

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

NOVEMBER 9, 2009

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 Hiers, Councilmember(s) Schepiga, Siciliano

Absent: Councilmember(s) Garofalo

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 16, 2008, and revised on June 15, 2009.

REVIEW OF ALL REGULAR MEETING MATERIAL:

The following items were reviewed by the Governing Body and held for the Regular Meeting of November 9, 2009, unless otherwise noted (*):

CONSENT AGENDA:

MINUTES:

October 19, 2009 – Workshop, Public and Closed
October 26, 2009 – Special Public
November 3, 2009 – Workshop and Closed

RESOLUTIONS:

09-176 Authorize the Manager and Township Clerk to execute documents related to the submission of the Planning Board application related to the effect of a subdivision of Block 139, Lot 1 and Block 140, Lots 65.02, 67.01 and 69

Andrew Brannen, Township Manager, explained that this subdivision pertains to property at the English Manor and Colonial Terrace Golf Course and the application before the Board is requesting that four lots be turned into three lots.

09-177 Accept the Performance Guarantee for the following:

- a. Block 10, Lot 18 – 4 Saxony Drive – Maurice Zekaria
- b. Block 12.03, Lot 4 – 155 Larchwood Avenue – Monmouth Custom Builders, Inc.

09-178 Authorize the Release of Performance Guarantees for the following:

- a. Block 130, Lot 6.01 – 1320 Vina Avenue – Palatial Homes, Inc.
- b. Block 10, Lot 25 – 200 Park Avenue – Kitchell Contracting, LLC

Mr. Brannen explained that this property was sold and the new owner has posted the required bond, therefore, allowing the return of the previous owner's bond

- c. Block 3, Lots 7, 8 and 9 – 2121-2123 Highway 35 North – Gold Coast Automotive

Mr. Brannen explained that the owner has posted a new bond covering the balance of the uncompleted work and additional work and therefore, the old bond could be released.

d. Block 62.02, Lot 9.01 – 35 Bruns Road – Olde Monmouth Builders, LLC

09-179 Authorize a Time Extension with No Reduction for the following:

a. Block 1.02, Lot 39- 2128 Kings Highway – Central Jersey Radiologists

09-180 Authorize Amendments to the Release of Performance Guarantees for the following:

a. Block 9, Lot 11 – 205 Park Avenue – Mayer M. Chemtob

Mr. Brannen, after discussion with Martin Arbus, Esq., Township Attorney, has recommended that this item be held until additional documentation could be received from the developer.

b. Block 35, Lot 88 – 38 Brandywine Road – MGO Group, Inc.

09-181 Amend appointments to the Township of Ocean Environmental Commission

INDIVIDUAL ACTION:

VOUCHERS: \$ 10,268,368.60

RESOLUTIONS:

09-182 Authorizing a Road Opening Permit, with penalty, for New Jersey American Water for property located at 22 Eaton Avenue

09-183 Authorize the Department of Human Services to provide services of parent-child visitation and associated services

Mr. Brannen explained that this resolution pertains to child visitation services provided by Human Services. The Township received reimbursement from the State and additionally, may receive a “fee for service”.

09-184 Extend contract with Village of Loch Arbour for Police and Municipal Court Services

Mr. Brannen reported that this is for one year at the same fee received that the Township received in 2009.

09-185 Authorize refunds to property owners due to overpayments resulting from homestead rebates.

09-186 Authorize the waiver of the fees associated with the Board of Adjustment application filed by Ocean Senior Citizens Housing Corporation

09-187 Authorize Professional Services contract with Leon S. Avakian, Inc. to perform engineering services for renovations at Fireman’s Field at a cost not to exceed \$10,000.00

Mr. Brannen explained that the engineering services pertain to the tennis courts located at Fireman’s Field, Larkin Place.

09-188 Authorize Professional Services contract with Clarke Caton Hintz to provide planning services related to Mount Laurel litigation at a cost not to exceed \$45,000.00

ORDINANCES:

Adoption(s):

Ordinance #2127 – A Bond Ordinance providing for various improvements, more specifically for Public Works equipment and vehicles; Police Department equipment; acquisition of MIS equipment; recreation improvements and various road improvements (Public Hearing was held on June 15, 2009)
(Coaster)

Ordinance #2130 - An ordinance amending and supplementing Chapter II of the “Revised General Ordinances of the Township of Ocean, 1965” entitled: Department of Administration to remove Civil Defense and Disaster Control Council and replace it with Emergency Management
(Coaster)

Ordinance #2140 - An ordinance amending and supplementing Chapter 21 – The Comprehensive Land Development Ordinance of the Township of Ocean
(Coaster)

Mr. Brannen explained the various changes dealing with fees and regulations concerning pre-schools.

Introduction(s):

Ordinance #2141 - An ordinance amending and supplementing various sections of Chapters II, V, VI, VII and XI of the “Revised General Ordinances of the Township of Ocean, 1965” dealing with fees collected by the Township of Ocean
(P.H. 11/9/09 Coaster)

Mr. Brannen explained that this ordinance deals with various fees for the Building, Construction and Zoning Departments.

Ordinance #2142 - An ordinance amending and supplementing Chapters IV, XIV, and XVI of the “Revised General Ordinances of the Township of Ocean, 1965” dealing with fees collected by the Township of Ocean
(P.H. 11/9/09 Coaster)

Mr. Brannen explained that this ordinance deals with various fees dealing with Alcoholic Beverage Control, Recreation and the Community Pool.

ITEMS FOR DISCUSSION:

Subject: Council Meeting Schedule/Preparation
Action: Andrew Brannen, Township Manager, discussed the posting of the resolutions and/or ordinances on the website prior to the meeting for public inspection. It was decided that the Township would begin posting all meeting items on the website beginning in January 2010.

Subject: Holiday Displays
Action: Mr. Brannen explained that the Township had received a request from Rabbi Carlebach for a holiday display at the Municipal Building. After discussion, it was decided that the Township would deny this request, as it had done with all previous requests for said displays.

Subject: West Park Avenue Study

Action: Mr. Brannen reported that representatives from Monmouth County and the Township will be meeting on November 25, 2009 to discuss the proposal regarding the traffic issue along Park Avenue.

Subject: Rezoning Request

Action: The Council agreed that Martin Arbus, Esq., Township Attorney, will discuss this request with the attorney for the requestor.

Subject: Police Department Cellular Tower

Action: Mr. Brannen reported that Jim Higgins, Township Planner, reviewed the request for a new Police Department cell tower, including the specifications of the new tower. Mr. Higgins found no reason why the Township should not grant the request to purchase this new tower and install it at the Municipal Building, replacing the older one.

Subject: Library Landscape Project

Action: Mr. Brannen distributed a summary of the trees that the Committee is requesting the Township purchase. The total cost of the purchase would be approximately \$5,600.00. The Committee will be purchasing additional trees/shrubs and will be paying for them out of funds raised.

Subject: Animal Control

Action: Andrew Brannen reported that a second tour will be conducted with representatives from the State, County and the Township on November 13, 2009. Mr. Brannen will report back with any updates.

Item D1 (Automated Garbage) was not discussed at this meeting.

COMMENTS:

Councilmember Hiers inquired about the status of the Atlanticville "free" delivery and had we made any progress with stopping them from distributing the paper to all homes. Mr. Arbus explained that the position of the newspaper is that if someone does not wish to receive it, they can call and request that delivery be stopped.

Councilmember Schepiga reported that the Italian American Holiday Dinner will be held on December 9, 2009 at the Renaissance.

Mayor Larkin reported that Applebee's Restaurant will be serving Thanksgiving dinner to any needy family in Ocean Township. There will be two seatings, 11:00 am and 12:30 pm. All Councilmembers are invited to help in various capacities that day and their assistance would be greatly appreciated.

The following individuals did not issue a report at this meeting:

Councilmember(s) Siciliano

Andrew Brannen, Township Manager

Martin Arbus, Esq., Township Attorney

PUBLIC COMMENTS:

There were no public comments at this time.

RESOLUTION DECLARING CLOSED SESSION

Councilmember Hiers offered the following Resolution and moved its adoption, seconded by Councilmember Siciliano

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:

Contract – Land Sale
Litigation - COAH
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.

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to adjourn the meeting.

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

Respectfully submitted,

Vincent Buttiglieri, RMC/CMC
Township Clerk