

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

JULY 10, 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 (6:00 pm), Garofalo and Schepiga

Absent: Mayor Larkin

Others: Martin 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.

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 June 6, 2013, unless otherwise noted (*):

CONSENT:

MINUTES:

June 6, 2013 – Workshop, Public and Closed Meeting
June 24, 2013 – Special Public Meeting

RESOLUTIONS:

13-116 Authorize the following appointments:

- a. Senior Citizen Housing Corp., Zoning Board of Adjustment, Environmental Commission, Planning Board, Multiple Dwelling Emergency Board, Monmouth County Office on Aging, Municipal Alliance to Prevent Alcohol and Drug Abuse, Clean Communities

Andrew Brannen, Township Manager, explained that the appointments to the various Boards are done each year this time.

- b. Prosecutor and Alternate Prosecutor

13-117 Authorize the naming of the Official Newspapers for the Township of Ocean for the period July 1, 2013 through June 30, 2014

Mr. Brannen said the Township is naming The Coaster and the Asbury Park Press as the official newspapers for the upcoming year.

13-118 Authorize the rejection of bids received for lawn mower services

Mr. Brannen said the Township plans on re-advertising the receipt of said bid in January or February 2014.

13-119 Authorize the Performance Guarantee Release for the following:

- a. Block 22, Lot 63 – 336 Elberon Boulevard – Wilson Homes, LLC
- b. Block 44, Lot 7 – 404 Maple Avenue – David J. Jemal

c. Block 189, Lots 6, 7, & 9 – 1110 Highway 35 – Italian American Association of Ocean Township

Mr. Brannen informed the Council that Item b. will be removed from the Agenda, as some issues have arisen that need to be addressed prior to the release.

13-120 Authorize the Release of Maintenance Guarantees for the following:

- a. Block 53, Lot 5 – 228 Crosby Avenue – Monmouth Custom Builders
- b. Block 61.05, Lot 14.02 – 509 Wildwood Road – Wilson Homes, LLC

13-121 Approve the release of 2013 Closed Session Minutes

13-122 Accept the resignation of the following:

- a. David Messer, Esq. - Zoning Board of Adjustment
- b. Sylvia Sylvia – Zoning Board of Adjustment
- c. Christopher Healy – Planning Board

13-123 Authorize the Mayor to execute the Street Intersection Agreement associated with Block 3.01, Lots 6, 7 & 8

Mr. Brannen explained that a similar resolution was done previously but the statute of limitation has expired and a new authorizing resolution is required.

INDIVIDUAL ACTION:

VOUCHERS: \$ 6,192,058.48

RESOLUTIONS:

13-124 Stating Compliance with Promulgation of Local Finance Board of the State of New Jersey accepting the 2012 Township of Ocean Audit

13-125 Amend the contract with Asbritt, Inc. (State Contract #AG-063) to provide assistance in waste management

Mr. Brannen said that the Township did not use the services of Asbritt exclusively but rather for the Cindy Lane site and limb removal, however, an additional \$35,000.00 was needed.

13-126 Authorize a contract with Seacoast Chevrolet to perform vehicle repairs for the period July 1, 2013 through December 31, 2013 (State Contract #A76415)

13-127 Authorize the Tax Collector to place a lien on the following Township properties:

- a. Block 138, Lot 67 – 14 Surrey Lane - \$1,342.76
- b. Block 3, lot 21 – 601 West Park Avenue - \$599.37
- c. Block 33.13, Lot 25 – 2016 Fanwood Street - \$305.17
- d. Block 3.02, Lot 6 – 18 Branch Road - \$179.81

Mr. Brannen explained that these were property maintenance charges associated with the cleanup of these properties.

13-128 Authorize the Tax Collector to issue refund check(s) to the following owner(s) who has been declared a 100% totally disabled veteran:

- a. Block 26.08, Lot 23.01 431 West Lincoln Avenue
- b. Block 40.01, Lot 13 10 Dwight Drive

13-129 Authorize the Consideration of Bids for the following:

- a. Bituminous Concrete Mix I-2, I-4 and I-5

13-130 Authorize Professional Services Contracts for the period July 1, 2013 through June 30, 2014 with the following:

- a. McLaughlin, Stauffer, & Shaklee P.C. - Bond Counsel
- b. Martin J. Arbus, and the Firm Arbus, Maybrook & Goode, LLC – Township Attorney

Mr. Brannen informed the Council that both professionals have maintained their fees from the prior year.

13-131 Appoint Andrew G. Brannen as the Townships Purchasing Agent and increasing the bid threshold to \$26,000.00, in accordance with Local Finance Notice 2011-27

Mr. Brannen said that he received his Qualified Purchasing Agent certification but the Township never formally increased the bid threshold from \$17,500.00 to \$26,000.00, as allowed by law.

13-132 Authorize the Stormwater Management Agreement with the following:

- a. Block 216, Lots 15 & 16 – 1501 Allen Avenue – LIPAC, LLC
- b. Clock 9, Lot 2.01 – 71 Larchwood Avenue – Eric Epstein

13-133 Approve the placement of one (1) roll-off container as requested by Renaissance Properties, Inc. for a period not to extend beyond December 31, 2013

Mr. Brannen explained that the dumpster will remain on the construction site until the work has been completed.

13-134 Authorize a contract with Focus on Training USA, LLC to perform a hazard tree inventory at a cost not to exceed \$2,100.00

Mr. Brannen said a request had been received from the Shade Tree Commission and the decision is to perform said inventory one quadrant at a time.

13-135 Authorize the Tax Collector to issue refunds to property owner(s) who have received a favorable State Tax Appeal judgment

ORDINANCES:

Adoption(s):

Ordinance #2206 – An Ordinance amending and supplementing Chapter 21 Section 21-40 of the Comprehensive Land Development Ordinance of the Township of Ocean entitled: O-1/20 Office/Limited Service Zone
(Coaster)

Mr. Brannen stated that the Public Hearing will be held this evening but we will need to carry the hearing until the August 15 meeting because the Planning Board has not had a chance to review the ordinance. No official action will be taken at this meeting.

Introduction(s):

Ordinance #2207 – An Ordinance amending and supplementing Chapter XII of the “Revised General Ordinances of the Township of Ocean, 1965” prohibiting parking along portions of Camp Avenue and North Wanamassa Drive
(P. H. 8/15/13 Coaster)

Mr. Brannen said that traffic/parking issues are prevalent on these roadways so the Police Traffic Safety Division is recommending parking restrictions in hopes of alleviating said issues.

Ordinance #2208 – An Ordinance amending and supplementing Chapter III of the “Revised General Ordinances of the Township of Ocean, 1965” amending massage establishments
(P. H. 8/15/13 Coaster)

Mr. Brannen said that certain Township requirements are redundant to the State requirements so the Townships ordinance is being amended to take into account those redundancies.

Ordinance #2209 – An Ordinance releasing reverter in chain of title of real property
(P. H. 8/15/13 Coaster) located at Block 207, Lot 5, commonly known as 1207 Lawrence
Avenue

ITEM FOR DISCUSSION:

SUBJECT: Alliance Update

ACTION: Don and Marie Curtis, longtime volunteers of the Alliance spoke about the concern they had with the future of the Human Services Department due to the retirement of Dr. Ponton. However, after meeting numerous times with Mr. Brannen, and seeing how well Sharon Moleski (Counseling) and Kathy Reiser (Recreation) are working together, their concerns have been alleviated.

Mr. & Mrs. Curtis were pleased that additional help had been brought on to assist both areas in the performance of their functions. They further stated that they believe both Recreation and Human Services are so closely interwoven that they need to continue to operate as one department and not be split.

SUBJECT: 2013 Road Program Update

ACTION: Mr. Brannen distributed a road resurfacing list for 2013. The estimated cost for the entire list, including engineering costs, is \$1,829,000.00. Mr. Brannen went on to say that there is a possibility that some of the roads listed will not be done during the 2013 resurfacing program.

SUBJECT: Health Savings Account Update

ACTION: Mr. Brannen reported that he met with three of the Townships bargaining units to discuss the proposed Health Savings Account program. The response was favorable, although Mr. Brannen is not sure how many members will choose to join. The PBA has requested that a meeting be held in the evening for those members of their bargaining unit that are unavailable during the daytime.

Mr. Brannen reiterated the Townships position that this is a good way to save money but there is a certain amount of risk involved. Discussion was also held about whether the Township would be willing to offer any incentive for employees to join.

Item D4 was not discussed at this meeting, however, the following items were added to the Agenda:

Tax Appeal Update:

Mr. Brannen asked Stephen Gallagher, Director of Finance, to discuss the tax appeal situation facing the Township.

Mr. Gallagher noted that on the July 10th Agenda, Resolution #13-135 approved refund(s) in the amount totaling \$550,000.00 going as far back as 2007. To date, the Township has issued approximately \$800,000.00 in tax appeal refunds, with another \$300,000.00 in County appeal refunds still pending. The total exposure for the Township in 2013 would be \$1.4 million.

Due to the significant exposure, Mr. Gallagher explained that one option to lesson the impact on the 2013 budget would be to bond the necessary funds, which would allow the Township to pay it back over a three or five year period. This would enable the Township to stabilize the tax impact of these judgments. Further discussion will occur at a subsequent meeting.

2014 Community Development Block Grant Update:

Mr. Brannen noted that the 2014 CDBG application would be filed on July 12, 2013 and the project selected was the improvements to the West Park Recreation Center.

Engineering Proposals:

Mr. Brannen stated that six proposals were received and he will be reviewing them and a recommendation should be ready by the August 15, 2013 Council meeting.

COUNCIL REPORTS:

Councilmember Schepiga said that there was an odor coming from the dump site over the past weekend and requested Mr. Brannen have Public Works look into it.

Councilmember Garofalo said that he attended the exit interview with the Township Auditors and was very pleased that the 2012 Audit did not note any material deficiencies in the Townships operation.

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

Councilmember(s) Evans
Deputy Mayor Siciliano
Martin Arbus, Esq., Township Attorney

PUBLIC COMMENTS:

There were no comments at this time.

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 – 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