

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

MARCH 21, 2013

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

Absent: Mayor Larkin

Others: Matthew Goode, Esq., Township Attorney
Andrew Brannen, Township Manager
Vincent Buttiglieri, Township Clerk

In the absence of Mayor Larkin, Deputy Mayor Siciliano 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 12, 2012.

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 March 21, 2013, unless otherwise noted (*):

**PROCLAMATION: Arbor Day 2013
April 26, 2013**

CONSENT AGENDA:

MINUTES:

February 21, 2013 – Workshop, Public and Closed Meeting

RESOLUTIONS:

13-038 Accept the Performance Guarantee(s) for the following:

a. Block 115, Lot 8.02 – 1405 Laurel Avenue – Ilvento Builders, LLC

13-039 Authorize the Release of Performance Guarantee(s) for the following:

a. Block 159, Lots 40 & 41 – 70 Cold Indian Springs Road – Jeffrey & Allison Kotch

13-040 Approve the Release of Maintenance Guarantee(s) for the following:

a. Block 68, Lot 21 – 500 Corlies Avenue – T.B.C. Construction Group, Inc.

Andrew Brannen, Township Manager, mentioned that this property is located just before the Allenhurst border.

13-041 Authorize the receipt of bids for the following:

a. One 31 cubic yard rear loading packer

Mr. Brannen said that this equipment is utilized by the Public Works Department in the roads division.

b. Asphalt F.A.B.C., Bituminous Concrete Mix (I-2, I-4 and I-5)

Mr. Brannen stated that this a request made by our Public Works Department annually.

13-042 Authorize the submission of the FEMA Hazard Mitigation Grant

Mr. Brannen explained the Governing Body that this resolution gives the Township the ability to apply for any FEMA funds that become available during the year.

13-043 Authorize fireworks display by Deal Golf & Country Club for June 30, 2013

Mr. Brannen reminded the Governing Body that this will be the second year in a row that these fireworks have been held.

13-044 Authorize the submission of the following Grants:

- a. Click It or Ticket 2013
- b. 2013 Green Communities Grant

Mr. Brannen stated that this Grant will be utilized by the Shade Tree Commission to update the Community Forestry Management Plan.

- c. 2012 Municipal Recycling Tonnage Grant

Mr. Brannen informed the Governing Body that the Township has been receiving between \$50,000 - \$60,000 from this Grant.

13-045 Approve the release of 2013 Closed Session Minutes

ORDINANCE:

Ordinance #2197 – (P.H. 4/18/12 Coaster)

An ordinance to exceed the Municipal Budget Appropriation Limits and to establish a CAP Bank

Mr. Brannen said this ordinance only deals with the appropriation side of the budget and is designed to preserve the appropriations CAP Bank.

INDIVIDUAL ACTION:

VOUCHERS: \$ 7,199,739.27

RESOLUTIONS:

13-046 Authorize the acceptance of the following Grants:

- a. Monmouth County Open Space

Mr. Brannen said that this Grant pertains to Poplar Village Phase I acquisition.

13-047 Introduction of the 2013 Municipal Budget

13-048 Approve the renewal of a contract with Delta Dental of New Jersey, Inc. for the one period ending April 30, 2014

Mr. Brannen stated that the Townships contribution for this program is fixed and any increase in cost is the responsibility of the employee.

13-049 Authorize the Consideration of the following bids/proposals:

- a. Composted Leaves

Mr. Brannen informed the Governing Body that the Township received two bids, with the fee due to the Township ranging from 0.52 cents per cubic yard to \$1.57 per cubic yard.

b. Towing Services

13-050 Authorize a refund to the following taxpayers due to an overpayment of taxes:

- a. Block 3, Lot 84 - \$1,886.47
- b. Block 26, Lot 52 - \$1,521.55

13-051 Authorize the Tax Collector to place a lien on the following Township properties:

- a. Block 25.18, Lot 1 – 198 Elmwood Road - \$1,500.00

Mr. Brannen said this charge pertains to the removal of a tree at this location.

- b. Block 33.13, Lot 25 – 2016 Fanwood Street - \$938.00
- c. Block 196, Lot 1 – 2605 Logan Road - \$435.16

13-052 Authorize the execution of a Hold Harmless Agreement and Right of Entry Agreement with the Monmouth County Mosquito Extermination Commission.

Mr. Brannen stated that this property is located behind the Boise Building.

13-053 Approve the amendment to the Interlocal Services Agreement with the Township of Ocean Sewerage Authority for the billing and collection functions

Mr. Brannen explained that this amendment is due to a change in personnel in the Township's tax office.

13-054 Authorize the refurbishment of a Case Loader from Trico Equipment, Inc. (State Contract # A69726) at a cost not to exceed \$32,348.18

13-055 Approve a contract with TruGreen Commercial to provide fertilizing of the Township parks and recreation facilities at a cost not to exceed \$20,000.00

Mr. Brannen stated that this contract is being entered into through the Somerset County Cooperative Purchasing Agreement.

13-056 Authorize the Tax Collector to issue a refund to property owner(s) who have received a favorable State Tax Appeal judgments

13-057 Authorize a Professional Services contract for site remediation with Groundwater & Environmental Services, Inc at a cost not to exceed \$17,500.00

13-058 Authorize the Mayor and Municipal Clerk to execute the Inter-local Services Agreement between the Township and the Board of Education for the rental of school buses for the 2013 Summer Recreation Program

13-059 Authorize the Transfer of Funds in accordance with N.J.S.A. 40A:5-58 and N.J.S.A. 40A:4-45.4a.

13-060 Authorize the execution of the Payment in Lieu of Taxes for Whalepond Village

Mr. Brannen informed the Governing Body that the payment in lieu component will not become effective until such time that ownership is transferred to CIS.

13-061 Authorize the execution of a contract for the Department of Community Affairs, Neighborhood Preservation Balanced Housing Program

Mr. Brannen stated that the Township is submitting a Balanced Housing application to the Department of Community Affairs in hope to secure a grant in the amount of \$1 million and the Payment in Lieu provision needs to be in place prior to the submission of said application.

13-062 Authorize a Professional Services contract with William E. Fitzgerald, P.E. to perform inspection services on the private stormwater inlet installations at a cost not to exceed \$15,000.00

13-063 Approve a road opening permit for Block 37.16, Lot 36, commonly known as 629 Bowne Road, as requested by Martelli Development Group

Mr. Brannen explained that this road opening permit pertains to the Martelli development located on Bowne Road.

13-064 Authorize a Professional Services contract for site remediation with Groundwater & Environmental Services, Inc at a cost not to exceed \$35,716.50

ORDINANCES:

Adoption(s):

Ordinance #2198 - An Ordinance providing for the street vacation of a portion of Overbrook Avenue in the Township of Ocean, County of Monmouth, State of New Jersey (Coaster)

Introduction(s):

Ordinance #2195 – An Ordinance amending Chapter V of the “Revised General (P.H. 4/18/13 Coaster) of the Township of Ocean, 1965” entitled: Licenses

Mr. Brannen explained that this ordinance will create certain holding requirements for merchandise.

Ordinance #2199 – An Ordinance amending Chapter III of the “Revised General (P.H. 4/18/13 Coaster) of the Township of Ocean, 1965” entitled: Alarm Services

Mr. Brannen said that this ordinance makes some minor revisions including implementing a waiver of any appeal fee.

Ordinance #2200 – An Ordinance authorizing the private sale of non-conforming real (P.H. 4/18/13 Coaster) property known as a portion of Block 8, Lot 27 to contiguous property owners pursuant to N.J.S.A. 40A:12-13 (B)(5)

Ordinance #2201 – An Ordinance amending Chapter VI of the “Revised General (P.H. 4/18/13 Coaster) of the Township of Ocean, 1965” entitled: Property Maintenance and Housing

Mr. Brannen stated that this ordinance revises the certificate of occupancy fees for all affordable units.

Ordinance #2202 – An Ordinance amending Chapter IX of the “Revised General (P.H. 4/18/13 Coaster) of the Township of Ocean, 1965” entitled: Soil and Tree Removal

ITEM FOR DISCUSSION:

SUBJECT: Governmental Purchasing Regulations

ACTION: Since Mr. Brannen has obtained his Qualified Purchasing Agent certification, the Township can increase its bid threshold from \$17,500.00 to \$36,000.00. Mr. Brannen explained that the Township’s procedures with regard to obtaining price quotes will not be relaxed if this increase is approved. All concurred to increase the bid threshold to \$36,000.00.

SUBJECT: Professional Appointments

ACTION: Mr. Brannen is recommending that the Township solicit Requests for Proposals for the Township Engineer, whose appointment is up on June 30. All concurred.

SUBJECT: TOSA Shared Services

ACTION: Mr. Brannen has recommended that he reach out to Bill Schmeling, TOSA Executive Director, to explore the possibility of utilizing his services for certain Township functions. All concurred and Mr. Brannen will explore this opportunity and report back to the Governing Body at a future meeting.

SUBJECT: Street Vacation Request – Drift Road a/k/a Traux Lane

ACTION: Mr. Brannen said that a request has been made to vacate a portion of Traux Lane (a paper street). Discussion occurred with regard the impact of this potential street vacation on a proposed subdivision planned for that area. Once a determination is made as to whether there is any impact, a final decision will be made about whether to proceed with the requested street vacation.

SUBJECT: FEMA Letters of Intent

ACTION: Mr. Brannen said that the Township has submitted letters for new generators at the West Park Recreation Center. Further discussion will occur once we are notified if successful in receiving funding.

COUNCIL REPORTS:

Councilmember Garofalo requested that a presentation be made to the Governing Body concerning the new assessment procedures.

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

Councilmember(s) Evans, Garofalo, Schepiga
Matthew Goode, Esq., Township Attorney

PUBLIC COMMENTS:

A Representative from the League of Women Voters informed the Governing Body that their website is up and running and contains valuable information for the public.

There were no additional comments.

Seeing that there were no Public Comments, Deputy Mayor 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. Contract – Purchase of Real Property (Block 22, Lot 32)

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	
Opposed					
Not Voting/Recuse					
Absent/Excused					X

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	
Opposed					
Not Voting/Recuse					
Absent/Excused					X

Respectfully submitted,

Vincent Buttiglieri, RMC/CMC/MMC
Township Clerk