

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

MAY 2, 2012

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: Mayor Larkin
Deputy Mayor Siciliano
Councilmember(s) Garofalo, Schepiga, Evans

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 5, 2011 and revised .

REVIEW OF ALL REGULAR MEETING MATERIAL:

The following items were reviewed by the Governing Body and held for the Regular Meeting of May 2, 2012, unless otherwise noted (*):

Mayor's Statement: Public Portion of any Questions as to Resolutions

The purpose of this public portion is solely to ask questions to understand Resolutions and Vouchers that appear on this agenda and is not an occasion for a public hearing on an Ordinance. All questions not related to an item on this Agenda should be asked during the Public Comments portion at the conclusion of the meeting.

Public Questions on Resolutions:

PUBLIC HEARING and ADOPTION – 2012 Municipal Budget

B1 Resolution – Authorizing the Budget to be read by title

Public Hearing

Resolution to Adopt the 2012 Municipal Budget

Public Questions on Resolutions:

CONSENT AGENDA:

MINUTES:

April 18, 2012 – Workshop, Public and Closed Meeting

RESOLUTIONS:

12-065 Authorize the receipt of bids for various items for the Public Works and the Police Departments

Andrew Brannen, Township Manager, stated that these are standard items for both the Police and Public Works Departments.

12-066 Authorize various appointments to the Zoning Board of Adjustment and Environmental Commission

Mr. Brannen reported that the vacancies being filled are for the Board of Adjustment and Environmental Commission.

12-067 Authorize the Release of Performance Guarantee(s) for:

- a. Block 3, Lots 13, 14, & 15, 2105 Highway 35, 2105 Highway 35 Associates, LLC
- b. Block 8.02, Lot 21, 52 Larchwood Avenue, David & Ayelet Leventer
- c. Block 10, Lot 18, 4 Saxony Drive, Maurice Zekaria
- d. Block 25, Lot 33, 395 Deal Road, Congregation Magen David of West Deal, Inc.
- e. Block 37.06, Lot 15, 21 Eaton Place, Edward & Annette Kubinec
- f. Block 37.07, Lot 5, 1 Jackson Circle, Eric Bosniak & M. Charli Bohm
- g. Block 37.08, Lot 5, 15 Jackson Circle, David Christopher & Catherine M. Mellina

Mr. Brannen reported that all these releases, except for Item A, are for single-family homes.

12-068 Authorizing Release of Maintenance Guarantee(s) for:

- a. Block 10, Lot 21, 10 Saxony Drive, Eric Sasson
- 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

12-069 Authorize the Reduction in Performance Guarantee(s) for the following:

- a. Block 34.03, Lots 2 & 2.01, 1025 Deal Road, Chabad House – Lubavitch /Congregation Sons of Israel

12-070 Affirm the Township of Ocean’s Civil Rights Policy

Mr. Brannen informed the Council that this affirmation is required by the Township’s Joint Insurance Fund.

INDIVIDUAL ACTION:

VOUCHERS: \$ 4,123,721.29

RESOLUTIONS:

12-071 Award a Professional services Contract with Clark Caton Hintz at a fee not to exceed \$25,000.00

Mr. Brannen stated that the funds allocated for this contract may need to be increased, depending on how the Township’s COAH litigation progresses.

12-072 Ratify the Collective Bargaining Agreements with the PBA and SOA for the years 2012 through 2015

ORDINANCES:

Adoption(s):

Ordinance #2183 – A bond ordinance providing for various improvements and appropriating (Coaster) \$2,579,689 therefor and authorizing the issuance of \$1,861,585 bonds or notes to furnish a portion of the costs thereof

Ordinance #2184 – Amend Chapter II of the “Revised General Ordinances of the Township of Ocean, 1965” entitled “Personnel Policies, Practices and Procedures”.
(Coaster)

Mr. Brannen stated that this ordinance is mandated by the Township’s Joint Insurance and Municipal Excess Liability carrier.

Introduction(s):

Ordinance #2185 – An Ordinance amending Ordinance #2159, #2004 and #2120 entitled: “An Ordinance fixing salaries and compensation of certain offices, positions and employees in the Township of Ocean, County of Monmouth, State of New Jersey”
(Coaster)

Ordinance #2186 – Amend Chapter XII of the “Revised General Ordinances of the Township of Ocean, 1965” prohibiting parking along portions of Fairmount Avenue
(P.H. 5/2 Coaster)

Ordinance #2187 – Amend Chapter XII of the “Revised General Ordinances of the Township of Ocean, 1965” regulating parking along Fairmount Avenue
(P.H. 5/2 Coaster)

ITEM FOR DISCUSSION:

SUBJECT: Certificate of Occupancy Concerns

ACTION: Mr. Brannen and William McMahon, Director of Public Works, discussed ongoing issues with regard to the discharge of sump pumps. Many residents are currently discharging into the street, causing potential safety issue. Additionally, neighbors are beginning to complain.

SUBJECT: Zoning Issue Updates

ACTION: Mr. Brannen discussed the issue of basketball courts being constructed on private property and neighbors are beginning to complain about the noise that is being generated from these courts. Further discussion occurred as to whether the Township should pass an ordinance restricting the construction of same on residential properties. After discussion, it was determined that the Township would continue to ask the Police Department to handle any complaints

SUBJECT: Land Development Updates

ACTION: Deputy Mayor Siciliano discussed the current tree ordinance and stated that he believed they were very restrictive. Discussion occurred with regard to whether the ordinance should be reviewed in order to loosen the regulations.

After discussion, informed the Governing Body that Public Works employees had undertaken the planting of trees around the Township and they did a great job. The Township had previously authorize the acceptance of bids to abate various property maintenance issues but seeing what a great job our DPW employees did, Mr. Brannen feels that they can be trained to undertake these responsibilities. All concurred.

SUBJECT: Review Proposed Pawn Shop Ordinance

ACTION: Mr. Brannen reported that the Police Department has been looking into the licensing of pawn shops and feel that additional licensing should be required. Also, a determination needs to be made as to what goods can be sold. Further discussion will occur at a subsequent meeting.

COUNCIL REPORTS:

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

PUBLIC COMMENTS:

None at this juncture.

Seeing that there were no 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
 - C2. Contract – Purchase/Sale of Real Estate
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 Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	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 Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	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/MMC
Township Clerk