van Pelt in accordance with the New Jersey municipal vacancy law.**

Motion of approval was moved by Deputy Mayor Reilly, seconded by Mayor Kraft.

Roll Call: Reilly: Yes, Kraft: Yes.

**Mr. Lachawiec is sworn in by Assemblyman Daniel M. Van Pelt.**

Committeeman Lachawiec thanked Courtney for holding the bible and Mayor Kraft and Deputy Mayor Reilly for their long hours of deliberation. There were actually seven good candidates for this job. Committeeman Lachawiec gave his admiration and respect to the Township Committee and to the other candidates, William Sneddon, Frank Luna, Jane Kunka, Vincent Anepete, Amish Gada, and Martin Mygrant for stepping up and offering their services to our community. They are true community leaders. Committeeman Lachawiec stated thank you and he will pledge to the Committee and everyone in the town that he will live up to their expectations to the best of his ability.

**PUBLIC COMMENT:**

Motion to open to the public was moved by Deputy Mayor Reilly, seconded by Committeeman Lachawiec. Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes.

Michele Rosen, 29 Bradley Beach Way, congratulated Committeeman Lachawiec on his appointment. Ms. Rosen inquired about the process of interviewing for the appointment.

Mayor Kraft stated he met with all three candidates individually for an hour each at his office on Route 9. Mr. Reilly met with all three individually at town hall.

Ms. Rosen inquired why the candidates were interviewed separately.

Township Attorney McGuckin stated there were no public meetings scheduled between then and now. The expiration time to do so is now until Monday. This was the only township meeting where the resolution could be voted on.

Ms. Rosen stated the town is allowed 48 hours for an emergency meeting.

Township Attorney McGuckin stated if necessary. There was no need for an emergency meeting. If the Township Committee wanted to interview the candidates together, they would have to do so at a public meeting.

Ms. Rosen stated if they met separately to avoid making a public advertisement because they didn't have another meeting time, that is in violation of Section 11 of the statute.

Township Attorney McGuckin stated, Michele, you are absolutely wrong.

Ms. Rosen stated thank you.

Jane Kunka, 100 Cayuga Road, congratulated Committeeman Lachawiec. Best wishes, you are going to do great. Best wishes to Mayor Kraft and Deputy Mayor Reilly.

The Committee thanked Ms. Kunka for her kind words.

Joan Tredy, 131 Englewood Ave., congratulated Committeeman Lachawiec. You will do a fine job helping to guide this town to an orderly progression to the future with a limited impact on taxes. Thank you to the Township Committee. The best way to come to a conclusion is independently. Thank you for all your efforts in coming to that conclusion.

Mayor Kraft and Deputy Mayor Reilly thanked Joan Tredy for all her efforts.

Vincent Anepete, 85 Clearwater Drive, stated he was a candidate and the process was extremely fair. There were two representatives of all five districts, a male and a female were duly elected by the entire Republican party of the municipality. There could not have been a more fair process. Candidate information was not divulged to the other candidates. Mr. Lachawiec received ten votes, all five districts, five males and five females. Congratulations. Mr. Anepete will support the Township Committee in any way he can.

Joe Randazzo, 23 Spring Lake Blvd., inquired if there has been any progress on the addition of members on the Redevelopment Committee.

Mayor Kraft stated, "no". A lot of time was spent on the appointment of a candidate. That will be next on the agenda.

Mr. Randazzo inquired if the Township Committee could commit to giving an answer one month from now.

Mayor Kraft stated the town still needs legal guidance.

Township Attorney McGuckin stated under the statute there are particular powers and authorities that are granted. There are employees, budgets, funding requirements, etc. The Township Committee needs to understand all of that before making a final determination.

Mr. Randazzo inquired if that could be discussed at the next meeting.

Township Attorney McGuckin stated yes.

Mr. Lachawiec thanked Mr. Randazzo for stepping up at a meeting to explain all the qualifications of a Township Committee. Mr. Lachawiec will try his best to fulfill those qualifications.

Ralph Avellino, 10 Central Ave., hopes the next Committeeman will fulfill their three-year tenure. It seems strange to have a party negotiate to replace a Committeeman. The people vote and expect the Committeeman to fulfill their duty.

Motion to close to the public was moved by Deputy Mayor Reilly, seconded by Committeeman Lachawiec. Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes.

**ADJOURNMENT**

Motion to adjourn meeting was moved by Deputy Mayor Reilly, seconded by Committeeman Lachawiec.  
Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes.

Signed and Submitted:

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Diane B. Ambrosio, RMC  
Township Clerk

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Date