

**WORKSHOP MEETING MINUTES  
TOWNSHIP COUNCIL – TOWNSHIP OF OCEAN**

**JUNE 14, 2010**

**OAKHURST, NEW JERSEY**

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The Workshop Meeting was held in the Council Conference Room, Town Hall, 399 Monmouth Road, Oakhurst, NJ 07755 beginning at 5:30 p.m.)

**Present:** Mayor Larkin  
Deputy Mayor Hiers, Councilmember(s) Garofalo, Schepiga, Siciliano

**Others:** Martin Arbus, Esq., Township Attorney  
Andrew Brannen, Township Manager  
Vincent Buttiglieri, Township Clerk

Mayor Larkin announced that the notice requirements of the Open Public Meetings Act for this meeting have been satisfied; a copy of the Annual Notice was sent to the Asbury Park Press and The Coaster, posted in Town Hall and filed in the Office of the Township Clerk on December 9, 2009.

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**REVIEW OF ALL REGULAR MEETING MATERIAL:**

The following items were reviewed by the Governing Body and held for the Regular Meeting of June 14, 2010, unless otherwise noted (\*):

**SPECIAL PRESENTATION:** Marshall Conklin  
50 Year Member of the Volunteer Fire Department  
  
Sergeant Wayne A. Stewart III  
22 Years of Service

**PRESENTATION OF CERTIFICATES:** CERT Volunteers

**CONSENT AGENDA:**

**MINUTES:**

May 18, 2010 – Workshop, Public and Closed Meeting  
June 3, 2010 – Public and Closed Meeting

**RESOLUTIONS:**

10-080 Authorize the reduction of performance guarantees for the following:

- a. Block 33, Lot 51 – Holbrook Street – Bevin Irvin Builders, Inc.

Andrew Brannen, Township Manager, explained that initially, Bevin Irvin Builders, Inc. posted all the bonds for the entire 1 parcel but subsequently sold one parcel to Palatial Homes. Palatial Homes then posted the performance guarantees for one parcel, necessitating the refund to Bevin Irvin Builders, Inc.

10-081 Accept the performance guarantees for the following:

- a. Block 33, Lot 51.01 – 1606 Holbrook Street – Palatial homes, Inc.

10-082 Authorize the release of performance guarantees for the following:

- a. Block 34, Lot 24 – 802 West Park Avenue – Commerce Bank (Driveway Improvement Project)

- b. Block 1.05, Lot 9 – Cindy Lane (Phase IIb) – Ray Catena Lexus of Monmouth
- c. Block 1.05, Lot 9 – Cindy Lane (Phase I) – Ray Catena Lexus of Monmouth
- d. Block 1.05, Lots 8 & 9 – Cindy Lane Service Center – R & S Realities, LLC/Ray Catena Lexus of Monmouth

10-083 Authorize the renewal of the 2010-2011 liquor licenses that have met all Township and State requirements and paid all applicable fees

Mr. Brannen informed the Governing Body that we are renewing 16 of the 20 liquor licenses, with the other 4 needing to be renewed prior to July 1, 2010. We may need to have a special meeting to renew the remaining.

10-084 Authorize the 2010 Taxicab Owner's License Renewals for Grove Street Taxi and Limousine Service, Ocean Taxi, LLC, and Yellow Taxi, LLC

Mr. Brannen informed the Council that the taxi ordinance is being reviewed for possible amendments, which will be in place for next year's renewals.

10-085 Authorize the release of 2007, 2008 and 2009 Closed Session Minutes (minus those items which will be redacted due to the fact that they are ongoing)

Mr. Brannen informed the Governing Body that some of the items contained in the Closed Session Minutes will need to be redacted prior to release, as the matters have not concluded.

10-086 Authorize the execution of the COPS IN SHOPS Summer Shore Initiative 2010 Grant

10-087 Authorize the release of Maintenance Guarantees for the following:

- a. Block 35.02, Lot 8 – 34 Northwoods Road - MGO Group, Inc.
- b. Block 1.05, Lot 9 – Cindy Lane (Phase IIa) – Ray Catena Lexus of Monmouth

#### **INDIVIDUAL ACTION:**

**VOUCHERS: 6,141,720.04**

#### **RESOLUTIONS:**

10-088 Authorize the Tax Collector/Finance Director to issue refund check(s) for the following owners who have been declared 100% disabled veterans:

- a. Block 34.03, Lot 9 - \$3,047.37
- b. Block 25.15, Lot 53.01 - \$2,414.22

10-089 Authorize the Tax Collector/Finance Director to issue refund check(s) in the amount of \$2,115.84 to the owner of Block 33.29, Lot 9, due to an overpayment of taxes.

10-090 Authorize fireworks display for July 3, 2010 at Joe Palaia Park

## 10-091 Affirm the Township of Ocean's Civil Rights Policy

Mr. Brannen explained that this resolution is a requirement from the Township's Excess Liability Company and needs to be approved prior to June 30, 2010. The Township will receive more favorable rates upon renewal.

## 10-092 Authorize the Shared Services Agreement with the Monmouth County Sheriff's Department for Police Communication Services

## 10-093 Authorize the Tax Collector to issue a refund to property owners who have received a favorable tax appeal

Mr. Brannen stated that these appeals went to the State Tax Board but all were settled prior to the hearing.

**ORDINANCES:****Adoption(s):**

Ordinance #2146 A bond ordinance providing for curb and sidewalk repairs  
(Coaster) appropriating \$236,475 and authorizing the issuance of \$224,650 bonds or notes to finance a portion thereof

Mr. Brannen informed the Governing Body that an amendment needs to occur with regard to the term of the payback, increasing it from 5 years to 10 years. This will require the Public Hearing to be held at the Public Meeting later that evening but carried until the next meeting in order that the ordinance can be re-advertised with the amendment.

Ordinance #2147 – Amend Chapter II of the “Revised General Ordinances of the  
(Coaster) Township of Ocean, 1965” entitled “Personnel Policies, Practices and Procedures”.

Mr. Brannen went through the changes, which are mostly to clean up the language and make it consistent with current Township practices.

**ITEMS FOR DISCUSSION:**

**SUBJECT:** Transportation Issues

**ACTION:****1. Task Order for Greenway Project:**

Mr. Brannen reported that the State of New Jersey Department of Transportation will be putting together a transit network for the Township at no cost. The project that is developed may be entirely different than what was originally proposed.

Based on the fact that a plan will be developed by the NJDOT, Mr. Brannen inquired as to the Governing Body's wish relative to this project. All concurred that it was a worthwhile project and it should continue.

**2. Assessment Districts:**

Mr. Brannen distributed a summary of the survey sent out regarding the 2010 reassessment project. It appears that the residents in Colonial Terrace, Dixon Avenue, Elm Avenue, Grassmere Avenue and Hillcrest Avenue are in favor of the project, with only one response to date against it.

### 3. Sunset Avenue Bridge Project:

Mr. Brannen reported that he spoke with Joe Ettore, Monmouth County Engineer, who expressed his desire to maintain the current width of the roadway. A meeting will be held sometime within the next week between the respective parties, including 2 of the residents most affected by the proposed improvements. Mr. Ettore will explore the possibility of reducing the width in certain areas while maintaining the existing width in others. Another concern expressed was that all parties want to make sure that the area remains aesthetically pleasing once the improvements are completed.

### PUBLIC COMMENTS:

**Don Geiger** inquired about a number of vouchers including, but not limited to, payments from CapturePoint, Deal Lake Commission, various membership dues, payments to the Monmouth County Improvement Authority.

Mr. Geiger also commented that he felt the Budget Motel was an eyesore and it should be either torn down or rebuilt.

Mr. Geiger also commented that there were very large potholes along a portion of Sunset Avenue. Mr. Brannen will have Public Works look into the issue.

Seeing that there were no additional Public Comments, Mayor Larkin read the following :

### RESOLUTION DECLARING CLOSED SESSION

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth as follows:

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
  - C1. Litigation – COAH Update
  - C2. Litigation – Land Sale
  - C3. Contract – Land Sale
  - C4. Contract – Local 701 and Local 177
3. It is anticipated at this time that the Municipal Clerk shall on a six (6) month basis, review the minutes of closed sessions of the Township of Ocean and make a recommendation to the Governing Body which minutes should be considered for public record. The minutes which are made public shall not thereafter be treated as confidential, but may be seen and copied by any

person(s) in the same manner as any meeting minutes of the Township of Ocean.

4. This resolution shall take effect immediately.

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Council-woman Schepiga	Councilman Siciliano	Mayor Larkin
Motion To Approve				X	
Motion to Second	X				
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

Seeing that there were no additional comments, the meeting was adjourned.

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Council-woman Schepiga	Councilman Siciliano	Mayor Larkin
Motion To Approve				X	
Motion to Second			X		
Approved	X		X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused		X			

Respectfully submitted,

Vincent Buttiglieri, RMC/CMC  
Township Clerk