

**TOWNSHIP OF OCEAN
COUNTY OF OCEAN
REGULAR BUSINESS MEETING
February 11, 2010**

ROLL CALL: **KRAFT** Absent **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.

FLAG SALUTE: CUB SCOUT PACK 42

Cub Scout Pack 42 led the Flag Salute, the Cub Scout Honor and the Cub Scout Oath.

**PRESENTATION of PROCLAMATION
Honoring 100 years of Scouting**

Mayor Lachawiec read the proclamation to the public and presented it to Cub Scout Pack 42.

Township Clerk Ambrosio stated the resolution numbers on the Workshop Agenda are incorrect. The resolution numbers on the Regular Business Meeting are the correct numbers for the resolutions.

MEETING MINUTES:

Approval CDBG Meeting Minutes – January 14th and 28th, 2010

Motion to approve was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec.

Roll Call: Tredy: Yes, Lachawiec: Yes

RESOLUTION NO. 2010-109: Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$4,952,834.06

Motion to approve was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec.

Roll Call: 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

- 2010-110** Resolution authorizing a Utilities Department Leak Credit to 105 Caldwell Road in the amount of \$372.75
- 2010-111** Resolution authorizing a Utilities Department Leak Credit to 70 Illinois Avenue in the amount of \$296.79
- 2010-112** Resolution authorizing a Utilities Department Leak Credit to 104 Montclair Road, Barnegat in the amount of \$394.45
- 2010-113** Resolution authorizing a Utilities Department Leak Credit to 428 Cheyenne Drive in the amount of \$443.54
- 2010-114** Resolution authorizing a Utilities Department Leak Credit to 81 Sheridan Street in the amount of \$291.46
- 2010-115** Resolution authorizing a Utilities Department Leak Credit to 107 Bloomfield Road in the amount of \$72.00
- 2010-116** Resolution authorizing a Utilities Department Leak Credit to 82 Sheridan Street in the amount of \$0.68
- 2010-117** Resolution authorizing a refund due in accordance with the stipulation of settlement of the Tax Court regarding Block 41, Lot 39.01 in the amount of \$3,076.00
- 2010-118** Resolution authorizing a refund of overpayment for the utilities for the 3rd and 4th quarter for Block 57.24, Lot 6 in the amount of \$153.47
- 2010-119** Resolution authorizing the release of Maintenance bond #5023531 held by the municipality in the amount of \$1,732.05
- 2010-120** Resolution authorizing a refund of an overpayment for Block 57.14, Lot 29 in the amount of \$1,294.07
- 2010-121** Resolution of the Township of Ocean, County of Ocean, State of New Jersey authorizing the execution of a shared services agreement with the County of Ocean pursuant to N.J.S.A. 40A:65-1 et. Seq. for 911 Emergency Telecommunications services

MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2010-110 through Resolution 2009-121:

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

RESOLUTION 2010-122: authorizing the Township Committee to retire into Executive Session for the purpose of discussing: Contractual, Litigation. Township Attorney McGuckin has a personnel matter to discuss.

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

Motion of approval for a Taxicab License for Jennifer Zdaniecki

Motion to approve was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec.

Roll Call: Tredy: Yes, Lachawiec: Yes

Motion of approval of a 50/50 cash raffle for the Township of Ocean PTA on April 10, 2010 at Greenbriar Oceanaire

Motion to approve was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec.

Roll Call: Tredy: Yes, Lachawiec: Yes

Motion of Approval for use of the Community Center:

1. **Karen Capone – February 27, 2010**
2. **William Sneddon – February 19, 2010**
3. **Warren Sutton, Jr. – February 21, 2010**
4. **Jack Lampman – US Census – May 13–19, 2010**
5. **Catherine Rohowyj – March 13, 2010**

Motion to approve was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec.

Roll Call: Tredy: Yes, Lachawiec: Yes

Acceptance of the Tax Collector's Report

Motion to approve was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec.

Roll Call: Tredy: Yes, Lachawiec: Yes

Acceptance of the Utility Report

Motion to approve was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec.

Roll Call: Tredy: Yes, Lachawiec: Yes

PUBLIC COMMENT:

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

Roll Call: Tredy: Yes, Lachawiec: Yes

Michele Rosen, 29 Bradley Beach Way, stated the town is required to be specific about what is going to be discussed in Executive Session. Ms. Rosen read a portion of a court case Counsel State College vs. Trenton State College. The court's decision: "Good practice would dictate that resolutions be as specific as possible". Litigation should read: Litigation – A vs. B.

Mayor Lachawiec requested Ms. Rosen leave the documentation with the Township Committee. The Township Committee will have the Township Attorney review it.

Township Attorney McGuckin will review the matter with the Township Clerk. Township Attorney McGuckin stated the contractual issue is a shared-services agreement, the litigation is the Gippenberg matter and the personnel matter is not going to be disclosed. There is also a contract regarding health benefits.

Ms. Rosen stated it is required that Executive Session minutes be adequate – not just headings. The minutes are intended to recite and disclose any official decision or action taken by the governing body.

Township Attorney McGuckin has reviewed the minutes and stated the Executive Session minutes Township Clerk Ambrosio has prepared over the last year are adequate and appropriate under the law.

Ms. Rosen stated Mr. McGuckin charged \$1,000 to redact information from the 2004 & 2005 Executive Session minutes, which have never been adopted. This \$1,000 could have been avoided if Ms. Rosen had been told the minutes are not available, as they have not been adopted.

Eileen Doyle, 243 11th Street, thanked Township Clerk Ambrosio for getting an alternate bus trip date, due to the holiday. Ms. Doyle stated the riders on the bus will do whatever it takes to get Oceanride to travel to the Ocean County Mall.

Mayor Lachawiec will send a letter to Kathy Edmonds, Ocean County Transportation.

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

Roll Call: Tredy: Yes, Lachawiec: Yes

RECESS

Motion to recess and move into Executive Session was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec.

Roll Call: Tredy: Yes, Lachawiec: Yes

OPEN MEETING

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

Roll Call: Tredy: Yes, Lachawiec: Yes

Township Attorney McGuckin stated the governing body is considering a motion authorizing the Mayor to execute a letter to be forwarded to the insurance broker for the municipality, authorizing change to the township's prescription coverage from Bollinger to Horizon Blue Cross Blue Shield.

MOTION OF AUTHORIZATION to change the Township's prescription coverage from Bollinger to Horizon Blue Cross Blue Shield

Motion to approve was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec.

Roll Call: Tredy: Yes, Lachawiec: Yes

ADJOURNMENT:

There being no public audience and no further business, a motion to close was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec.
Roll Call: Tredy: Yes, Lachawiec: Yes

Signed and Submitted:

Diane B. Ambrosio, RMC
Township Clerk

Date