

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

OCTOBER 17, 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: 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 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 Special Public Meeting of October 17, 2013, unless otherwise noted (*):

PRESENTATION OF CERTIFICATES:

Clean Communities Coloring and Poetry Contest Winners

Mayor's Statement: Public Portion of any Questions as to Resolutions and Vouchers

The purpose of this public portion is solely to ask questions to understand Resolutions and Vouchers that appear on this agenda and is not an occasion for a public hearing on an Ordinance. All questions not related to an item on this Agenda should be asked during the Public Comments portion at the conclusion of the meeting.

CONSENT:

MINUTES:

September 17, 2013 – Workshop, Public and Closed Meeting
October 3, 2013 – Workshop, Special Public and Closed Meeting

RESOLUTIONS:

13-201 Accept the Performance Guarantees for the following:

a. Block 23, lot 20 – 312 Sherman Avenue – AS Builders

13-202 Authorize the Acceptance of a Developers Agreement with the following:

- a. Block 8, Lots 20 & 27 – 45 Monmouth Road – The White House in Oakhurst, LLC
- b. Block 137, Lots 30 & 31 – 909 Highway 35 – MNC Properties, LLC
- c. Block 137, Lots 28 & 29 – 911-919 Highway 35 – Ocean Sunset 35, LLC
- d. Block 182, Lots 79 & 80 – 1100 Eagle Avenue – Eagle Advanced Holdings, LLC

Andrew Brannen said that Item A pertained to the tea house on Monmouth Road, Item B pertained to Acura on Route 35, Item C pertained to CVS and Item D pertained to Seaview Orthopaedic on Eagle Avenue

13-203 Approve the release of 2013 Closed Session Minutes

13-204 Authorize the submission of the following grant(s):

- a. FY2014 NJ Department of Transportation Trust Fund Municipal Aid Program

13-205 Amend Resolution #13-032a extending our current Alliance Grant

Mr. Brannen stated that the extension is necessary because the grant process is being revamped.

13-206 Authorize the transfer of the following liquor license(s):

- a. #1337-33-006-013, issued to Tommy's Ocean, LLC to 2105 Highway 35, LLC effective October 17, 2013

INDIVIDUAL ACTION:

VOUCHERS: \$5,277,929.37

RESOLUTIONS:

13-207 Authorize the refund of successful County Tax Appeal(s)

13-208 Authorize consideration of the following receipt of bids:

- a. Motor Oils and Lubricants
- b. Recap Tires, Accessories and Road Service

Mr. Brannen said that the Township received only one response for each item.

13-209 Amend the contract with Joseph Verruni to serve as the Townships Hearing Officer

Mr. Brannen said that Mr. Verunni's service as the Township's hearing officer should end soon as the disciplinary matters are almost settled.

13-210 Authorize a contract with Michael R. DuPont, Esq., and the Firm McKenna, DuPont, Higgins and Stone to finalize open tax appeals at a cost not to exceed \$20,000.00

Mr. Brannen said that the appeals that Mr. DuPont is working on are pre-2013.

13-211 Approve a Ch. 159 for the following:

- a. Green Communities Grant

13-212 Award a contract to Fernandes Construction, Inc., South River, NJ, to perform drainage improvements at the West Park Avenue Recreation facility at a cost not to exceed \$16,625.00

Mr. Brannen said that these improvement were needed due to seepage that has been noticed at the Community Gym.

13-213 Authorize the Request for a Change in Title, Text or Amount of Appropriation

13-214 Authorize the use of the Procurement Card vendor available through the State of New Jersey for the purchase of goods and services on-line where the use of purchase orders are not accepted

Mr. Brannen said that the credit card will be used by the Township when a purchase order can not be utilized for on-line purchases

ORDINANCES:

Adoption(s):

Ordinance #2213 – Amend Chapter II of the “Revised General Ordinances of the Township of Ocean, 1965” entitled “Personnel Policies, Practices and Procedures”.
(Coaster)

Mr. Brannen informed the Governing Body that the following amendments were made to the Policy: sick leave was capped at \$15,000, Department Heads accumulated time will not have any cash value, and the establishment of the high-deductible HAS account.

Ordinance #2214 – Amend Chapter X, Section 6.1 of the “Revised General Ordinances of the Township of Ocean, 1965” to establish the requirements for mandatory recycling of E-Waste
(Coaster)

Introduction(s):

Ordinance #2212 – Refunding Bond Ordinance providing for the payment of amounts owed to others for taxes levied in and by the Township of Ocean appropriating \$1,400,000.00 therefore and authorize the issuance of \$1,400,000.00 bonds or notes
(P.H. 11/14/13 Coaster)

ITEM FOR DISCUSSION:

SUBJECT: Community Energy Aggregation

ACTION: Mr. Brannen said that a proposal has been brought forth from a company by where the Township would solicit a bid for electric for all customer accounts and the residents would have the opportunity to sign up to join in. Mr. Brannen is uncertain if the Township should participate in said program.

SUBJECT: Council Meeting Update

ACTION: Mr. Brannen said that due to the impending appearance before the Local Finance Notice on November 13, 2013, he is recommending that the November 7th Council meeting be moved to November 14th beginning at 5:30 pm. All concurred.

SUBJECT: Whalepond Village Update

ACTION: Mr. Brannen said that the Closing was held on October 16th with the sale price being \$7,125,000.00. The Township will be receiving the funds by December 1, 2013. CIS will be paying a Payment in Lieu of Taxes.

Mr. Brannen also stated that the Township will also be receiving \$500,000.00, which was supposed to be the Township's contribution to the project but has negotiated with CIS to have those funds returned to the Township.

COUNCIL REPORTS:

Deputy Mayor Siciliano discussed a new proposal for the construction of an indoor tennis facility. Deputy Mayor Siciliano discussed the proposal, which included moving the location further off of West Park Avenue and the incorporation of a turf carpet, which would be utilized for soccer and/or field hockey.

Councilmember Schepiga inquired about the large number of Deal Watershed signs located throughout the Township.

Mr. Brannen said that there were only four signs located throughout the Township

Councilmember Schepiga also discussed the Welcome Package for new residents and the items that she feels need to be included.

Councilmember Schepiga mentioned that it appeared that work was being done on the Budget Motel.

Mr. Brannen said that the drainage and curbing are completed.

Councilmember Garofalo said that the recycling center improvements have certainly enhanced the facility.

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

Councilmember(s) Evans
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
3. It is anticipated at this time that the Municipal Clerk shall 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