

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

MAY 16, 2011

OAKHURST, NEW JERSEY

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: Councilmember(s) Garofalo, Schepiga, Siciliano, Evans

Absent: Mayor Larkin

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 6, 2010.

REVIEW OF ALL REGULAR MEETING MATERIAL:

The following items were reviewed by the Governing Body and held for the Regular Meeting of May 16, 2011, unless otherwise noted (*):

CONSENT AGENDA:

MINUTES:

April 11, 2011 – Workshop, Public and Closed Meeting
May 2, 2011 – Workshop and Closed Meeting

RESOLUTIONS:

11-075 Authorize a Performance Guarantee for the following:

- a. Block 25.09, Lot 8 – 196 Delaware Avenue – Joan R. Kittler
- b. Block 105, Lot 21 – 1306 Maple Avenue

Andrew Brannen, Township Manager, stated that this property was damaged in an explosion last year and they are commencing the rebuilding of the structure.

11-076 Authorize the Release of Performance Guarantees for the following:

- a. Block 34, Lot 22 – 1910 Highway 35 – Bertucci's Restaurant
- b. Block 35.02, Lot 10 – 37 Brandywine Road – Rajeev & Shalini Gupta
- c. Block 73, Lot 9.01 – 517 Beechwood Avenue – Drake Estates/James Policastro
- d. Block 152, Lot 3 – One Executive Center, Center Street – Merrill & Joan Lydia Braverman
- e. Block 189, Lots 6 & 9 – 1110 Highway 35 – Italian American Association of the Township of Ocean, Inc.

11-077 Authorize Release of Maintenance Guarantees for the following:

- a. Block 7, Lot 34 – 17 & 19 Brown Place – Patsy Cicalese
- b. Block 37, Lot 17 – 243 Cold Indian Springs Road – Bruce J. Green
- c. Block 187, Lots 1.02 & 5 – Sunset Arcadia Center, Inc. – Verizon Wireless
- d. Block 153, Lots 66, 67 & 68 – Bowne Road – Hamptons at Wayside, Inc. / Section I

- e. Block 153, Lots 66, 67 & 68 – Bowne Road – Hamptons at Wayside, Inc. / Section II
- f. Block 153, Lots 66, 67 & 68 – Bowne Road – Hamptons at Wayside, Inc. / Section III
- g. Block 153, Lots 66, 67 & 68 – Bowne Road – Hamptons at Wayside, Inc. / Section IV
- h. Block 153, Lots 66, 67 & 68 – Bowne Road – Hamptons at Wayside, Inc. / Section V
- i. Block 153, Lots 66, 67 & 68 – Bowne Road – Hamptons at Wayside, Inc. / Section VI
- j. Block 153, Lots 66, 67 & 68 – Bowne Road – Hamptons at Wayside, Inc. / Section VII

11-078 - Approve the Person-to-Person Transfer of Liquor License #1337-33-006-010 from FEMME Operations, Inc. to Tommy's Ocean, LLC d/b/a Tommy's Coal Fired Pizza effective May 17, 2011

Mr. Brannen stated that the funding sources have been reviewed by Martin Arbus, Township Attorney, and the Detective from the Township's Police Department and nothing has been uncovered that would prohibit approval of this transfer.

11-079 Approve the extension of time for the placement of a trash dumpster on the property known as Block 25.06, Lot 14 (514 Garwood Street)

Mr. Brannen reported that this property is located on Whalepond Road and work will be completed by September 2011.

11-080 Authorize the receipt of bids/requests for proposals for the following:

- a. Bulk Material Recovery Facility to accept Construction and Demolition Waste, Rubbish, Bulky Trash, Tied and Containerized Brush and Other Type #13 and #13C Waste Materials as delivered by the Township of Ocean
- b. Class B Recycling Material Recovery Facility to Accept Certain Class B recyclable Yard Waste Materials (Brush, Branches and Limbs) as Delivered by the Township of Ocean in Packer and Dump Trucks
- c. Removal of Composted Leaves from the Township of Ocean Compost Facility
- d. Various Road Construction Materials
- e. Asphalt

11-081 Authorize the receipt of bids for an abandoned vehicle

Mr. Brannen stated that the minimum bid amount is determined by the amount of storage fees that are required to be paid.

11-082 Authorize the Township Officials to execute the Hold Harmless Agreement with the Monmouth County Mosquito Extermination Commission to perform certain mosquito control related activities

Mr. Brannen informed the Council that this work will entail the removal of trees and debris from the brook.

11-083 Authorize the submission of the 2011 Safe and Secure Communities Grant application

Mr. Brannen reported that the Township usually received approximately \$60,000.00 from this Grant.

11-084 Authorize the submission of the 2011 COPS Hiring Program Grant application

INDIVIDUAL ACTION:**VOUCHERS: \$ 11,066,689.24****RESOLUTIONS:**

11-052 Authorize a contract with American Traffic Solutions for the Automated Photo Enforcement System

Mr. Brannen informed the Council that the three intersections slated for installation of the red light camera's are all controlled by the State and therefore, the ticket prices are also established by the State.

11-085 Authorize the acquisition of Right-Of-Way for the intersection improvements at County Route 15 (Monmouth Road) and Deal Road

11-086 Authorize the submission of the Cops in Shops – Summer Shore Initiative 2011

11-087 Authorize the Consideration of Bids for the following:

a. Towing Services (Three Years)

Mr. Brannen informed the Council that this contract is for less than what was awarded three years ago.

11-088 Award a contract with Advanced Fiber Works, Inc. for the one-year lease of the Township-owned Boise Building at a fee of \$45,736.00 for the period June 1, 2011 through May 31, 2016

Mr. Brannen stated that one bid was received and the bid amount was twenty percent less than what this same lessee was paying previously.

11-089 Award a Professional services Contract with Clark Caton Hintz at a fee not to exceed \$25,000.00

Mr. Brannen reported that this resolution merely allows Clarke Caton Hintz to assist the Township in the COAH litigation.

11-090 Authorize the Tax Collector to issue a refund to property owners who have received a favorable State Tax Appeal judgments

11-091 Authorize the Tax Collector to issue refund check(s) in the amount of \$1,236.65 to the owner of Block 138.04, Lot 28, due to an overpayment of taxes.

Mr. Brannen stated that this refund is a result of the property owner moving and not informing the Township to cease with their direct deposit for the payment of the property taxes.

11-092 Authorize the Tax Collector to issue refund check(s) in the amount of \$346.04 to the owner of Block 152, Lot 1.01, who has been declared a 100% disabled veteran

11-093 Authorize the Developer's Agreement for the following:

a. Block 141, Lot 7 – 810 Highway 35 – Steven Schmelz/Seaview Jeep

Introduction(s):

Ordinance #2167 - An Ordinance amending and supplementing Chapter 21 of the Comprehensive Land Development Ordinance of the Township of Ocean establishing regulations for the Affordable Housing Development Fees

Mr. Brannen stated that this ordinance had been adopted previously, but due to a notification issue, it will be to be re-adopted.

Ordinance #2170 - An Ordinance amending in part Bond Ordinance No. 2127 adopted on November 9, 2009, providing for various improvements in order to more fully describe the improvements and equipment authorized thereby, authorized in and by the Township of Ocean, in the County of Monmouth, New Jersey

Mr. Brannen stated that this ordinance was necessitated by the fact that the descriptions noted in Ordinance #2127 were not specific enough.

Ordinance #2171 – A Bond Ordinance for various improvements and appropriating \$2,569,280 therefor and authorizing the issuance of \$1,898,670 bonds or notes to finance a portion of the costs thereof, authorized in and by the Township of Ocean, in the County of Monmouth

Mr. Brannen informed the Governing Body that this ordinance is the 2011 Capital Ordinance that gets done each year and is consistent with previous year's allocation.

PUBLIC COMMENTS:

Councilmember Schepiga reminded all that the Memorial Day festivities will commence at 11:00 am at the Municipal Building and will be followed by the annual parade which will begin at approximately 12:30 pm.

Councilmember Garofalo informed the Council that he attended the regionalization meeting with all the parties. It did not go well, as everyone appears reluctant to negotiate.

The following individuals did not issue a report at this meeting:
Councilmember(s) Evans, Siciliano
Andrew Brannen, Township Manager
Martin Arbus, Esq., Township Attorney

ITEM FOR DISCUSSION:

SUBJECT: Safe Route to Schools Grant

ACTION: Mr. Brannen reported that the Human Services Department received a Grant to facilitate walking/exercise among school-aged children. They would like to utilize these funds for the construction of sidewalks in the Wanamassa School area.

SUBJECT: Council Meeting Schedule

ACTION: Mr. Brannen informed the Council that, due to the requirements with the adoption of the Affordable Housing Plan, there is a good likelihood that a joint meeting with the Council and Planning Board will be required in early June. A date has not been finalized but it appears that it will be either June 6 or June 8.

PUBLIC COMMENTS:

None at this juncture

Seeing that there were no Public Comments, Councilmember Siciliano 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
 - C2. Sale of Real Estate
 - C3. Purchase of Real Estate
 - C4. Local 701/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	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve		X			
Motion to Second	X				
Approved	X	X	X	X	
Opposed					
Not Voting/Recuse					
Absent/Excused					X

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

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second		X			
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

Respectfully submitted,

Vincent Buttiglieri, RMC/CMC
Township Clerk