

# MEETING MINUTES

## TOWNSHIP OF OCEAN COUNTY OF OCEAN BUSINESS MEETING February 12, 2015

### Call to Order

ROLL CALL: LACHAWIEC   X   WETTER   X   TREDY   X  

### Flag Salute

**STATEMENT:** Pursuant to the provisions of the New Jersey Open Public Meeting Act, adequate notice of this meeting was properly provided by sending a copy of the Notice of Meeting to two newspapers, The Asbury Park Press and the Press of Atlantic City. The Notice was posted at the office of the Township Clerk.

### Police Promotions

Mayor Wetter discussed since this Township Committee assumed leadership of this community in 2010, collectively we have been committed to providing superior municipal services and enhancing an aging infrastructure. We have also been successful with modernizing Township operations, securing resources for our first responders and improving infrastructure in a fiscally responsible manner.

As a result of instituting a business-like approach to local government, we are more efficient and responsive to the needs of the residents of Waretown. Early in 2010, this Committee quickly realized the need to upgrade and enhance Police operations. Responding to this obvious and urgent need, this Committee has made a significant investment in the Police Department through the acquisition of modern day law enforcement equipment and resources along with providing competitive and fair labor agreements, which reflect the daily challenges faced by Police Officers during these difficult times.

Part of this commitment to local law enforcement is the promotion of three (3) officers tonight along with the permanent hiring of an officer in order to maintain staffing. Congratulations to Officers Murphy, Kinlan, Capaccio and Moller on their promotions tonight. I wish them the best. Please always be safe.

Deputy Mayor Tredy discussed how proud he is of our town and the police officers that work for the Township of Ocean. Tonight is a special night, as three (3) of the police officers are getting promoted and one is becoming a regular officer. I wish the officers the best of luck in the future. They are a terrific bunch of guys and deserve what they are getting tonight.

Committeeman Lachawiec discussed on behalf of the people of Waretown, thank you for all you do. Please be safe out there.

Township Administrator Breeden congratulated the three officers being promoted this evening in addition to the one officer being assigned permanent status. Township Administrator Breeden has had the opportunity to work with the three officers being promoted, some more than others. Officer Murphy has impressed me many times during the many crisis faced in Waretown over the years. Officer Capaccio has re-energized the K9 unit in Waretown and the Township is looking for bigger and better things from him. The Township Committee is confident Officer Cappacio will do that. Officer Kinlan has impressed with his commitment and dedication to keep the Township current on various laws and procedures impacting law enforcement. Officer Moller has had a long and difficult road to reach permanent status tonight. Congratulations. The Township is confident the officers will serve the Township well.

Regarding the process that the Township determines promotions, in the state of New Jersey, there are two types of communities, civil service or non-civil service. In a civil service community, there is a rigid testing procedure determined by the state when hiring or promoting police officers. Individuals would have to take various tests. The tests are graded by the state and there is very little flexibility with respect to selecting officers, once those tests are completed.

In a non-civil service community, which is the Township of Ocean, there is greater flexibility and professional discretion with respect to selecting officers for promotion. In November and December of 2012, the Township went through an exhaustive and intensive promotion process, in which the Township interviewed 13 officers within the department. That is over 60% of the department. Based on the interviews, the Township made numerous promotions in December of 2012. Based upon personnel actions since that point, there has been vacancies and openings. The Township Committee made a determination that another round of promotions was deserving and needed in order to keep leadership and management of the Department at sufficient levels. The Township took that exhaustive process from 2012 and used that list to generate the next round of promotions.

In a civil service community once that list is established, it is good for two or three years. The Township Committee is using that same approach here. The Township did an intensive process in 2012 and interviewed 13 people, promoted some in 2012 and using that same list, the Township Committee is making its next round of promotions. The Township Committee is very comfortable with the process and feels it is fair and reasonable. It takes into consideration various qualities the Township would like to see in its police officers. The Township Code regarding promotions states "Due to the relatively small size of the Township's Police Department, written and/or oral tests should not be required for promotion within the department". The Township is using education, experience and the lengthy interviews to determine the promotions.

Over the years, Township Administrator Breeden had the opportunity to interview many people for municipal jobs, including police officers. In an interview, certain questions can quickly tell whether or not the individual is committed to law enforcement. A lot of times, individuals that are applying to become a police officer are asked why they want to become a police officer. There are numerous right answers and certain wrong answers to that question. The Township is looking for answers like "I am dedicated to law enforcement" or "I want to help people" or "Something happened to me that involved a police officer and I want to give back". The interview process provides tremendous insight into the

commitment and dedication of individuals that are applying to become police officers or wanting to be promoted.

The Township is very confident in selecting three officers for promotion and one for permanent status that are dedicated to the law enforcement community and committed to the well-being of Waretown.

**Resolution 2015-84**

Resolution appointing Sergeant Scott Murphy as Lieutenant of the Township of Ocean Police Department was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

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

Lt. Scott Murphy is sworn in by Committeeman Lachawiec.

**Resolution 2015-85**

Resolution appointing Officer James Kinlan to the position of Sergeant of the Township of Ocean Police Department was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

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

Sgt. James Kinlan is sworn in by Deputy Mayor Tredy.

**Resolution 2015-86**

Resolution appointing Officer James Capaccio, Jr. to the position of Sergeant of the Township of Ocean Police Department was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

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

Sgt. James Capaccio is sworn in by Mayor Wetter.

**Resolution 2015-87**

Authorizing the promotion of Officer Russell Moller from Class II special police officer to full time Police Patrol Officer was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

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

Patrol Officer Russell Moller is sworn in by Mayor Wetter.

### **Administrator Report**

Administrator – David Breeden

Resolution 2015-89 authorizing the Township to submit an application to NJ Environmental Infrastructure Trust (NJEIT) 2016 Financing Program. The Township has been utilizing NJEIT financing for water/sewer improvements since 2010. The Township has been successful in securing over \$2 million in no-interest loans in addition to approaching \$1 million in principle forgiveness. This resolution authorizes water/sewer improvements on Maplewood, Teaneck, Englewood, Dune, Stillwater and Harborage.

Resolutions 2015-91 and 2015-92 appointing various members to the Flood Plain Management Committee and the Green Team. This is becoming increasingly important as many grants now require accreditation or certification with Sustainable New Jersey or the Community Rating System. With these Committees/Teams in place, it gives the Township a competitive edge in the grant process.

Resolution 2015-101 will be removed from the agenda tonight and will be most likely placed on the March agenda.

Resolution 2015-114 authorizing the award of an NJEIT contract for the installation of three (3) permanent emergency back-up generators for water/sewer facilities at the Route 532 plant, Pebble Beach plant and Well No. 5. This is being funded by the NJEIT Superstorm Sandy supplement for special appropriation. During Superstorm Sandy, Waretown lost electricity between 3 and 14 days, depending on where you lived. Between Waretown and Barnegat, there were over 50 emergency generators running, but not in the most effective way. Total cost of this work will be approximately \$450,000. The Township received five (5) bids ranging from \$450,000 to \$810,000. The emergency generator at the Route 532 plant will power the water treatment plant and the entire facility including Public Works.

Resolution 2015-115 authorizing the award of an NJEIT contract for two (2) portable generators for lift stations throughout the community. The total cost is \$71,000.

Resolution 2015-116 authorizing the award of an NJEIT contract to P&A Construction in the amount of \$4,970,450. This is for water/sewer improvements in Skippers Cove, Seneca Blvd. and 11<sup>th</sup> Street. The Township received ten (10) bids ranging from \$3.5 million to \$8 million. The engineer's estimate was \$5.2 million. The firm that submitted the lowest bid of \$3.5 million had a material defect in their bid package and submitted a letter in accordance with Local Public Contract Law and withdrew. The second lowest bidder, P&A Construction, satisfied all bid requirements and is still well below the Engineer's estimate.

Resolution 2015-117 authorizing the award of a contract to All-Surface Asphalt Paving in the amount of \$314,596 for the Tennis/Basketball Court improvements at Waretown Lake in addition to Tuomey Park. The Township only received one bid. The one bidder was responsible and responsive.

Resolution 2015-118 authorizing the award of a contract for the reconstruction and rehabilitation of the Bryant Road gazebo and waterfront improvements. The Township received eight (8) bids ranging from \$458,000 to \$777,000. The lowest bidder was KG Marina Contracting. Part of this will be financed through FEMA. FEMA will reimburse a portion of the cost. That exact amount will be determined based upon the work performed and an analysis by FEMA and the Township Engineer on what was there prior to the storm versus what the Township is building after the storm. The end of Bryant Road will have a very nice gazebo, bulkhead, dock and electrical improvements.

Resolution 2015-122 extends the agreement for Emergency Medical Services (EMS) until March 15, 2015. At the end of the month, the Township will be interviewing the individual firms that submitted proposals to provide EMS services to the Township.

**PUBLIC PORTION:**

**Motion to open to Public Comment** was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

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

Donald Mantuano, 83 Adriatic Avenue (609) 664-6022, discussed storm drain back up at the corner of Illinois Avenue and Delaware Drive and distributed photos to the Township Committee. These pictures were taken at 1:05pm, December 31, 2014. Low tide is 1:08 pm. High tide is not at issue.

Committeeman Lachawiec inquired if the high tide Mr. Mantuano is referring to is Waretown or Barnegat inlet.

Mr. Mantuano discussed the Press of Atlantic City high tide listing for Waretown.

Committeeman Lachawiec discussed high tide in Waretown is usually 1½ hours after the high tide of Barnegat inlet.

Mr. Mantuano discussed he is aware of the tide charts.

Mr. Mantuano discussed the first picture is a piece of plywood used as a bridge to get across the street. Second picture is a stream that is filled with algae and the third picture is the storm drain with a heart shaped black opening. That is where the water is coming out of the drain.

The water is coming down Illinois Avenue to Delaware Drive. There is a catch basin on the east side of the road. There is a road that goes from that catch basin to the sewer and the water comes up there, then floats down towards the marina on Oregon Avenue.

Mayor Wetter inquired if this water issue is different from the one you discussed at a previous meeting.

Mr. Mantuano discussed yes, this is different, because water is coming up from the drain.

Committeeman Lachawiec discussed there are other towns along the shore that have installed pumps. The Township may have to install pumps, if this is a constant flow of water. The algae has bacteria and will be a health hazard.

Township Administrator Breeden discussed this is the first time Mr. Mantuano is bringing this particular water issue to the Township Committee.

Mayor Wetter discussed the issue will be given to the Township Engineer to investigate.

Eileen Doyle, 243 11<sup>th</sup> Street, inquired if Resolution 2014-89 financing for Pebble Beach will take place after the work on Seneca Blvd. and 11<sup>th</sup> Street is completed.

Township Administrator Breeden discussed yes.

Mrs. Doyle inquired if the newly paved road is going to be torn up to do Englewood, Teaneck and Maplewood.

Township Clerk Ambrosio discussed the connections are going to be put in before for the next phase. The 11<sup>th</sup> Street will not be opened up for the Pebble Beach project, due to the connections for the side streets being placed in during the initial project.

Mrs. Doyle inquired if there will be a bench at the end of the new dock at the end of Bryant Road.

Deputy Mayor Tredy discussed the original dock had a bench, so the new dock will probably have a bench.

Mrs. Doyle discussed the area of Grand Bay Harbor Drive that goes into the water freezes and the Oceanride bus skids across the ice.

Mayor Wetter discussed DPW Superintendent Ambrosio met with the Grand Bay Harbor management office to come up with a plan to repair.

Deputy Mayor Tredy discussed the Township considered installing a bulkhead. A number of people launch boats in the bay there and did not want a bulkhead. The Township discussed putting in rocks to prevent the water from coming up and similar complaints were made. The issue has resurfaced only two weeks ago. The Township is now looking deeper into the matter.

Committeeman Lachawiec discussed it is so cold the ice does not melt. In the summer time the water goes into the storm drain. Bay Haven residents consider that area their beach and do not want to climb over a bulkhead to get to the water.

Mrs. Doyle thanked Sgt. Capaccio for helping her niece, who broke her elbow in the park behind the community center. He did a great job.

Shawn Denning Jr., 92 Morey Place Road, discussed First Aid Coverage. The Township has a temporary partnership with ProCare and is going out to bid. The word on the street is Waretown will be in a joint contract with Barnegat. Mr. Denning inquired Waretown has a low call volume, will the ambulance be coming in from Barnegat. Mr. Denning inquired why the Township is going to an outside company, when there is government funded police, fire department and schools.

Township Attorney McGuckin discussed Mr. Denning is suggesting the Township establish an EMS type squad with paid, full-time employees. In this day and age, the cost of that would be great.

Mr. Denning discussed it depends how it is structured. There isn't long-term feasibility of a private contract. Ten years ago, when it was Southern Ocean County Hospital and Community Medical Center paramedics, there was a lot of paramedics. Then they cut back. Now there is one paramedic ambulance for Southern Ocean County. If additional services are needed, it is coming from Toms River and there is a delay in care. It could be potentially expensive but the revenue could be billed. In the long-term, it could be expensive, but the Township is getting a better service. Volunteerism is hard during the day. Barnegat has the same issue. Maybe something could be worked out with interlocal service agreements between Barnegat, Waretown and maybe even Lacey.

Mayor Wetter discussed the Township of Ocean will be sharing EMS services with Barnegat.

Township Administrator Breeden discussed the Township Committee is doing an excellent job exploring the alternatives and considering financial aspects without compromising public safety. Township Administrator Breeden urges Mr. Denning to let this process play out. Patient care is the utmost priority to this Committee, however, financial realities do come in. The Township Committee is striking that balance.

Mr. Denning inquired if the Township will award the bid on March 12, 2015.

Township Administrator Breeden discussed the Township will be interviewing the firms that submitted the proposals at the end of the month.

Committeeman Lachawiec inquired if the Township will be in a position to award the bid at the next meeting on March 12, 2015.

Township Administrator Breeden discussed the Township Committee hopes to.

**Motion to close Public Comment** was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

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

**Motion to approve** meeting minutes of December 11, 2014 was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.  
Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

**Resolution 2015-88** Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$6,246,003.16  
Motion to approve was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.  
Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

**Ordinance 2015-1 – First Reading Title Only**

An Ordinance of the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey Amending Chapter 61-3 of the Codified Ordinance of the Township of Ocean  
Motion to approve was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.  
Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

**Resolution 2015-89**

Resolution authorizing the submission of application for financing under the New Jersey Environmental Infrastructure Trust 2016 Financing Program for the Pebble Beach Area Water  
Motion to approve was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.  
Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: 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.**

- 2015-90 Resolution appointing Kevin McKnight as a part-time dispatcher
- 2015-91 Resolution appointing Floodplain Management Committee
- 2015-92 Resolution appointing members of the Green Team
- 2015-93 Resolution appointing the Vice Chairperson of the Special Events Committee
- 2015-94 Resolution appointing members to the Environmental Commission
- 2015-95 Resolution authorizing a Utilities Department Leak Credit at 116 Oregon Ave in the amount of \$822.88
- 2015-96 Resolution authorizing a Utilities Department Leak Credit at 42 Bayview Drive in the amount of \$101.70
- 2015-97 Resolution authorizing a Utilities Department Leak Credit at 316 Tuscarora Avenue in the amount of \$28.28
- 2015-98 Resolution authorizing a Utilities Department Leak Credit at 266 Bayshore Drive in the amount of \$172.37



- 2015-99 Resolution authorizing a Utilities Department Leak Credit at 121 Bonita Road in the amount of \$143.95
- 2015-100 Resolution authorizing a Utilities Department Leak Credit at 15 Compass Road in the amount of \$187.16
- ~~2015-101 Resolution authorizing fireworks for the Founder's Day Events scheduled for May 23, 2015 with a rain date of May 24, 2015~~
- 2015-102 Resolution authorizing a refund of overpayment of taxes to Block 57.10 Lot 1.05 in the amount of \$5,596.50
- 2015-103 Resolution authorizing a refund of overpayment of taxes to Block 54.10 Lot 30, Block 57.10 Lot 1.03, Block 376 lot 1.01 in the amount of \$39,135.27
- 2015-104 Resolution authorizing a refund of overpayment of taxes to Block 208.03 Lot 147 in the amount of \$807.90
- 2015-105 Resolution authorizing a refund that was posted to the utility account for 15 Poplar Street to be returned to Brookstone Management in the amount of \$76.00
- 2015-106 Resolution authorizing a refund of overpayment of taxes to Block 272.06 Lot 10 in the amount of \$858.34
- 2015-107 Resolution authorizing a refund of overpayment of taxes to Block 240 Lot 2 in the amount of \$743.40
- 2015-108 Resolution authorizing a refund of overpayment of taxes to Block 272.01 Lot 91 in the amount of \$742.57
- 2015-109 Resolution authorizing a refund that was posted to the utility account for Greenbriar Oceanaire Community to be returned in the amount of \$557.65
- 2015-110 Resolution authorizing a refund that was posted to the utility account for Greenbriar Oceanaire Community to be returned in the amount of \$30.87
- 2015-111 Resolution authorizing a refund of overpayment of taxes to Block 129 Lot 15.29 in the amount of \$1,329.86
- 2015-112 Resolution authorizing to cancel 2014 taxes for Block 129, Lot 15.29 as the owner is a disabled veteran and qualifies for the Tax exemption a refund will be given in the amount of \$3,876.22
- 2015-113 Resolution authorizing the donation of one summer camp registration for the PTA Gift Auction on March 7, 2015
- 2015-114 Resolution authorizing the awarding of a contract for emergency generator installation and electric service improvements pursuant to NJEFIP Project no. S340112-05 and 1520001-500 to Alpine East Electric LLC
- 2015-115 Resolution authorizing the awarding of a contract for supply of portable generators to Alpine East Electric LLC
- 2015-116 Resolution authorizing the awarding of contract for Skippers Cove, Seneca Boulevard and 11<sup>th</sup> Street water and sewer main replacement to P&A Construction
- 2015-117 Resolution authorizing the award of a contract for the Waretown Lake Tennis and Basketball Courts to All Surface Asphalt Paving
- 2015-118 Resolution authorizing the award of contract for the Bryant Road Waterfront Improvements to KG Marine Contracting
- 2015-119 Resolution of the Township of Ocean, County of Ocean, State of New Jersey accepting and approving a Shared Service Agreement with the Township of Ocean, State of New Jersey for a Qualified Purchasing Agent
- 2015-120 Resolution authorizing amended settlement agreement and release for former police officer
- 2015-121 Resolution authorizing new signature cards for TD Bank

**Resolution 2015-101 has been removed from the consent agenda, as per the request of the Township Administrator.**

**Motion to approve Resolutions 2015-90 through 2015-100 and 2015-102 through 2015-121**  
was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.  
Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

**Resolution 2015-122**

**Resolution authorizing a one month extension for the provision of BLS Ambulance Services, Back Up Basis, by ProCare Ambulance Services LLC.**

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

**Motion to approve the below listed dates in 2013 and 2014 for the use of the Community Center and Waretown Memorial Recreation Park:**

1. Shannon DiDonato – March 21, 2015
2. Greenbriar Men's Softball League – Monday – April – September
3. Philip Meyers – March 22, 2015
4. Candice Lewis – April 26, 2015
5. Amy Birch – February 22, 2015
6. Catherine Baker – February 28, 2015
7. Laura Ciccione – March 7, 2015
8. Catherine Rohowyj – March 14, 2015
9. Leslie Brady – February 8, 2015
10. Maureen Barte – March 28, 2015
11. Diane Visalli – March 1, 2015
12. Ocean Township Recreation – Tone Class followed by Line Dancing – Thursdays, Feb–April, 10a
13. Dan Loftus – January 24, 2015
14. Dennis Kimenhour – February 21, 2015

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

**Motion to approve: Towing Licenses for year 2015**

South Shore Towing, Jersey Shore Towing, Waretown Gulf DBA Waretown Liberty, Lacey Amoco, Midnight Towing

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

Next Scheduled Meeting  
March 12, 2015 at 6:30 pm

**Adjournment:**

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

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

Signed and Submitted:

\_\_\_\_\_  
Diane B. Ambrosio, RMC  
Municipal Clerk

\_\_\_\_\_  
Date