

MEETING MINUTES

TOWNSHIP OF OCEAN COUNTY OF OCEAN REGULAR BUSINESS MEETING January 28, 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 January 1, 2010

Approval of Closed Session Meeting Minutes of December 8, 2009

Approval of Closed Session Meeting Minutes of December 10, 2009

Motion to approve Meeting Minutes of January 1, 2010 and Closed Session Meeting Minutes for December 8 & 10, 2010 was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec

Roll Call: Kraft: Abstain, 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

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| 2010-97 | Resolution appointing Theresa Jakeman to the Founder's Day Committee |
| 2010-98 | Resolution authorizing the resubmission of the 2009 application for loans from the New Jersey Environmental Infrastructure Trust under the 2010 financing program |
| 2010-99 | Resolution appointing Lisa Denning and Natalie Nasatka to the position of Dance Aide at the rate of \$30.00 per dance event. |
| 2010-100 | Resolution authorizing the submission of the 2010 Ocean County Tourism Matching Promotional Grant in the amount of \$1,200.00 for the project "Township of Ocean Founders' Day 2010" |
| 2010-101 | Resolution authorizing the acceptance of a Maintenance Bond for Well House No. 7, Quad Construction Company |
| 2010-102 | Resolution authorizing the Mayor to execute the agreement with City Connections, LLC for the year 2010 in the amount of \$5,021.00 |
| 2010-103 | Resolution Authorizing Change Order #1 for Well House No. 7, Quad Construction resulting in a final contract decrease in the amount of \$3,161.99 |

- 2010-104** Resolution authorizing the professional services of Berry, Sahradnik, Kotzas & Benson, P.C. as Utilities Attorney for the year 2010
- 2010-105** Resolution authorizing the hiring of part-time dispatchers, Crystal Murdock, Brent Cunningham, Ann Murdock at the hourly rate of \$11.84 per hour

MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2010-97 through Resolution 2009-104:

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

RESOLUTION 2010-106: authorizing the Township Committee to retire into Executive Session for the purpose of discussing: Township Attorney McGuckin stated he has two items for contract negotiations and a potential litigation matter. Deputy Mayor Tredy stated he has a Lennar contract matter. Mayor Lachawiec also has a contract issue to discuss.

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

Motion to approve Raffle Licenses for Ocean Township PTA Gift Basket Auction for March 6, 2010- two 50/50 raffles license and one-penny auction license

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:

- Loretta Schultheis – March 6, 2010
- Diane Visalli – February 7, 2010
- Board of Health Meetings – April 4th, July 14th, October 13th, 2010
- Our Gang Players, Inc. – January 29, 2010
- Lord of Lords Bible Community Church – March 2nd, 9th, 16th, 23rd, 2010

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

Ralph Avellino, 10 Central Avenue, stated he was a Dance Aide for many years and was never paid \$30 a night.

Mr. Avellino stated the Founder's Day Committee was crucified for having a raffle.

Mayor Lachawiec stated the matter is being investigated and will hopefully be resolved. Founder's Day raffles have nothing to do with the raffles on tonight's agenda. The town is looking at the legalities to ensure the Founder's Day activities occur. When the budget is presented, Mayor Lachawiec will ensure that there is a line item called Celebratory Events. The budget will have to be approved by the entire Township Committee.

Rocco Orlando, Brigantine Blvd., inquired about an emergency plan from the power plant a few months ago. Mayor Lachawiec stated he received an e-mail from the power plant. The Asbury Park Press reported that an emergency planning demonstration will take place January 28, 2010. Mr. Orlando spoke to David Benson, Plant Spokesman, who does not know anything about it. The County put the ad in the paper.

Mayor Lachawiec reported that Lt. Frenz of the Ocean Township Police Dept. stated the drill was going on at 6:30pm. The newspapers reported that there were some non-successes with various towns. The Township of Ocean had no faults or problems. It was some other town that did not get a follow-up fax after the telephone calls.

Rita Mygrant suggested Mr. Orlando contact the Ocean County Emergency Management Office.

Mayor Lachawiec will research the matter and call Mr. Orlando.

Jacqueline Petrosilli, 11 Vessel Road, stated there are two drills a year, held in the Office of Emergency Management at the State Police Headquarters.

Helen Henderson, Lanoka Harbor, American Littoral Society (ALS). ALS is a national coastal conservation group with over 10,000 members. ALS has participated in the Town Center Plan and various DEP issues. A Notice of Violation was issued by the DEP Enforcement Office to Coastal Redevelopment Urban Renewal Partners, who have not complied with numerous conditions on their CAFRA permit for development within the Town Center. These conditions have been continuing for a couple of years. Ms. Henderson was at the DEP reviewing the latest plans for Volunteer Way and requested the town's consultants sit with her and go over the mitigation plans and alternative analysis for Volunteer Way and upgrades to intersections along Route 9.

Mayor Lachawiec stated he is sure the town can accommodate Ms. Henderson's requests.

Township Attorney McGuckin stated some of those issues will be discussed in Executive Session this evening. After that, the consultant's will be in a position to advise Ms. Henderson.

Ms. Henderson stated other relocation sites for the solar project will run into similar problems, if they are in the CAFRA Zone or regulated by the Coastal Zone Management Rules. Solar panels are considered impervious cover.

Ms. Henderson would also like to discuss fertilizer restrictions in the new Town Center Development.

Deputy Mayor Tredy stated currently the Township's Environmental Commission is reviewing a fertilizer ordinance. An ordinance is anticipated.

Committeeman Kraft stated the town does not want to be restrictive. The town wants to be more educational on fertilizer. The Crystal Point site is a potential area, where the grant money would be used to plant native plants.

Ms. Henderson stated there is a list of native plant suppliers on the American Littoral Society website.

Mayor Lachawiec thought the Littoral Society and other conservationists would see the solar panels as a benefit.

Ms. Henderson stated energy conservation first. Alternative energy sources are the way to go.

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

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

CLOSED SESSION

Motion to move into Closed Session was moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.
Roll Call: Kraft: Yes, Tredy: Yes, Lachawiec: Yes

OPEN MEETING

Motion to Open Meeting was moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.
Roll Call: Kraft: Yes, Tredy: Yes, Lachawiec: Yes

RESOLUTION 2010-108 Authorizing the execution of the first amended Redevelopment Agreement between the Township of Ocean, Coastal Redevelopment Partners LP and NVI Development Company Inc.

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

Motion Authorizing the Mayor to execute the voucher submitted by Josie Construction with respect to a RAB bond.

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

Deputy Mayor Tredy stated the Uniform Construction Code office submitted a list of recommended fees. Deputy Mayor Tredy will be giving a copy to the Township Committee for their comments.

Township Attorney McGuckin stated the building department is supposed to be self-funded through the fees they charge. If the town collects more than it costs to operate, the money is supposed to be refunded to the state.

ADJOURNMENT:

There being no public audience and no further business, a motion to close was moved by Committeeman Kraft, seconded by Deputy Mayor Tredy.

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

Signed and Submitted:

Diane B. Ambrosio, RMC
Township Clerk

Date