

**TOWNSHIP OF OCEAN  
COUNTY OF OCEAN  
REGULAR BUSINESS MEETING  
May 14, 2009**

**ROLL CALL:            LACHAWIEC   X      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 of April 14, 2009

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

Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

**Ordinance**

**Ordinance 2009-3 Second Reading – Public Hearing**

Ordinance to exceed the Municipal budget appropriation limits and to establish a CAP Bank as per N.J.S.A 40A:4-45.14

Ordinance No. 2009-3 was read title only and opened to the public on a motion moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly. Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes.

Michele Rosen, 29 Bradley Beach, inquired if the town used the entire amount of money available from the 2007-2008 bank in this year's budget. Is the town setting aside \$270,000?

Mayor Kraft stated no, 1%, \$72,000.

Ms. Rosen stated this allows the town to increase spending next year by \$272,000. She feels that is not necessary and would like the Committee to vote against this ordinance.

Township Attorney McGuckin stated if the town gets a cut in State aid, the town may very well need that buffer.

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

A motion of approval to adopt Ordinance No. 2009-3 was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly. Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes.

**Ordinance 2009-4 First Reading**

An Ordinance of the Township of Ocean, County of Ocean, State of New Jersey Authorizing the sale of Block 137, Lot 2, Lighthouse Drive, which is Township property not needed for public use

Ordinance No. 2009-4 was read title only and adopted on a motion of approval moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly. Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes.

**Ordinance 2009-5 First Reading**

An Ordinance amending bond Ordinance No. 2009-2, adopted on April 9, 2009, by the Township of Ocean, in the County of Ocean, New Jersey, To amend an amount previously appropriated for certain capital improvement previously specified therein

Ordinance No. 2009-5 was read title only and adopted on a motion of approval moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly. Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes.

**RESOLUTION NO. 2009-169: Payment of Claims** – as presented to the Township Committee for payment thereof in the amount of \$3,489,226.95

A motion of approval was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly. Roll Call: Lachawiec: Yes, 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**

- 2009-170 Resolution authorizing an increase to the 2009 Temporary Operating Budget the total amount including this resolution is \$2,843,376.00**
- 2009-171 Resolution authorizing an increase to the Sewer Utility 2009 Temporary Operating Budget the total amount including this resolution is \$889,400.00**
- 2009-172 Resolution authorizing an increase to the Water Utility 2009 Temporary Operating Budget including this resolution is \$363,885.00**
- 2009-173 Resolution authorizing the Chief Financial Officer to complete petty cash fund application for the Founders Day Trust Fund**
- 2009-174 Resolution authorizing the Chief Financial Officer to complete petty cash fund application for the Municipal Alliance Trust Fund**
- 2009-175 Resolution authorizing the Chief Financial Officer to complete petty cash fund application for the Recreation Trust Fund**
- 2009-176 Resolution authorizing the reestablishing of several petty cash funds for the Township of Ocean for the year 2009**
- 2009-177 Resolution authorizing CMX to provide professional services for Volunteer Way Resubmission document as required by the New Jersey Department of Environmental Protection in an amount not to exceed \$82,400.00 and proposal to be signed by Mayor**

- 2009-178** Resolution authorizing the CMX to provide professional services to subdivide lots in Block 39 Lots 4 & 5, Block 41 Lots 5, 10 & 11 in an amount not to exceed \$8,800.00 and proposal to be signed by Mayor
- 2009-179** Resolution proclaiming June 2009 as Myasthenia Gravis Awareness Month
- 2009-180** Resolution authorizing the hiring of Stephanie G. Stott as a Part Time Dispatcher in the Police Department starting on May 14, 2009 at the hourly rate of \$12.81
- 2009-181** Resolution authorizing the purchase of two Police 2009 Dodge Durango vehicles under State Contract #A70852 for the total amount of \$67,754.00
- 2009-182** Resolution in opposition to a proposed diversion of funds from the Emergency Medical Technician training fund
- 2009-183** Resolution Designating Pepco Energy Services to provide certain extraordinary unspecifiable services or in the alternative awarding a competitive contract for the construction and operation of a photovoltaic generation system within the Township of Ocean

**MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2009-170 through Resolution 2009-183**

A motion of approval was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.  
Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

**RESOLUTION 2009-184: authorizing the Township Committee to retire into Closed Session for the purpose of discussing personnel, public safety, contractual, real estate and litigation - PURPOSE:** Township Attorney McGuckin stated he has a litigation matter.

A motion of approval was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.  
Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

**Motion of Approval for the Chief Financial Officer to contact Bond Council to finance the replacement purchase of an Ambulance for Waretown First Aid Squad**

A motion of approval was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.  
Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

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

1. Julie Roessner, June 19, 2009
2. Republican Club Sub-Committee, April 28, 2009

A motion of approval was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.  
Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

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

1. Elaine Hoger, June 28, 2009
2. Lord of Lords Bible Community Church, June 14, 2009

A motion of approval was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.  
Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

**Motion of Approval for use of the Township Ball fields – March 1 – October 30, 2009:**

- WAA Baseball
- Waretown Thunder Softball
- SJ Baseball

A motion of approval was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.  
Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

**Motion of Approval for Raffle Licenses for Waretown First Aid & Auxiliary on Thursday, July 3, 2009 at 7:00 pm.**

A motion of approval was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.  
Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

**Motion of Approval for Raffle Licenses for Twenty One Plus Foundation at Greenbriar/Oceanaire Golf and Country Club on July 13, 2009, 2009 for 50/50 raffle**

A motion of approval was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.  
Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

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

A motion of approval was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.  
Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

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

A motion of approval was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.  
Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

**Motion to accept the Finance Report**

A motion of approval was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.  
Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

**PUBLIC COMMENT:**

Motion to open to the public was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.

Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

Ralph Avellino, 10 Central Avenue, inquired about Resolution 1009-173 Founder's Day Petty Cash Fund Application. Is this money for expenditures? Is this what Ms. Rosen was pointing out?

Mayor Kraft stated yes. By law this resolution is supposed to be passed every year. The town has missed it in the past. Ms. Rosen is pointing out all the town's inefficiencies, as minor as they are. Ms. Rosen has brought valid points tonight. Mayor Kraft will discuss with Mr. Mosca areas of the Administration side that need to be reviewed.

Mr. Avellino stated the Founder's Day Committee does not go out for bid when they purchase 2 x 4's for the Haunted Hayride. This money is raised by fundraising not tax dollars.

Mayor Kraft stated maybe the town should shop for office supplies somewhere other than Staples.

Deputy Mayor Reilly stated over the past year, the staff has been reduced. The town is now looking to improve the efficiency. Is it time efficient to be going around looking for quotes for small purchases? The success of the Founder's Day is a product of the men and women who work all year to raise the funds.

Deputy Mayor Reilly stated that the Founder's Day should be commended for their hard work throughout the year to raise the funds to make the Founder's Day possible for everyone to enjoy. They work hard to put a positive spotlight on the Community.

John Petrosilli, 11 Vessel Road, inquired if the resolution regarding water/sewer expenditures is going to reflect an increase.

Mayor Kraft explained the resolutions were to increase the temporary budgets to allow the Township to pay bills.

Michele Rosen, 29 Bradley Beach Way, stated the town must get two quotes, if the purchase is more than \$3,000, based upon the \$21,000 threshold. There is a \$29,000 threshold right now. Anything over \$4,000 has to have two quotes. The State law requires the town to aggregate similar things.

Ms. Rosen stated at the last meeting she brought up the question about the resolution expressing dissatisfaction with Assemblymen over their vote against the Mortgage Stabilization Act. It is solely for people who are in imminent danger of foreclosure. She inquired if Mr. Lachawiec applied for this loan.

Committeeman Lachawiec stated the term was the HASP Program. It is his understanding if someone's income dropped to a level, where their mortgage was 30% more than their monthly income, they may be eligible for the program. Committeeman Lachawiec did not say he applied. He asked if he could be included in the program. He has not heard back from the bank.

Ms. Rosen inquired with Committeeman Lachawiec if he lived in Grand Bay Harbor and owns two boat slips.

Committeeman Lachawiec stated he does not own two boat slips.

Ms. Rosen stated there is one from the foreclosure list that the town auctioned at a sale. Committeeman Lachawiec was the highest bidder. What is the status of that slip.

Township Attorney McGuckin stated the township did a public bid of a number of parcels of property in a public bidding process two years ago. The slip is one of the items in tax foreclosure. The township took title to it. A lot of those properties went to sale through an auctioneer. The slip is one of those items. There are some title issues that still have not been resolved. There is a contract to convey the slip to the highest bidder at the time. The township has a deposit. The Township is in discussions with the condo association to complete this transaction.

Ms. Rosen inquired if Committeeman Lachawiec is using the boat slip.

Committeeman Lachawiec stated yes.

Motion to close to the public was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.

Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

Ms. Rosen inquired if tonight's discussions will be on the Executive Session minutes and if the Township Committee will come out of Executive Session and vote or at least have them ready to vote on at the next Township meeting.

Township Attorney McGuckin stated he is going to discuss with the Township Committee whether they reviewed a couple of items on Closed Session meeting minutes that need to be redacted. The redacted copy will be available late tomorrow, depending on if the Committee chooses to vote on the meeting minutes.

Motion to adjourn Regular Business meeting and move into Executive Session was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.

Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

Mayor Kraft left the meeting during Closed Session due to a conflict.

Motion to open Regular Business meeting was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.

Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

Motion to close Regular Business Meeting meeting was moved by Committeeman Lachawiec, seconded by Deputy Mayor Reilly.

Roll Call: Lachawiec: Yes, Reilly: Yes, Kraft: Yes

**ADJOURNMENT:**

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

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