

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

OCTOBER 17, 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) Evans, Garofalo and Schepiga

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.

REVIEW OF ALL REGULAR MEETING MATERIAL:

Andrew Brannen, Township Manager, went through the meeting items, which were reviewed by the Governing Body and held for the Regular Meeting of October 17, 2012, unless otherwise noted (*):

PRESENTATION OF CERTIFICATES:

Clean Communities Coloring and Poetry Contest Winners

PROCLAMATION:

1. Put the Brakes on Fatalities Day
2. Fire Prevention Week

CONSENT AGENDA:

MINUTES:

September 12, 2012 – Workshop, Public and Closed Meeting
September 20, 2012 – Special Public Meeting
October 3, 2012 – Workshop and Closed Meeting

RESOLUTIONS:

12-149 Authorize a Developers Agreement for the following:

- a. Block 22, Lot 43 – 259 Overbrook Avenue – 259 Overbrook Group, LLC
- b. Block 152, Lot 1 and Block 153, Lot 73 – Center Street – Amboy Bank

Andrew Brannen, Township Manager, stated that Amboy Bank has taken over for the original developer, Nobility Crest.

12-150 Authorize the Acceptance of Performance Guarantees for the following:

- a. Block 33.27, Lot 5 – 1803 Fanwood Street – Marla J. Jenson & Charles Hux
- b. Block 17, Lots 36, 37.01 & 39 – 304 Garfield Avenue – Elo Residence

12-151 Approve the placement of one storage containers at Kelly's Hallmark for a period not to extend beyond December 31, 2012

Mr. Brannen informed the Governing Body that this establishment is located at Middlebrook at Monmouth.

12-152 Authorize the receipt of bids for the following:

- HVAC Maintenance
- Various Road Materials
- Uniforms (3 years)
- Recap Tires, Accessories and Road Service
- Removal of Compost Leaves

Mr. Brannen stated that the authorizations are for standard items.

12-153 Authorize the submission of the Neighborhood Preservation Balanced Housing Program Grant application

Mr. Brannen said that this Grant will be used for the acquisition of Whalepond Village.

12-154 Authorize the Human Services Department to enter into an Agreement with the State of New Jersey Department of Children and Families wherein Human Services will provide parent – child visitation and other associated services

12-155 Authorize the submission of the FY2013 Transportation Trust Fund Grant Application

Mr. Brannen stated that this will be the sixth and final phase of the Sunset Avenue project.

12-156 Authorize the closure of Sunset Avenue between Birch Avenue and Logan Road from November 1, 2012 through December 31, 2012.

12-157 Authorize an appointment of an Alternate #4 member to the Zoning Board of Adjustment

Mr. Brannen reported that the appointee, Maureen Bonney, submitted her application through Talent Bank.

12-158 Authorize the Stormwater Management Agreement for Block 141, Lots 1 & 23 – 2301 Route 66 – Seaview Acquisition, LLC

12-159 Authorize the transfer of liquor license #1337-33-013-008, issued to JMichaels Holdings, LLC to Zui P. Berger effective June 30, 2012

12-160 Authorize the renewal of the 2012-2013 liquor license for Zui P. Berger who has met all Township and State requirements and paid all applicable fees

12-161 Authorize the Ring Road Easement Agreement between the Township and Seaview Acquisition, LLC

Mr. Brannen said that this Agreement just formalizes what had been in place for years and does encompass any additional changes.

12-162 Authorize the Release of the Maintenance Guarantee for the following:

- a. Block 138, Lot 75 – 73 Wickapecko Drive – Search Day Program

12-163 Authorize an auction of public property by the Township of Ocean through PropertyRoom.com. for the period November 1, 2012 through April 1, 2013

Mr. Brannen said that this auction will include bicycles, computers and other office equipment.

12-164 Authorize the release of 2011 and 2012 Closed Session Minutes (minus those items which will be redacted due to the fact that they are ongoing)

INDIVIDUAL ACTION:

VOUCHERS: \$ 5,906,296.32

RESOLUTIONS:

12-165 Authorize a contract with Global EcoSystem Center to perform a tree canopy study at a cost not to exceed \$9,998.00 which will be funded by a Sustainable Jersey Municipal Certification Grant

12-166 Authorize the purchase of firearms and accessories from Lanigan Associates, Shrewsbury, NJ at a cost not to exceed \$16,722.25 (State Contracts A81299 and A81329)

Mr. Brannen stated that the rifles being replaced are in excess of 12 years old and are long overdue for replacement.

12-167 Authorize the owner(s) of Block 140.02, Lot 10 and Block 140.01, Lot 1 to continue on the installment payment plan for special assessment confirmed on June 16, 2008

12-168 Authorize the Tax Collector to issue a refund to property owner(s) who have received a favorable State Tax Appeal judgments

12-169 Amend the contract with Mark S. Ruderman, Esq., and the firm Ruderman & Glickman, for the remainder of 2012.

Mr. Brannen stated that the amendment was necessary due to ongoing disciplinary matters.

12-170 Authorize the Tax Collector to place a lien on the following Township properties:

- a. Block 196, Lot 1 – 2605 Logan Road - \$582.33
- b. Block 140, Lot 60 – 1205 Turner Avenue - \$553.72

12-171 Authorize the emergency purchase of two (2) storm sewer pumps from Pilot Electric Company, Inc., Neptune, NJ at a cost not to exceed \$27,760.00

The replacements are for pumps in the area of South Lincoln Avenue and Larchwood Avenue.

12-172 Authorize a maintenance contract for the Police Department Live Scan Fingerprint Machine with MorphoTrak, Albany, NY for the period October 1, 2012 through September 30, 2013 at a cost not to exceed \$3,771.53

12-173 Authorize the purchase of a 2013 Dodge Caravan SE for the Department of Human Services from Hertrich Fleet services, Inc. (State Contract #A78758) at a cost not to exceed \$20,667.00

12-174 Authorize the Tax Collector to issue refund check(s) to the owner of the following properties, who have been declared a 100% disabled veteran:

- a. Block 80, Lot 1 \$4,132.92
- b. Block 150.01, Lot 35 \$4,029.78

12-175 Authorize a contract with Granicus to assist with meeting automation process at a cost not to exceed \$15,450.00

ORDINANCES:

Adoption(s):

Ordinance #2190 – Bond Ordinance providing for various appropriating \$7,400,000 (Coaster) therefore, authorizing the issuance of \$7,400,000 bonds and notes to finance a portion of the costs thereof, authorized in and by the Township of Ocean, County of Monmouth

Mr. Brannen reiterated that this ordinance will provide funding for both the acquisition of Whalepond Village and Poplar Village.

Ordinance #2191 - An Ordinance to amend Chapter XII of the “Revised General (Coaster) Ordinances of the Township of Ocean, 1965” designation certain Stop Intersections

Ordinance #2192 - An Ordinance providing for the Right-of-Way Vacation associated with (Coaster) Dorset Road in the Township of Ocean, County of Monmouth, State of New Jersey

Mr. Brannen informed the Governing Body that the sub-division along Dorset Road will be done in two phases.

ITEM FOR DISCUSSION:

SUBJECT: Developer Presentation

ACTION: A presentation was done by Deputy Director Tom Arnone, Monmouth County Board of Chosen Freeholders, John Ciufu, Executive Director, Monmouth County Economic Development Department and Amy Fitzgerald.

Deputy Director Arnone stated that the GROW Monmouth Program looks to promote the cohesive existence of both business and residents and is looking to be the “middleman” in this process.

Deputy Director Arnone stated that this program has begun to yield an increase in businesses that are moving into Monmouth County, including Sloan Kettering who will be bringing 240 new jobs into the County.

John Ciufu explained that a GIS map has been created for the County which will enable businesses to see the potential area of development and/or relocation.

Deputy Director Arnone closed by stating that he is anticipating the expansion of this program and looks forward to working with the Township with its development issues to bring about maximum use without negatively impacting the quality of life for the residents.

Mayor Larkin thanked Deputy Director Arnone, Mr. Ciufu and Ms. Fitzgerald for taking time out of their busy schedule to bring the Governing Body up to speed with this valuable program.

SUBJECT: Zoning Ordinance Revisions

ACTION: Mr. Brannen stated that Marianne Wilensky, Director of Community Development, has almost completed the zoning revisions including those concerning lot coverage.

SUBJECT: 2013 Budget Update

ACTION: Mr. Brannen reported that the Township has received revised pension numbers from the State which has the Townships contribution being reduced from \$390,000.00 to \$250,000.00.

Mr. Brannen also distributed an Solid Waste and Recycling analysis showing that the tonnage per month has remained pretty constant, although it is slightly down from 2011.

COUNCIL REPORTS:

Councilmember Evans stated that he has heard that some of the tree professionals are upset about the provisions of the current tree ordinance. Councilmember Evans will set up a meeting with the tree professionals and appropriate Township Officials to try and establish new provisions that will work for all concerned.

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

Deputy Mayor Siciliano
Councilmember(s) Garofalo and Schepiga
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. Litigation – Dweck Bankruptcy
 - C3. Contract – Sale of Real Property – Block 19, Lot 1
 - C4. Contract – Sale of Real Property – Block 8, portion of Lot 27

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