

# MEETING MINUTES

## TOWNSHIP OF OCEAN COUNTY OF OCEAN REGULAR BUSINESS MEETING January 13, 2011

### 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.

**RESOLUTION NO. 2011-77:** authorizing the Township Committee to retire into Executive Session for the purpose of discussing: matters of personnel, litigation, contractual Motion to approve was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy. Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

### **PUBLIC PORTION:**

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

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

Michele Rosen, 29 Bradley Beach Way, wished everyone a happy, healthy and wealthy new year. Mrs. Rosen stated the official Township Committee calendar reads there is one meeting a month. Mrs. Rosen inquired how the Township Committee determine who would get the professional positions based upon the Request for Proposals that was sent out, and how did the Township Committee decide on the individuals to appoint to the boards, commissions and committees. Did the town have a meeting at which these matters were discussed?

Committeewoman Wetter stated Township Clerk Ambrosio prepared the professionals' proposals and the Citizens Leadership forms and distributed them to the Township Committee. Committeewoman Wetter then discussed her choices to the Clerk.

Mayor Lachawiec stated he verbally told the Township Clerk his choices.

Mrs. Rosen stated the concept of having one meeting a month is particularly troubling due to the elimination of the workshop session. The point of having a public portion is so the public can comment on the Committee's action and have input on potential actions. In the spirit of civility, please reconsider having workshop meetings so the public can have input into the things the Township Committee is deciding.

Mayor Lachawiec thanked Mrs. Rosen for her comments. The Township Committee will consider Mrs. Rosen's requests.

Mayor Lachawiec stated a member of the public requested that public comment be placed at the beginning of the meeting. Now that it is at the beginning of the meeting, Mrs. Rosen is not happy with that.

John Petrosilli, Vessel Road, inquired if Resolution 2011-82 is funding for the new buildings and renovations to the water department.

Township Administration Breeden stated no. It is funding needed to upgrade and renovate the water treatment plant through the New Jersey Environmental Infrastructure Trust, which will enhance the ability of the Township to deliver water to the community. These improvements are desperately needed, especially during the summer months.

Mr. Petrosilli stated on the last meeting, the agenda had two different amounts for this project.

Township Administrator Breeden stated there are two different projects. One amount was for improvements to the Water Treatment Plant and the other amount was for upgrades to Well No. 6. The Township would like to start these projects in the spring.

Motion to close to the public 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 May 12, 2010

Motion to approve was moved by Committeewoman Wetter, seconded by Mayor Lachawiec

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

Approval of the meeting Minutes of and September 23, 2010

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

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

### **RESOLUTION NO. 2011-78**

Authorizing the 2011 Municipal Temporary Operating Budget in the amount of \$3,154,415.00

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

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

### **RESOLUTION NO. 2011-79**

Authorizing the 2011 Temporary Budget for the Sewer Utility in the amount of \$732,500.00

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

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

### **RESOLUTION NO. 2011-80**

Authorizing the 2011 Temporary Budget for the Water Utility in the amount of \$1,627,830.00

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

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

**RESOLUTION NO. 2011-81**

A Resolution authorizing the filing of an application for an interim project construction loan from the New Jersey Environmental Infrastructure Trust under the 2011 Financing Program  
Motion to approve was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.  
Roll Call: Wetter: Yes, Tredy: Yes, Lachawiec: Yes

**RESOLUTION NO. 2011-82**

Resolution of the Township of Ocean, in the County of Ocean, New Jersey, determining the form and other details of its "Note Relating to the Interim Financing 2011 Trust Loan Program of the New Jersey Environmental Infrastructure Trust", to be issued in the Principal amount of up to \$300,440, and providing for the issuance and sale of such Note, to the New Jersey Environmental Infrastructure Trust, and authorizing the execution and deliver of such note by the Township of Ocean in favor of the New Jersey Environmental Infrastructure Trust, all pursuant to the New Jersey Environmental Infrastructure Trust interim Financing 2011 Trust Loan program

Motion to approve 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**

- 2011-83** Resolution authorizing the application to the Ocean County Tourism Matching Promotional Grant for the Township of Ocean's Founder's Day 2011 in the amount \$1,200.00
- 2011-84** Resolution authorizing the acceptance of properties donated during the year 2001/2002 and order the Tax Collector to cancel the taxes due for any balance of 2010
- 2011-85** Resolution authorizing the Tax Collector may release premium money to the Chief Financial Officer in the amount of \$400.00
- 2011-86** Resolution authorizing a Shared Service Agreement with Ocean County Prosecutor's Office for the Driving While Intoxicated Enforcement Program from January 1, 2011 through December 31, 2011
- 2011-87** Resolution authorizing a Shared Service Agreement with Ocean County Prosecutor's Program with the County of Ocean Police services, Prosecutor's Program (formerly known as the Fatal Accident Support Team F.A.S.T) from January 1, 2011 to December 31, 2011
- 2011-88** Resolution appointing members to the Zoning Board Adjustments
- 2011-89** Resolution appointing member to Environmental Commission
- 2011-90** Resolution for New Jersey Natural Gas Company to exercise it franchise rights for one year
- 2011-91** Resolution authorizing Remington & Vernick to go out for bid on a 10 foot diameter horizontal pressure filter for the Utilities Department

**MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2011-83 through Resolution 2011-91:**

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

Mayor Lachawiec stated New Jersey Natural Gas Resolution 2011-90 has been in negotiation regarding the franchise. The Township is insisting the franchise be one year and the Township be paid \$71,467.00 as a consideration that may not be referred to a franchise fee. Under State law, the gas company collects and energy tax in lieu of a franchise fee. The State of New Jersey failed to deliver \$142,000.00 of such energy tax relief to this Township. New Jersey Natural Gas shareholders should pay at least 50% of that or \$71,000.00. The Township Clerk will file Resolution 2011-90 with the Board of Public Utilities.

Deputy Mayor Tredy stated Resolutions 2011-90 and 91 were added late. They may not be on the public's agenda. Revised agendas are available.

Township Administrator Breeden stated Resolution 2011-91 authorizes the Township to go out to bid through RV&V for a ten-foot diameter horizontal pressure filter for the Utilities Department that will be used in the upgrades to the Water Treatment Plant and Well No. 6.

Mayor Lachawiec stated many New Jersey towns have a high iron oxide content in the water. The horizontal pressure filter removes the iron oxide from the water.

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

**Motion of approval: accepting the Tax and Utility Collector's Report**

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

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

**Motion to approve: Permit for Social Affair at the Waretown Volunteer Fire Company on January 22, 2011**

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

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

**Motion to approve the Community Center**

1. **Stephanie Boyd – February 20, 2011**
2. **Arm Chair Exercise – 1<sup>st</sup> & 2<sup>nd</sup> Monday 2011**
3. **Karen Capone – February 19, 2011**
4. **Sandra Varga – February 13, 2011**
5. **Lord of Lords Bible Community Church – February 5, 2011**
6. **Paul Neafie – January 29, 2011**

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

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

Deputy Mayor Tredy stated the Township had some major snow events. The Township of Ocean crews spent a lot of time and energy trying to make the streets safe enough for Fire and First Aid to get through. The Road Department, Utility Department and Buildings and Ground Department worked without sleep

for a long period of time. The state declared a State of Emergency. Much of the money spent for overtime will be reimbursed to the Township under those particular conditions.

The town is starting an electronics pick up every 2<sup>nd</sup> and 4<sup>th</sup> Thursday. If you have computers and other electronics equipment, call the Township and they will tell you when to put it out. A dumpster is being ordered so the public can take their computers to the Township's electronics recycling dumpster themselves.

**Motion for Short Recess and Move into Executive Session;**

Motion to recess and move into Executive Session for a personnel issue, a contract issue and a litigation issue was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

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

**OPEN MEETING**

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

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

**RESOLUTION NO. 2011-92**

Appointing members to the Emergency Management for the Township of Ocean for three year term.

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

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

**RESOLUTION NO. 2011-93**

Authorizing the Fireworks from Schaefer Pyrotechnics, Inc for Founder's Day display on May 28, 2011 contingent of the Solicitor's review.

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

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

**RESOLUTION NO. 2011-94**

Authorizing the hiring of Mark M. Roselli, Esq for professional services for the year 2011 under the non-fair and open process.

Township Attorney McGuckin stated under the non-fair and open process for the purposes of handling the Ocean North vs. Township of Ocean litigation, a motion to approve was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

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

**RESOLUTION NO. 2011-95**

Authorizing Change Order No. 1 for the Poplar Street Resurfacing Phase II project

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

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

**Ordinance 2011-1 – First Reading – Title Only**

ORDINANCE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY ADOPTING A REDEVELOPMENT PLAN AND AUTHORIZING ACTION TO PROMOTE REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT HOUSING LAW N.J.S.A. 40A12A-1 ET.SEC.

A motion of approval for first reading Ordinance No. 2011-1 was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

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

**Next Scheduled Meeting – February 10, 2011, 7:00 PM**

**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