

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

December 3, 2015

OAKHURST, NEW JERSEY

The Workshop Meeting was held in the Council Conference Room, Town Hall, 399 Monmouth Road, Oakhurst, NJ 07755 beginning at 5:00 p.m.

Present: Mayor Siciliano
Deputy Mayor Garofalo
Councilmember(s) Acerra (via telephone), Long and Schepiga

Others: Martin Arbus, Esq., Township Attorney
Andrew Brannen, Township Manager
Vincent Buttiglieri, Township Clerk

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 30, 2014.

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 Public Meeting of December 3, 2015, unless otherwise noted (*):

Public Questions:

CONSENT AGENDA:

MINUTES:

November 12, 2015 - Workshop and Public Meeting(s)

RESOLUTIONS:

15-206 Authorize the Full Release of the Performance Guarantees for the following:

- a. Block 37, Lot 12 - 139 Cold Indian Springs Road - Douglas R. Hindman
- b. Block 8.02, Lots 3 & 23 - 48 Larchwood Avenue - Larchwood Minyan, Inc.

Andrew Brannen, Township Manager, said that both performance bonds were submitted for the construction of single family homes.

15-207 Authorize the Full Release of the Maintenance Guarantee for the following:

- a. Block 3, Lots 7, 8, & 9 - 2121-2123 Highway 35 - Gold Coast Automotive, LLC/Serra Works of New Jersey, LLC

15-208 Authorize the release of Closed Session Minutes from November 12, 2015

15-209 Authorize the Receipt of Bids for the following:

- a. Recap Tires, Accessories and Road Service
- b. Motor Oils and Lubricants
- c. Uniforms for the Department of Public Works and the Board of Education

Mr. Brannen stated that these bids are solicited by the Township yearly for the subsequent year.

15-210 Authorize the submission of the **Cops in Shops College Fall Initiative 2015-2016 Grant** application

15-211 Authorize the acceptance of the NJDEP Green Acres Grant for the acquisition of a portion of Poplar Village

Mr. Brannen said that this was the second Grant the Township is receiving for Poplar Village but this is for Phase II of the Poplar Village Acquisition Project.

- 15-221 Approve the Place-to-Place Transfer of Liquor License #1337-33-010-101, Espinosa, Inc. effective December 3, 2015

INDIVIDUAL ACTION:

VOUCHERS: \$152,843.12

RESOLUTIONS:

- 15-212 Authorize the change in Petty Cash Custodian for the Township of Ocean Police Department in accordance with N.J.S.A. 40:5-21

Mr. Brannen said the change was necessitated by the retirement of Captain Resetar as of December 1, 2015.

- 15-213 Authorize the Consideration of the following Bids:

- a. Tennis Services
- b. Traffic Striping and Pavement Marking

Mr. Brannen said that the Township has traditionally only received one response for the Tennis Services bid and it has been the same bidder each time. The contract will be for one (1) year with an option for two (2) one-year renewals.

- 15-214 Authorize the rejection of the bid for Lifeguard Services due to failure to submit the required documents and excessive pricing and authorize the rebidding of said services

Mr. Brannen said that the two lowest bidders did not supply the required bid bond and the third bidder was significantly higher than the budgeted amount for these services. There was a fourth potential bidder who did not submit due to questions about the indemnification language.

Mr. Brannen said the language issue should be rectified prior to going out to bid again.

- 15-215 Authorize the Tax Collector to issue a refund to the property owner of Block 153, Lot 66.26 due to a duplicate payment for the 4th quarter 2015

- 15-216 Authorize the acceptance of the following Grant:

- a. Drive Sober or Get Pulled Over 2015 Year End Holiday Crackdown

- 15-217 Authorize the purchase of treated rock salt through the State of New Jersey Cooperative Purchasing Program from Morton Salt (State Contract #A40201) at a cost of \$92.01 per ton

- 15-218 Confirm the Private Sale of Real property to Robin Pflieger for property located on Wardell Place, Block 123, Lot 41

Mr. Brannen reported that this was a private sale to one of the contiguous property owners. The other owner did submit a bid.

Mr. Brannen also reminded everyone that there is a storm sewer easement running through Block 123, Lot 40.

- 15-219 Authorize the purchase of the following truck for the Department of Public Works from Beyer Ford, Morristown, NJ (State Contract #A88727):

- a. 2016 Ford F-250 with Utility Body and Snow Plow \$47,440.50
- b. 2016 Ford F-450 with Dump Body and Snow Plow \$62,280.50
- c. 2016 Ford F-450 with Grain Body and Snow Plow \$74,193.50

Mr. Brannen said that the trucks being replaced will all be auctioned off.

Mayor Siciliano suggested the Township advertise the availability of the trucks prior to going to auction as there may be a local business looking for similar trucks. If there is no interest, the Township can proceed with the auction.

15-220 Appoint the Captain of Administration of the Police Department as the Municipal 9-1-1 Coordinator

Mr. Brannen said the change was necessitated by the retirement of Captain Resetar as of December 1, 2015.

ORDINANCES:

Adoption(s):

Ord #2250 – (Coaster)

A bond ordinance providing for various improvements, appropriating \$225,000 therefor, and authorizing the issuance of \$213,750 bonds or notes to finance a portion of the cost and directing a Special Assessment of the costs

Mr. Brannen said that this ordinance authorizes the creation of the 2015 assessment district.

Ord #2252 – (Coaster)

An ordinance of the Township of Ocean repealing Chapter 5, Section 5-13, Ordinance #2195, - Secondhand Dealers, in its entirety and replacing it with "Dealers in Precious Metals and other Secondhand Goods

Introduction(s):

Ord #2251 – (P.H. 12/29 Coaster)

An ordinance amending and supplementing Chapter 21 – The Comprehensive Land Development Ordinance of the Township of Ocean

Mr. Brannen said this pertains to the BVB property on Clearview Drive, which was the first Builders Remedy lawsuit. The property is zoned for 72-units with a 15-20% set-aside for affordable units. The Fairness Hearing will take place on December 4, 2015. Mr. Arbus will report back at the next meeting.

Ord #2253 – (P.H. 12/29 Coaster)

An ordinance amending and supplementing Chapters II, II-B, VII and X of the "Revised General Ordinances of the Township of Ocean, 1965"

Mr. Brannen asked that this ordinance be held for a subsequent meeting.

Ord #2254 – (P.H. 12/29 Coaster)

An ordinance amending and supplementing Chapter V, Sections 5-5.4 and 5-15.3 of the "Revised General Ordinances of the Township of Ocean, 1965" entitled: Licensing

Mr. Brannen reported the due date for license renewal is being moved from January 31st until March 31st.

Ord #2255 – (P.H. 12/29 Coaster)

An ordinance amending Ordinance 2185 entitled: An ordinance fixing salaries and compensation of certain offices, positions, and employees in the Township of Ocean

Mr. Brannen reported the ordinance takes in to account an adjustment of 2% in 2016 and 2017.

COUNCIL REPORTS:

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

Deputy Mayor Garofalo
Councilmember(s) Acerra, Long and Schepiga
Martin Arbus, Esq., Township Attorney
Andrew Brannen, Township Manager

ITEM FOR DISCUSSION:

SUBJECT: Ordinance Revisions

ACTION: Mr. Brannen and Martin Arbus, Esq., Township Attorney, discussed the sample "No Knock" ordinance the Township is considering. Mr. Arbus expressed concerns over certain aspects.

Mayor Siciliano notes some suggestions concerning on-line versus in-person registration and the fees associated with both.

Mr. Arbus will revise said sample ordinance to take in to account the comments made. It will be discussed at the December 29, 2015 Workshop meeting.

Mayor Siciliano also discussed a few other potential ordinances that he may want the Township to look into. More discussion will be had at a future meeting.

SUBJECT: 2016 Tentative Council Meeting Schedule

ACTION: Mr. Brannen distributed an updated 2016 meeting schedule. After discussion, it was decided to add a quarterly Workshop Only meeting.

The Council determined that the Budget Workshop will be held on Saturday, February 6, 2016 beginning at 9:00 a.m.

The Council also wanted to add a Workshop meeting to the December 29, 2016 meeting to begin at 6:00 p.m., with the Public meeting to follow at 7:00 p.m.

SUBJECT: 2016 Budget Update

ACTION: Mr. Brannen reported the pension numbers increased by approximately 7%, or \$150,000, more than 2015 and the premium for the Monmouth County Regional Health Commission increased by 4%.

SUBJECT: Annual Appointment Update

ACTION: Mayor Siciliano and Councilmember Long will comprise a sub-committee to review the annual appointments.

SUBJECT: Assessment demonstration Project Update

ACTION: Mr. Brannen said a model resolution should be available shortly should the Township wish to Opt Out of the Program. Regardless, the established calendar would stay in place.

Mayor Siciliano will announce it is the intention of the Township to opt-out of the program and will do so formally once the sample resolution becomes available..

Miscellaneous Items for Discussion:

- Blue Acres will be scheduling a meeting in January 2016 with the homeowners who have expressed interest in participating in the demolition program. Purchase offers will be made sometime in the Spring 2016. Subsequent to the purchase and demolition, the Township will be required for the maintenance of said property.

PUBLIC COMMENTS:

Mr. Madden inquired about provisions of the “No Knock” ordinance.

Seeing that there were no Public Comments, 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. Litigation – Alcoholic Beverage Control Licenses
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 Garofalo	Councilman Acerra	Councilman Long	Councilwoman Schepiga	Mayor Siciliano
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 Garofalo	Councilman Acerra	Councilman Long	Councilwoman Schepiga	Mayor Siciliano
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