

MEETING MINUTES

TOWNSHIP OF OCEAN COUNTY OF OCEAN REGULAR BUSINESS MEETING November 10, 2010

Call to Order

ROLL CALL: WETTER X TREDY X LACHAWIEC X

Flag Salute

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.

Presentation of Proclamation to Chief Kenneth Flatt

Chief of Police Kenneth Flatt was raised in Kearny, NJ and later moved to Andover Township. Chief Flatt started his career in law enforcement as a police dispatcher in 1978. In June 1979, Chief Flatt was promoted to police officer and transferred to the Township of Ocean in 1982. Kenneth rose to the ranks to Chief of Police, had an Associates Degree in Criminal Justice and was the first member of the Ocean Township Police Dept. to do so. Chief Flatt received his Bachelors Degree in 2007 and Masters Degree from Farleigh Dickinson University in 2009. Chief Flatt is the recipient of numerous awards from the Townships he worked for as well as County Chief Associations and involved with local community organizations such as the Rotary Club, Masons, Antique Car Club, PBA Local 171 and 371, Ocean County Chiefs Association, NJ State Association of Chiefs of Police, National Chiefs Association and the International Chiefs Association. Chief Flatt has been married to his wife Linda since 1979 and has two children, Kenny & Kyle.

The Township of Ocean's Committee presented the Proclamation to Chief Kenneth Flatt.

Chief Kenneth Flatt discussed how he has come to love this town after 28 years. It is a great place to raise kids. Chief Flatt is very proud of the fact that the Township has received the best service of any Police Department in this state and thanked the Police Department for working along with him. They have done a marvelous job. Thank you.

RESOLUTION 2010-316: authorizing the Township Committee to retire into Executive Session for the purpose of discussing: Personnel, Litigation and Contractual matters
Motion to approve was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.
Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Committee Reports

Committeewoman – Tina Wetter

Committeewoman Wetter discussed Adele Shaw of the Historical Society will be giving a Power Point presentation on Victorian Symbolism etched into Waretown's tombstones from 1808-1922. The presentation will be November 15, 2010 at 7:00 pm at the Little Red Schoolhouse.

Deputy Mayor – Dennis F. Tredy

Deputy Mayor Tredy reminded residents that fall leaf collection has begun.

The Township Committee has worked very hard to make certain zoning changes dealing with lot coverage, impervious surface and driveways.

Barnegat Township has a program called Adopt-A-Storm Drain. Waretown is so low that when the tide comes up there is flooding. Some of it is caused by clogged storm drains. The Road Department does clean the storm drains.

Township Administrator Breeden explained that Barnegat's program allows residents to adopt a drain, usually in front of their house or business. The resident or business owner watches the drain and cleans it out periodically when needed. If the drain needs repair - cracks or debris blocking it, the resident reports it to the Township Public Works Department. The program helps comply with storm water management.

Mayor – Joseph Lachawiec

No report from Mayor Lachawiec.

Administrator Report

Administrator – David Breeden

Ordinance 2010-13 is a bond ordinance authorizing the issuance of \$300,000.00 in principal for the construction and improvements of Well #6 at the Route 532 Water Treatment Plant. The resolution to this ordinance is Resolution 2010-320. The NJ Environmental Infrastructure Trust (NJEIT) will be doing a winter funding cycle. Well #6 has been submitted to the NJEIT on a few occasions and its ranking did not receive any grant funding. Since the DEP Environmental Trust reached out to the Township, the Township put it into the funding cycle. The purpose of the ordinance is to establish a funding mechanism. The resolution will allow the Township to go to the December Local Finance Board for approval. The town is taking advantage of a funding opportunity for low-interest or no-interest loans for this work. The Township will be able to upgrade Well #6 and increase the water-pumping capacity from 1,000 gallons per minute to 1,600 gallons per minute. That will allow the town to keep up with the demand, mainly from Greenbriar.

Resolution 2010-318 The Township of Ocean sends out Request for Proposals (RFP's) for professional services every year - engineers, legal consulting. The RFP's are due on December 8, 2010. Once received the Township Committee will review them in accordance with the criteria established in the RFP and award based upon the best interest of the Township.

Resolution 2010-321 The 966 Reimbursement is money the town gets from the nuclear power plant to secure equipment and items to help with regards to emergency management and how it relates to the nuclear power plant. The Township of Ocean will be receiving \$7,838.00 worth of materials and equipment – traffic cones, barricades, pagers for the Fire Department and a laptop for the Police Department. The Township has to buy the materials first and then get reimbursed.

Resolution 2010-322 In the last two months of the fiscal year, the town is permitted to do transfers between account lines. In this case the town is transferring a total of \$86,000.00, which is eight one hundredths of the budget. The accounts are mainly Building & Grounds, electric and gasoline.

PUBLIC PORTION:

Motion to open public portion was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Jim Mackie, 150 Bay Parkway, discussed there was a mischaracterization of the former MUA debt service schedule. The information Mr. Breeden presented at the last meeting was from 2008. Mr. Breeden communicated that the amount for debt service will be higher than this year and gets higher further down the road. When the MUA borrowed money in 1993, it set off a level debt service of roughly \$830,000.00. In 2003 the MUA called \$3 million worth of debt and temporarily reduced the debt service for roughly 7 years. The Committee took it out of context. In 1993 when these monies were borrowed, it was never set up with an increasing mortgage payment. It was always a level mortgage payment. Mr. Mackie is very proud of the accomplishments of the MUA Board. Waretown has a low debt level for its water and sewer utilities.

Joan Finn, 26 Ocean Grove Lane, is concerned about the 42% increase in homeless in this county from last year. 40% of the homeless are children. Working families have a hard time finding affordable housing. Ms. Finn is willing to work with the town to provide affordable housing for Waretown.

Michele Rosen, 29 Bradley Beach Way, suggested proclamations should clearly state that the citizens of Ocean Township also commend the service of retiring employees.

Ms. Rosen inquired what specifically is going to be talked about in closed session.

Township Attorney McGuckin stated the closed session matters are a litigation file PA16 Sanibel – personnel issue. The names of the individuals involved will not be disclosed. The contractual matter relates to Grand Bay Harbor Condominiums.

Ms. Rosen inquired if the Request for Proposals, Resolution 2010-318, will be a fair and open process.

Township Attorney McGuckin stated yes.

Ms. Rosen stated the town has not adopted minutes since the beginning of this year. Eighteen sets of minutes are being adopted tonight. Did the town receive something in writing to get the minutes adopted?

Mayor Lachawiec stated the minutes are adopted when they are ready to be adopted.

Township Clerk Ambrosio stated the town did not receive anything in writing or calls. Township Clerk Ambrosio has been backed up due to the beginning of the year being very busy with subpoenas, OPRA requests and other litigation. Township Clerk Ambrosio reviews the minutes and forwards them to the Committee for their review.

Ms. Rosen inquired when the Township Clerk will be caught up. Will they be adopted before the end of the year?

Mayor Lachawiec stated the town hopes to have them adopted before the end of the year.

Steve Shapiro, 9 Spinnaker Way, thanked the Township Committee for their dedication and service to the town. Mr. Shapiro stated it would help to get a better voter turnout during the elections. It is difficult to determine who to vote for. Voters need information not opinions. The mailers are biased. There are too many signs and it is a safety hazard. The town should research any future candidates and give that information to the public. A debate would bring people out and create a better turnout on election day. The town should validate the candidates' information.

Township Attorney McGuckin stated the signs fall under the First Amendment. There is very little the Township can do to regulate political signs, except for public safety issues. Private properties can put up 50 signs and there is nothing anyone can do, unless there is a traffic hazard. The town has an ordinance that states political signs cannot go up until 30 days before an election.

Mr. Shapiro stated if the town needs any help, he has 32 years in government and his education is political science and public administration.

Mayor Lachawiec suggested Mr. Shapiro fill out a Citizen Leadership form so the Township Committee can consider Mr. Shapiro for a position on one of the boards.

William Rott, 179 Wells Mills Road, stated there was a meeting held at the community center to meet the candidates before the election. Mr. Rott suggested if the town could install a motion sensitive light on the walkway on the side of the Court to the parking lot. Mr. Rott thanked all Veterans of this town, of the Police Department and on any committee for their service to this country.

Eileen Doyle, 243 11th Street, congratulated the Deputy Mayor Tredy and Committeewoman Wetter on the election.

Mrs. Doyle thanked Township Administrator Breeden and Township Clerk Ambrosio for arranging a bus trip on Election Day, due to the County being closed that day. The driver was polite, helpful and on time.

Mrs. Doyle thanked Jean Broadbent for scheduling exercise classes at the community center that are aimed toward seniors.

Michele Rosen, 29 Bradley Beach Way, stated the political signs do not win elections. The democratic county campaign signs were not only pulled out but torn apart repeatedly, particularly outside of Greenbriar. The town should publish the fact that candidates agree to a certain number of signs. If a group goes against that, it will be noted. The town should tell people not to touch other campaign signs.

Mayor Lachawiec appreciates Ms. Rosen's comments. Ms. Rosen is absolutely correct and her comments will be taken under advisement.

Jim Mackie, 150 Bay Parkway, does not like policies that subsidize other portions of anybody's budget. There are 1,000 customers in Barnegat. Mr. Mackie would like to see any amounts transferred toward general purpose to be minimized in future budgets from the water/sewer utilities. Mr. Mackie requested audits be posted on the website. It will eliminate misconceptions on some of the fund balances.

Motion to close public portion was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Meeting Minutes

Approval of the Meeting Minutes of January 5, 2010 and January 6, 2010

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

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

Approval of the Meeting Minutes of April 27, 2010, May 6, 2010, July 14, 2010, August 12, 2010, August 20, 2010 and September 3, 2010

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

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Approval of Executive Session Meeting Minutes of January 5, 2010, January 6, 2010, January 14, 2010, January 28, 2010, February 11, 2010, February 17, 2010, and March 11, 2010

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

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

Approval of Executive Session Meeting Minutes for March 25, 2010, April 27, 2010 and May 6, 2010.

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

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

RESOLUTION NO. 2010-317 Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$1,279,855.61

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

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Ordinance 2010 – 12– Second Reading – Public Hearing

Ordinance amending and supplementing Chapters 2.96, Public Records and Chapter 2-19.2 charges for Freon Certification of the general Ordinances of the Township of Ocean in the County of Ocean, New Jersey

Ordinance No. 2010-12 was read title only. A motion to open the Public Hearing was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

No comment from the public.

Motion to close the Public Hearing was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

A motion of approval to adopt Ordinance No. 2010-12 was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Ordinance 2010-13 – First Reading – Title Only

BOND ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO THREE HUNDRED THOUSAND DOLLARS (\$300,000.00), AGGREGATE PRINCIPAL AMOUNT, GENERAL OBLIGATION BONDS OR NOTES OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, NEW JERSEY FOR THE CONSTRUCTION OF IMPROVEMENTS TO WELL NO. 6 AT THE ROUTE 532 WATER TREATMENT PLANT LOCATED WITHIN THE TOWNSHIP OF OCEAN, OCEAN COUNTY, NEW JERSEY

A motion of approval for first reading Ordinance No. 2010-13 was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: 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

- 2010-318 Resolution authorizing the Township Clerk to advertise for Request for Proposals for professional services for the year 2011**
- 2010-319 Resolution approving performance guarantee for water and sewer installation of Phases A, B, and C of Greenbriar Oceanair Section 6**
- 2010-320 Resolution of the Township of Ocean, County of Ocean, State of New Jersey authorizing the making of an application to the Local Finance Board pursuant to N.J.S.A 40A2-26, 40A:2-11(c) and 58:11B-0(a)**
- 2010-321 Resolution of the Township of Ocean, County of Ocean, State of New Jersey Authorizing the Execution of Shared Service Agreement with the County of Ocean, Office of the Sheriff for FY 2011 for the 966 Reimbursement**
- 2010-322 Resolution authorizing appropriation transfers in the amount of \$86,000.00**

MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2010- 318 through Resolution 2010-322:

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

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Motion of Approval for use of the Community Center and Waretown Memorial Recreation Park:

1. **AARP Chapter #327 – 4th Monday – 2011**
2. **Holly Auxiliary of the S.O.M.C – listed 2011**
3. **Regular Republican Club Org of Township of Ocean – Last Tues – 2011**
4. **Municipal Alliance – Arm Chair Exercises – Tuesday Nov – December 2010**
5. **WAA Basketball – 10-24-2010**
6. **Tina Evanchik – November 14, 2010**
7. **Guy Pallotta – November 21, 2010**
8. **Brooke Misak – December 12, 2010**
9. **Mary Dunkley – January 12, 2010**

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

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Motion of Approval for use of Ball fields

1. **Greenbriar Men's Softball Club – April 2011 – October 2011 – Toumey Park**
2. **WAA Baseball – March 2011 – November 2011 – Mon, Tues, Thurs, Friday, Saturday – Baseball Field #1**
3. **Waretown Thunder Softball Club – March 2011 – November 2011 – Wednesday & Sunday – Baseball Field #1**

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

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Motion to approve Social Affairs Permit for the Greenbriar Senior Advisory Club for Wine Tasting on November 16, 2010.

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

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Motion to accept the Tax Collector, Utility Report and Finance Report

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

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Motion for Short Recess and Move into Executive Session;

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

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Motion to Open Meeting

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

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Motion of authorization for Greg McGuckin and Jerry Dasti to assume responsibility and obligations associated with the Edgemont Property and transfer all files to that law firm.

Motion of authorization was moved by Deputy Mayor Tredy, seconded by Committeewoman Wetter.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Motion authorizing Governing Body to direct Administration to forward a bill for a certain property owner for water/sewer connections.

Motion of authorization was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Next Scheduled Meeting – Thursday, December 9, 2010

Adjourn

Motion to adjourn meeting was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

Signed and Submitted:

Diane B. Ambrosio, RMC
Township Clerk

Date