

MEETING MINUTES

TOWNSHIP OF OCEAN COUNTY OF OCEAN REGULAR BUSINESS MEETING June 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.

Committee Reports

Committeewoman – Tina Wetter

- Town Wide Clean Up Day – June 18 & 19, 2010

The Town Wide Clean Up Weekend will be held rain or shine. A list of acceptable items is in the back of the room tonight. The items are to be brought to the Waretown Lake.

Deputy Mayor – Dennis F. Tredy

- Update on Planning Board and Redevelopment Projects

Sands Point Park is coming along beautifully. The boat ramp and park are expected to be completed by July 4, 2010.

The Planning Board passed a resolution of approval for Buy Rite Liquors to be moved to the River of Life Church.

The Redevelopment Committee has preliminarily approved the Tradewinds Development application. The application has been sent to the Planning Board.

Mayor – Joseph Lachawiec

- Founder's Day recap

Founder's Day was held on May 29, 2010. It rained in the early morning and cleared up by late morning. The winner of the Pet Parade was Daisy the cow. Ninety vendors signed up for booths but only 74 showed up. Dr. Lommerin, Michele Rosen, Mark Houck, Barnegat Nursing Home and Mayor Lachawiec all participated in the Chili Cook Off. Prizes were awarded. The total profit for the Chili Cook Off was \$122.64. The Founder's Day Committee suggested "blind tasting" of the chili next year. The Shop Rite Dixieland Band played at the amphitheatre between Vulcano Restaurant and Dunkin Donuts from 3p-5p. An outstanding fireworks display began at dusk at the end of Bryant Road. On Sunday an outdoor movie was shown at the amphitheatre.

- o Establishing regulations regarding the erection and location of small wind energy systems

Township Attorney McGuckin drafted a solar and wind system ordinance for the Township Committee to review. The purpose of the ordinance is to promote the safe, effective and efficient use of small wind energy systems or solar systems to reduce the on-site consumption of utility supply electricity.

Administrator – David Breeden

Ordinance 2010-1 on the agenda allows the Township to exceed the municipal budget appropriation limit from 2.5 to 3.5. There will be no tax rate increase. The purpose of this ordinance is to establish a CAP bank that can be used in the next two years and provide financial flexibility to the Township. Adopting this ordinance tonight has no impact on the tax rate. There are two different types of CAP's. The ordinance tonight deals with the appropriation CAP. The other CAP is the tax levy CAP. The Township of Ocean is below the tax levy CAP by approximately \$112,000.

Resolution 2010-223, authorizing the appointment of probationary dispatchers in the Police Department. Two dispatchers will be hired on a 90-day probationary period. At the end of 90 days, their performance will be evaluated. At that point a determination will be made to retain the dispatchers. The hourly rate of pay is \$12.20 and they do not receive any type of benefits.

Resolution 2010-224, authorizing the appointment of lifeguards for the 2010 season. Nine seasonal lifeguards will be hired at an hourly rate of anywhere between \$10.00 -\$13.75 per hour. The lifeguards are employed for the use of Waretown Lake. Waretown Lake is open 7 days a week 10a-6p mid-June through Labor Day. The lifeguards receive no benefits.

Resolution 201-225, authorizing the appointment of recreation personnel for the 2010 summer program. Three individuals will be hired at an hourly rate of anywhere between \$7.65-\$17.50. The individuals are not entitled to any benefits.

Township Administrator Breeden requested correction of Ordinance 2010-1 introduction date as May 13, 2010 and Second Reading, Public Comment and Final Passage date as June 10, 2010.

Motion to amend Ordinance 2010-1 was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

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

RESOLUTION 2010-216: authorizing the Township Committee to retire into Executive Session for the purpose of discussing: Personnel, Contractual and Potential Litigation.

Motion of approval 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, inquired what are the changes in meeting dates and formats, described in Resolution 2010-221.

Township Attorney McGuckin stated the change is there will be a Caucus Meeting or Workshop Meeting at 7:00pm, if necessary. If it is not necessary the Township Committee will go right into the Regular Business Meeting. In normal circumstances, an Executive Session meeting will be held after the Regular Meeting and after Public Comment. However, if a need arises, the Township Committee will have an Executive Session Meeting at the beginning or during the meeting.

Ms. Rosen stated it is the Township Committee's intention to put the public portion at the middle of the meeting and not at the end of the meeting. There will not be two public portions.

Mayor Lachawiec stated correct.

Ms. Rosen inquired if the Township Committee responded to a letter from the Governor, that was read at the last meeting, concerning the Township Committee's support for the 2.5% CAP referendum.

Mayor Lachawiec stated he has not responded yet but did sign the toolkit pledge.

Bill Rott, 179 Wells Mills Road, requested the town relocate the leaf bin from the Waretown Lake to somewhere else. It is a safety issue with the Township trucks and bulldozers dumping there. There are people walking and public restrooms right there.

Township Administrator Breeden will discuss the safety issues with public works, water/sewer and the Township Engineer.

Mr. Rott stated Township trucks are not abiding by the jake-brake law as they pull into the lake area, near Mr. Rott's home at 179 Wells Mills Road.

Township Administrator Breeden will discuss the jake-brake issue with public works.

Penny Golinsky, 135 Admiral Way, is concerned about the tritium leak at Oyster Creek. Ms. Golinsky inquired what the town is doing to make sure there is no tritium in the drinking water.

Township Administrator Breeden stated the DEP requires a considerable amount of testing but probably does not include tritium. Mr. Breeden will speak to water/sewer about it.

Ms. Golinsky stated 150,000 gallons of contaminated water leaked out of the holes.

Township Administrator Breeden stated when this news broke several weeks ago, Mr. Breeden had several informal discussion with water/sewer personnel, who indicated there was no issue. It should be taken to a more formal level so the public has assurances that the water is not contaminated from the plant.

Deputy Mayor Tredy spoke with water/sewer personnel, who indicated weekly testing for tritium is being conducted by an outside agency. The water/sewer engineer indicated at an informal discussion that there was zero chance of a tritium contamination, due to the spill direction and depth, in relation to the aquifer that the water is pulled from.

Michele Rosen, 29 Bradley Beach Way, stated the last two meeting agendas were not posted on the website before the meetings. Ms. Rosen would like to view the resolutions and ordinances before each meeting.

Bill Rott, 179 Wells Mills Road, stated the yellow flashing school-crossing light is not working on Wells Mills Road, traveling east toward Route 9.

Mayor Lachawiec stated the town will look into the matter.

Motion to Close Public Comment was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy.

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

Ordinance 2010-1 Second Reading – Public Hearing

Ordinance to exceed the Municipal budget appropriation limits and to establish a CAP Bank as per N.J.S.A 40A:4-45.14

Ordinance No. 2010-1 was read title only and opened to the public on a motion moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy

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

Ralph Avellino, 10 Central Avenue, requested an explanation of the ordinance.

Township Administrator Breeden stated the purpose of the ordinance is to allow the Township to exceed the appropriation CAP of 2.5 to 3.5. In addition it allows the township to bank any unused appropriation amount for two succeeding years. If there are appropriation CAP issues, that bank may be used to offset that CAP issue. The Township tax rate will not be impacted by this ordinance.

Michele Rosen, 29 Bradley Beach Way, this CAP ordinance does not have anything to do with the tax rate. The town is not using any part of the 2.5 to begin with. The town is under the 2.5% CAP by more than the town used from the banks the last two years. It is not necessary to add another \$78,000. The town will still have over \$500,000 banked, without adding this extra 1%.

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

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

Motion to approve Ordinance No. 2010-1 was moved by Committeewoman Wetter, seconded by Deputy Mayor Tredy

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

Meeting Minutes

Approval of the Minutes for the Workshop and Regular Business Meeting April 22, 2010.

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

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

RESOLUTION NO. 2010-217 Payment of Claims – as presented to the Township Committee for payment thereof in the amount of \$1,758,100.79

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

- 2010-218** Authorizing an increase to the 2010 Temporary Operating Budget in the amount of \$6,600.00
- 2010-219** Authorizing the renewal of liquor licenses for the year July 1, 2010- June 30, 2011 for Neptune Investment Corporation (dba: Lighthouse Tavern), Skippers Cove Beach Club and Holiday Beach Club
- 2010-220** Authorizing the Township Committee to petition the County of Ocean to reinstate the hazardous waste collection program
- 2010-221** Authorizing the modified dates and format of the Township Committee meeting for the year 2010
- 2010-222** Authorizing Dennis Tredy to be the liaison to the Township of Ocean School District
- 2010-223** Authorizing the appointment of Philip Calanni and Linda Steiner as probationary dispatcher in the Police Department at the hourly rate of \$12.20
- 2010-224** Authorizing the appointment of the Lifeguards for the 2010 season
- 2010-225** Authorizing the appointment of the Recreation Personnel for the 2010 summer program
- 2010-226** Authorizing Township of Ocean, County of Ocean, State of New Jersey Urging Passage of Senate Bill 228 and Assembly Bill 2709 providing for a specialized license plate for New Jersey's Gold Star Families

Deputy Mayor Tredy remembers, as a young boy, seeing a flag in a window with two gold stars, which meant those parents lost two sons in combat. Deputy Mayor Tredy requested Resolution 2010-226 be read in full. Township Clerk Ambrosio read the resolution in full.

MOTION TO APPROVE CONSENT AGENDA RESOLUTIONS 2010-218 through Resolution 2010-226

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:

- 1. Ryan Dalon – June 11, 2010**
- 2. Lisa Anzovino – July 10, 2010**

3. Lisa Anzovino – June 20, 2010

4. Ocean Township Democratic County Committee – June 14, 2010

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

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

RECESS/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

Ms. Rosen inquired when the Township Committee anticipates taking action on the items discussed in Executive Session.

Township Attorney McGuckin stated action could be taken tonight or sometime in the future.

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 2010-227 EXTENDING AN INTERLOCAL SERVICES AGREEMENT WITH BARNEGAT TOWNSHIP FOR THE PURPOSE OF SHARING THE TOWNSHIP ADMINISTRATOR

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

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

ADJOURNMENT

Motion to adjourn 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