

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

**APRIL 4, 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:** Martin J. Arbus, 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.

**INDIVIDUAL ACTION:**

**RESOLUTIONS:**

**13-065 Approve the Emergency Temporary Appropriations for the year 2013**

**WHEREAS**, an emergency condition has arisen with respect to the Township's 2013 budget has yet to be adopted and no adequate provision has been made for the aforesaid purpose in the Temporary Budget, and N.J.S.A. 40A:4-20 provides for the creation of an Emergency Temporary Appropriation for the above mentioned, and

**WHEREAS**, the total Emergency Temporary Appropriations adopted in the year 2013 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total **\$5,764,150.00**

**NOW, THEREFORE BE IT RESOLVED**, (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20

1. A Temporary Emergency be and the same is hereby made for:

**Appropriations Within "CAPS"**

Governing Body - SW	5,357.00
Governing Body – OE	910.00
Township Manager - SW	55,057.00
Township Manager – OE	4,480.00
Township Clerk - SW	31,478.00
Township Clerk - OE	4,503.00
Finance Office - SW	51,786.00
Finance Office – OE	3,859.00
Data Processing - SW	14,219.00
Data Processing – OE	15,584.00
Tax Collector - SW	20,790.00
Tax Collector - OE	1,768.00
Tax Assessor - SW	27,780.00
Tax Assessor - OE	17,557.00
Legal Services – OE	57,906.00
Engineering Services - OE	11,078.00
Planning Board - OE	2,328.00
Board of Adjustment - OE	4,130.00
Planning Administration - SW	41,950.00
Planning Administration - OE	2,240.00
Construction Code – SW	62,672.00
Construction Code – OE	13,278.00
Liability Insurance - Equipment - OE	30,000.00

Group Health	250,000.00
Police - SW	1,214,042.00
Police - OE	47,589.00
Dispatch - SW	68,243.00
Dispatch - OE	306.00
Emergency – OE	981.00
Municipal Prosecutor - SW	6,126.00
Municipal Prosecutor - OE	13,000.00
Director of Public Works - SW	65,306.00
Director of Public Works - OE	1,576.00
Streets and Roads - SW	123,449.00
Streets and Roads - OE	18,950.00
Maintenance of Equipment - SW	48,996.00
Maintenance of Equipment – OE	49,713.00
Sanitation - SW	153,993.00
Sanitation – OE	1,356.00
Recycling - OE	638.00
Buildings & Grounds - SW	102,355.00
Buildings & Grounds – OE	49,063.00
Board of Health - SW	13,046.00
Board of Health - OE	34,314.00
Animal Control Services - OE	8,068.00
Community Services Office - SW	62,987.00
Community Services Office – OE	5,312.00
Recreation - SW	54,583.00
Recreation - OE	20,000.00
Senior Citizen Transportation	3,142.00
Pool & Tennis Club - SW	16,666.00
Pool & Tennis Club - OE	20,000.00
Colonial Terrace Golf Club - SW	16,056.00
Colonial Terrace Golf Club - OE	49,740.00
Postage	5,300.00
Shade Tree Commission - OE	350.00
Environmental Commission - OE	456.00
Electric – OE	25,000.00
Street Lighting - OE	35,000.00
Telephone – OE	12,000.00
Water – OE	7,000.00
Natural Gas - OE	18,000.00
Heating Oil – OE	3,500.00
Sewerage – OE	2,888.00
Motor Fuels - OE	92,840.00
Solid Waste – OE	300,000.00
Social Security	75,000.00
Police & Fire Retirement System (PFRS)	1,442,538.00
Public Employees Retirement System (PERS)	647,239.00
Municipal Court - SW	45,709.00
Municipal Court – OE	3,114.00
Public Defender - SW	3,034.00
Public Defender – OE	526.00
Total	\$5,719,800.00

**Appropriations Outside “CAPS”**

COPS Universal Hiring Program - SW	23,928.00
COPS Universal Hiring Program - OE	4,111.00
TOSA Shared Services - SW	11,240.00
TOSA Shared Services - OE	5,071.00
Total	\$44,350.00

**Total All Appropriations \$ 5,764,150.00**

2. The said Emergency Temporary Appropriations will be provided for the 2013 Municipal Budget under the appropriate accounts.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be filed with the following:

1. Director, Division of Local Government Services  
PO Box 803, Trenton NJ 08625-0803
2. Director of Finance

3. Township Auditor

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/Recues					
Absent/Excused					X

**13-066 Authorize a Professional Services contract with Gagliano & Company to provide appraisal services for 32-units at Poplar Village**

**WHEREAS**, the Township wishes to execute a contract with a licensed appraiser to perform appraisal services on 32 apartment units within the Poplar Village Apartment Complex; and

**WHEREAS**, the Township Council of the Township of Ocean has elected to make this appointment pursuant to the provisions of N.J.S.A. 19:44A-20.8 for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Unit Pay-To Play Law; and

**WHEREAS**, the Township solicited proposals for said services and received responses from the following: Gagliano & Company, Shrewsbury, NJ and Sockler Realty services Group, Inc., Hightstown, NJ

**WHEREAS**, the Township Manager has recommended that the Township enter into a contract with Gagliano & Company, Shrewsbury, NJ for said appraisal services at a cost not to exceed \$4,750.00; and

**WHEREAS**, the Township Manager has determined that the value of the services Gagliano & Company, Shrewsbury, NJ will provide to the Township will not exceed \$17,500.00 for the calendar year 2013; and

**WHEREAS**, the firm of Gagliano & Company, Shrewsbury, NJ will be required to complete and submit the required Business Entity Disclosure Certification and C.271 Political Contribution Disclosure Form, which certifies that the firm of Gagliano & Company has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous year, and that the contract will prohibit the firm of Gagliano & Company from making any reportable contributions to a political or candidate committee in the Township of Ocean through the term of the contract; and

**WHEREAS**, the Director of Finance has certified that there are funds available for said services, not to exceed \$4,750.00 in the Tax Assessor Contract Services budget, account #3-01-20-710-247; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey that authorization is hereby given to the Township Manager to enter into a contract with Gagliano & Company, Shrewsbury, NJ at a cost not to exceed \$4,750.00, in accordance with their proposal.

**BE IT FURTHER RESOLVED** that a notice of this action shall be published according to law; and

**BE IT FURTHER RESOLVED** that certified copies of this resolution shall be forwarded to:

1. Director of Finance
2. Township Manager
3. Gagliano & Company

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

**ITEM FOR DISCUSSION:**

**SUBJECT:** Capital Project Update

**ACTION:** Andrew Brannen, Township Manager, discussed the following projects:

- Recycling Center – project should commence within the next week.

A meeting was held with the surrounding communities to explore opening the facility up to their residents. Further discussion will occur.

Based on their current procedure, Interlaken would like to explore the possibility of Ocean Township picking up their residents recyclables.

- Road Program

Sunset Avenue Sidewalks – this project is moving ahead as there were only two (2) homeowners that expressed opposition. This project will finalize the completion of sidewalks from Logan Road to the bridge.

- Tennis Courts at Dahrouge Park – will be completed shortly.
- Improvements to South Edgemere Drive – the utility company is completing its upgrade(s) and then the Sewerage Authority will be making improvements to its siphon line.
- 2013 Improvements – Mr. Brannen will have a recommendation at the April 18, 2013 Workshop meeting.
  - Monmouth Road Curbing – will be costly, however, if the County is going to repave the road, certain sections of curbing need to be repaired/replaced.
  - Tennis Courts at the Pool and Tennis Facility will also be included in the 2013 Capital Project Plan.
  - Poplar Village Acquisition – will be included in the Capital Plan, however, the Township will need to request an extension with the hope that the acquisition will be completed by the Fall 2013.
  - Sunset Avenue Bridge is in the design stage with the construction beginning in 2014.
  - Whalepond Brook:

The Monmouth County Mosquito Commission's permit is set to expire. Once it is renewed, a determination will be made whether the Township and/or a contractor can perform work under said permit. In the meantime, there is a volunteer group and the Township of Ocean Public Works Department that will perform whatever can be done without said permit. A meeting will be held on April 5, 2013 to determine what work will be done by these entities.

Councilmember Garofalo said that the Monmouth County Mosquito Commission is asking for a formal written request from the Township requesting use of the permit.

**SUBJECT:** Monmouth County All Hazard Mitigation Plan Update

**ACTION:** Mr. Brannen said that Monmouth County is updating their county-wide mitigation plan. Due to the Township's participation, funds were received for the acquisition of Poplar Village.

**SUBJECT:** Environmental Commission Update

**ACTION:** Mr. Brannen said that the Environmental Commission would like to create a "grove" in Joe Palaia Park, which will consist of 1-2 acres and connect both main trails

**SUBJECT:** FEMA Reimbursement Update

**ACTION:** Mr. Brannen said that the Deal Lake Commission requested FEMA funding for the cleanup of trees and debris in the lake. Since they were denied, the Township will keep their application to FEMA open in case they make a request for us to submit on their behalf.

**SUBJECT:** TOSA Shared Services Update

**ACTION:** Mr. Brannen said that the Township will include the camera truck, which will be utilized by both TOSA and the Township, in the Township's Capital Budget.

Mr. Brannen also reported that a resolution will be put on the April 18, 2013 Agenda to enter into an inter-local services agreement with TOSA to utilize the services of William Schmeling for certain Township functions.

**SUBJECT:** Policy Manual Update

**ACTION:** Mr. Brannen said that Municipal Excess Liability requires the Township to update its personnel policy every couple of years. To date, we have not received any direction but we anticipate receiving some shortly.

Mr. Brannen will be meeting with the employees to explain the possible creation of a Health Savings Account that they will be able to enroll in, should they feel it would be beneficial.

**SUBJECT:** Tax Appeal Update

**ACTION:** Mr. Brannen said that the deadline to file a tax appeal was April 1 and the Township received 301 appeals. In 2012, 379 appeals were received so there has been a downward trend which is a positive sign.

**SUBJECT:** Budget Motel Update

**ACTION:** Mr. Brannen said that the contractor has called for plumbing inspections so the project is moving along.

### **COUNCIL REPORTS:**

**Councilmember Garofalo** informed the Governing Body that the Sustainable Energy Consortium has dismissed Birdsall Engineering Group from their contract (they were the environmental engineers) and a Request for Proposal has been sent out to find a replacement.

**Councilmember Evans** asked Mr. Brannen to have Public Works remove the caution tape at the intersection of Appleby Drive and Wickapecko Drive, which has been up since Hurricane Sandy.

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

Councilmember(s) Schepiga  
Martin Arbus, Esq., Township Attorney

### **PUBLIC COMMENTS:**

There were no Public Comments at this time.

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 152, Lot 2.01)
  - C3. Contract – Purchase of Real Property (Block 152, Lot 2.01)
  - C4. Contract – Purchase of Real Property (Block 152, Lot 2.01)
  - C5. Litigation - Dwek Bankruptcy
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