

**MEETING MINUTES**  
**TOWNSHIP OF OCEAN**  
**COUNTY OF OCEAN**  
**REGULAR BUSINESS MEETING**  
**January 14, 2010**

**ROLL CALL:**            **KRAFT**       X            **TREDY**       X            **LACHAWIEC**       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 Press of Atlantic City 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 November 11, 2009

Motion to approve Meeting Minutes of November 11, 2009 was moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.

Roll Call: Kraft: Yes, Tredy: Yes, Lachawiec: Yes

Approval of the Meeting Minutes of December 10, 2009

Motion to approve Meeting Minutes of December 10, 2009 was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec.

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

Approval of the Meeting Minutes of December 8, 2009

Motion to approve Meeting Minutes of December 8, 2009 was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec.

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

**Resolution 2010-82**

Township of Ocean 2010 Temporary Operating Budget in the amount of \$3,250,395.00

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

Roll Call: Kraft: Yes, Tredy: Yes, Lachawiec: Yes

**Resolution 2010-83**

Township of Ocean Municipal Sewer Utility Budget 2010 Temporary Operating Budget in the amount \$591,809.50

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

Roll Call: Kraft: Yes, Tredy: Yes, Lachawiec: Yes

**Resolution 2010-84**

Township of Ocean Municipal Water Utility Budget 2010 Temporary Operating Budget in the amount \$688,039.50

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

Roll Call: Kraft: Yes, Tredy: Yes, Lachawiec: 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**

- 2010-85** Resolution authorizing the Township Committee accepting properties as donations during the year 2001/2002
- 2010-86** Resolution authorizing the method of payment for delinquent water and sewer for Barnegat accounts
- 2010-87** Resolution authorizing the method of payment for delinquent taxes, water & sewer
- 2010-88** Resolution authorizing In Lieu mailing charges to be added to tax sale costs
- 2010-89** Resolution authorizing the Tax Collector to process without further action on their part, any cancellation of property tax refunds or delinquencies of less than \$10.00
- 2010-90** Resolution authorizing the Tax Collector to be discharged from collecting 2009 taxes from Gary K. Parker, Block 274.02, Lot 13 as he is a disabled veteran and exempt from all taxes effective October 21, 2009
- 2010-91** Resolution authorizing the members to the Emergency Management Council for the Township of Ocean
- 2010-92** Resolution authorizing the Mayor to sign the 2010 Schedule "C" Agreements in the amount of \$60,000
- 2010-93** Resolution authorizing Change Order No. 1 for Sands Point Park – Phase 2B to Crossroad Construction in the amount of \$1,016.21, 0.11% increase in the contract

**MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2010-85 through Resolution 2009-93:**

Motion of approval moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.

Roll Call: Kraft: Yes, Tredy: Yes, Lachawiec: Yes

**RESOLUTION 2010-94: authorizing the Township Committee to retire into Executive Session for the purpose of discussing personnel, public safety, contractual, and litigation - PURPOSE: Litigation.**

Township Attorney McGuckin stated he has a litigation matter with MSC Enterprises, a personnel matter, and Coastal Redevelopment Phase II contract negotiation.

Motion of approval moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.

Roll Call: Kraft: Yes, Tredy: Yes, Lachawiec: Yes

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

- **Waretown Thunder Softball Club – 1<sup>st</sup> & 3<sup>rd</sup> Thurs of each month**
- **Linda Re – February 20, 2010**
- **Myrna Gonzales – January 23, 2010**
- **James Boyd – January 9, 2010**
- **Frances T. Leo – January 31, 2010**

Motion of approval moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.  
Roll Call: Kraft: Yes, Tredy: Yes, Lachawiec: Yes

- **Township of Ocean – Board of Health – Quarterly Meetings  
1/14/10, 4/8/10, 7/8/10, 10/14/10**

Motion of approval moved by Committeeman Kraft, seconded by Mayor Lachawiec  
Roll Call: Kraft: Yes, Tredy: Abstain, Lachawiec: Yes

**Motion of Approval for use of Toumey Park – Township Baseball Field  
- Greenbriar Men's Softball Club – Monday & Thursday, April -October, 2010**

Motion of approval moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.  
Roll Call: Kraft: Yes, Tredy: Yes, Lachawiec: Yes

**Motion to Approve Tax Collector's Report**

Motion of approval moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.  
Roll Call: Kraft: Yes, Tredy: Yes, Lachawiec: Yes

**Motion to Approve Utility Collector's Report**

Motion of approval moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.  
Roll Call: Kraft: Yes, Tredy: Yes, Lachawiec: Yes

**Motion to Approve Finance Report**

Motion of approval moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.  
Roll Call: Kraft: Yes, Tredy: Yes, Lachawiec: Yes

**PUBLIC COMMENT:**

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

Vince Anepete, 85 Clearwater Drive, recommended a part-time clerk at minimum wage to process OPRA requests and type minutes.

Mayor Lachawiec stated Mr. Anepete's recommendations are appreciated and will be taken under advisement.

Ed Covitz, Brookville, stated the Board of Health meetings are incorrect.

Deputy Mayor Tredy stated the Board of Health applied for use of the Community Center prior to having the Reorganization meeting. The actual dates will be published properly.

Township Attorney McGuckin stated the application should be resubmitted by the Board of Health with the correct dates.

Michele Rosen, 29 Bradley Beach Way, requested a copy of the report from Mr. McGuckin's office regarding OPRA costs.

Deputy Mayor Tredy requested Ms. Rosen fill out an OPRA request for the OPRA costs. There are some items that were not calculated, such as the costs from the construction office, the zoning office and the COAH.

Ms. Rosen stated the Township Committee has not approved executive session minutes, so Ms. Rosen OPRA'd them from 1999 to 2009. Prior to submitting OPRA requests to this township, the town did not have petty cash funds established or any restrictions on in-house or credit card accounts. Citizens have the right to see documents.

Harry Dering, 15 Dock Avenue, Ms. Rosen is costing the taxpayers a ton of money and she does not own property in this town. Stop causing the taxpayers unnecessary money and time, especially at the town meetings. Ms. Rosen is not a taxpayer in this town.

Tom Marquet, 95 Spring Lake Blvd., OPRA is pursuant to the statute. Whatever the costs are that is the cost of government and citizen participation.

Debra Battaglia, Morey Place Road, requested crushed concrete in the potholes on Morey Place Road. Scibal informed her the property is wetlands and there is restrictions. The only thing that could be put down is crushed concrete.

Committeeman Kraft stated Ms. Battaglia lives on a dirt road. Cars need to drive slowly down Morey Place Road. Driving fast causes rocks to get in the grooves of the tires. The town maintains the road once a month. Committeeman Kraft stated the developer has site plan approval and has to abide by the approval. The road is going to be where it was engineered to be. It will be a newer road.

Spencer Hondros, 65 Pennsylvania Avenue, inquired if Morey Place Road used to be a private road.

Deputy Mayor Tredy stated a resident used to take care of the road. It was not a private road.

Ralph Avellino, 10 Central Avenue, stated the Founder's Day Committee was confronted with its deficiencies at the reorganization meeting. Founder's Day activities are presented to and approved by the township Finance Officer. The township did not pay for anything for the day's events.

Mayor Lachawiec thanked Mr. Avellino and every member of the Founder's Day Committee for devoting their time all these years for the benefit of this town. It is appreciated and the town wants Founder's Day to continue. Other citizens in town do have the right to investigate. Mayor Lachawiec suggested the Celebratory Event line item, to be discussed for the budget, be \$40,000 to \$50,000. The Founder's Day fundraising should come into the town on a different line item.

Township Attorney McGuckin stated there is a dedicated trust fund account for Founder's Day. Township Attorney McGuckin will check with the auditor as to where donations should be placed. The Founder's Day Committee is supposed to develop and implement their plans for the funds and advise the governing body as to how it would occur. All the monies in the township account have been accounted for. Under a prior administration, Founder's Day was funded by the taxpayers, at approximately \$30,000. For the last 11-12 years, the taxpayers have not incurred this cost.

Deputy Mayor Tredy stated the Founder's Day Committee has done a fantastic job for years. They volunteer hours and hours. It is a shame people are trying to sabotage Founder's Day, due to minor procedural errors.

Spencer Hondros, 65 Pennsylvania Ave., is a Founder's Day Committee member and requested direction, at the next Founder's Day meeting, on how to proceed for Founder's Day 2010.

Mayor Lachawiec will address it.

Harry Dering, 15 Dock Avenue, anyone trying to destroy Founder's Day is out of order.

Vince Anepete, 85 Clearwater, Planning Board Chairman, investigated Morey Place Road. Anyone who drives more than 5-10 miles per hour is foolish.

Mr. Anepete stated even though people may not agree, it is a persons right to speak. The town should listen to the message and defend the right to speak.

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

## **RECESS**

Motion to recess for five minutes was moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.

Kraft: Yes, Tredy: Yes, Lachawiec: Yes

## **CLOSED SESSION**

Motion to move into closed session was moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.

Kraft: Yes, Tredy: Yes, Lachawiec: Yes

## **OPEN MEETING**

Motion to open meeting was moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.

Kraft: Yes, Tredy: Yes, Lachawiec: Yes

Motion authorizing the Governing Body to permit the execution of the RAD payment for the building and construction invoices for \$216,000, condition upon a performance bond being posted by the developer in

an amount to be determined by the Township Engineer, was moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.

Kraft: Yes, Tredy: Yes, Lachawiec: Yes

**Resolution 2010-95 appointing Nicole Erdin as part time Deputy Tax Collector and part time Accounting Clerk for the year 2010.**

Motion of approval moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.

Kraft: Yes, Tredy: Yes, Lachawiec: Yes

**Resolution 2010-96 appointing Linda Hubert as temporary Purchasing Clerk for the time period ending March 31, 2010.**

Motion of approval moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.

Kraft: Yes, Tredy: Yes, Lachawiec: Yes

**PUBLIC COMMENT**

Motion to open to the public was moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.

Kraft: Yes, Tredy: Yes, Lachawiec: Yes

No comment from the public.

Motion to close to the public moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.

Kraft: Yes, Tredy: Yes, Lachawiec: Yes

**ADJOURNMENT:**

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

Kraft: Yes, Tredy: Yes, Lachawiec: Yes

Signed and Submitted:

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Diane B. Ambrosio, RMC  
Township Clerk

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Date