

**BOROUGH OF SOUTH TOMS RIVER
REGULAR CAUCUS MEETING
OCTOBER 21, 2013, 7:00 PM**

Mayor Champagne opened the meeting at 7:00 p.m

- 1. MOMENT OF SILENCE & FLAG SALUTE**
- 2. STATE OF PUBLIC NOTICE**

This meeting of the Mayor and Borough Council was called pursuant to the provisions of the Open Public Meeting Law. Notice of this meeting was sent to the Asbury Park Press on December 6, 2012; in addition a copy of notice is posted on the bulletin board in the Municipal Building, and filed in the office of the Borough Clerk.

3. ROLL CALL:

	Cradle	Handshy	Murray	Reevey	Sykes	Williams	Champagne
Present	x	x	x	x	x	x	x
Absent							

Also present was Solicitor Tarver

- 4. PRESENTATIONS: NONE**
- 5. PUBLIC COMMENTS:**

Mayor Champagne opened the floor up for Public Comments. Seeing none, Public Comments was closed.

6. APPROVAL OF MINUTES

Mayor Champagne asked for August 12 and 19, including Closed Session minutes to be tabled until next meeting.

7. INTRODUCTION OF ORDINANCES:

Municipal Clerk read both Ordinance in full as per the direction of Solicitor Tarver.

Ordinance 2013-12 Designation of Stop Intersection at various intersections
BOROUGH OF SOUTH TOMS RIVER

Ordinance NO. 12-13

WHEREAS, the Governing Body of the Borough of South Toms River finds it in the interest of public safety to designate the intersections below as Stop Intersections pursuant to N.J.S.A. 39:4-8;

WHEREAS, the Municipal Engineer has submitted and certified all the legislative requirements pursuant to N.J.S.A. 39:4-8, and the criteria as set forth by the Manual on Uniform Traffic Control Devices (MUTCD) has been met;

NOW, THEREFORE BE IT ORDAINED, by the Borough of South Toms River in the County of Ocean and in the State of New Jersey, that the intersections below shall be designated as a Stop Intersection pursuant to N.J.S.A. 39:4- 8 under the Municipal Engineer’s certification & Seal and License Number GE#29658 as follows:

Stop Intersection:

Pursuant to the provisions of N.J.S.A. 39: 4-140 the intersection described is hereby designated as a Stop Intersection.

Sign On	Intersection	Stop Sign On	Intersection
Edgemont Terr.	Edgemont Terr. & Ardmore Ave.	Albright Road	Albright Rd. & Amherst Rd.
Charles Ave.	Charles Ave. & Deauville Ave.	Drexel Drive	Drexel Dr. & Applegate Ave.
Deauville Ave.	Deauville Ave. & Belmont Dr.	Dittmar Drive	Dittmar Dr. & Applegate Ave.
Colby Street	Colby St. & Cornell Rd.	Tolly Court	Tolly Ct. & Dittmar Dr.
Citadel Court	Citadel Ct. & Alfred Rd.	Dittmar Drive	Dittmar Dr. & Applegate Ave.

Citadel Avenue	Citadel Ave. & Alfred Rd.		Applegate Avenue	Applegate Ave. & Attison Ave.
Carnegie Street	Carnegie St. & Alfred Rd.		Drew Lane	Drew Lane & Attison Ave.
Brandies Court	Brandies Ct. & Brandies Rd.		Dartmouth Drive	Dartmouth Dr. & Attison Ave.
Baylor Street	Baylor St. & Bucknell Dr.		Sudsbury Drive	Sudsbury Dr. & Greenridge Dr.
Bucknell Drive	Bucknell Dr. & Alfred Rd.		Locker Street	Locker St. & Lakeview Dr.
Alfred Drive	Alfred Dr. & Annapolis Rd.		Lakeview Drive	Lakeview Dr. & Lakeview Dr.
Adelphi Road	Adelphi Rd. & Albright Rd.		Mathis Plaza	3 driveways to Route 166

Penalties: Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of any provision of this Ordinance or any supplement thereto shall be liable to the penalty of not more than fifty dollars (\$ 50.00).

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and upon the installation of the required signs and pavement markings.

I, Joseph Kostecki, Clerk of Borough of South Toms River, hereby certify that the above is a true certified Ordinance adopted by the Borough’s governing body on the 21st day of October Year 2013.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Borough Council of the Borough of South Toms River, in the County of Ocean and State of New Jersey, held on the 21st day of October 2013, and will be considered for second reading and final passage at the Regular meeting of said governing body to be held on the 18th day of November, 2013 at 7:00 pm at the Borough Hall, 144 Mill Street, South Toms River, New Jersey, at which any person desiring to be heard upon the same will be given an opportunity to do so.

Joseph A. Kostecki
Acting Municipal Clerk

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Cradle	X			
		Handshy	X			
		Murray	x			
	x	Reevey	X			
		Sykes	X			
		Williams	X			

Ordinance 2013-13 Designation of Stop Intersection at the Intersection of Chamberlain and Applegate Avenue

BOROUGH OF SOUTH TOMS RIVER

Ordinance NO. 13-13

WHEREAS, the Governing Body of the Borough of South Toms River finds it in the interest of public safety to designate the intersection of Chamberlain Street with Applegate Avenue as a four-way Stop Intersection pursuant to N.J.S.A. 39:4-8;

WHEREAS, the Municipal Engineer has submitted and certified all the legislative requirements pursuant to N.J.S.A. 39:4-8, and the criteria as set forth by the Manual on Uniform Traffic Control Devices (MUTCD) has been met;

NOW, THEREFORE BE IT ORDAINED, by the Borough of South Toms River in the County of Ocean and in the State of New Jersey, that the intersections below shall be designated as a Stop Intersection pursuant to N.J.S.A. 39:4- 8 under the Municipal Engineer’s certification & Seal and License Number GE#29658 as follows:

Stop Intersection:

Pursuant to the provisions of N.J.S.A. 39: 4-140 the intersection of Chamberlain Street with Applegate Avenue is hereby designated as a four-way Stop Intersection.

Penalties: Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of any provision of this Ordinance or any supplement thereto shall be liable to the penalty of not more than fifty dollars (\$ 50.00).

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and upon the installation of the required signs and pavement markings.

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Joseph A. Kostecki
Acting Municipal Clerk

Councilman Murray raised concern that this 4-way stop may cause additional issues. Municipal Engineer stated this was created in response to a traffic study. Sandy Ross asked if the Police were included in this study. The Municipal Engineer stated this study is constructed by the Engineer.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Cradle	X			
		Handshy	X			
		Murray			x	
		Reevey	X			
		Sykes	X			
x		Williams	X			

8. RESOLUTIONS

The Municipal Clerk read the following resolution, and was tabled for Closed Session.

Resident, Sandy Ross, asked if this should be solicited also with Civil Service. Solitor Tarver stated this was not a Civil Service position.

Resolution 2013-199 Authorizing the Advertisement of a Deputy Municipal Clerk position

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle	X			
		Handshy	X			
		Murray	X			
		Reevey	X			

		Sykes	X			
		Williams	X			

Resolution 2013-200 Awarding a contract to Earle Asphalt for the construction of Mathis Plaza Improvements - Phase 3

Councilman Murray confirmed with Municipal Engineer that this award was for the construction of the sidewalk.

The Municipal Engineer also confirmed a resident's question that this is paid for by State CDBG money.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Cradle	X			
		Handshy	X			
		Murray	X			
	x	Reevey	X			
		Sykes	X			
		Williams	X			

Resolution 2013-201 and Resolution 2013-202 were tabled for Closed Session

Resolution 2013-201 Authorizing the hiring of Timothy Noel for a full-time position in the South Toms River Public Works Department

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Cradle	X			
Table		Handshy	X			
		Murray	X			
		Reevey	X			
		Sykes	X			
		Williams	X			

Resolution 2013-202 Authorizing the hiring of Ronnell Decker for a full-time position in the South Toms River Public Works Department

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Cradle	X			
		Handshy	X			
table		Murray	X			
		Reevey	X			
		Sykes	X			
		Williams	X			

Resolution 2013-213 Amending the salary of Linda Petty for the position of Police Records/Records Support Technician 3

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Cradle	X			
	x	Handshy	X			
		Murray	X			
		Reevey	X			
		Sykes	X			
		Williams	X			

Resolution 2013-214 Amending the salary of Patricia Reevey for the position of Assistant to the Tax Collector and Assistant to the Chief Financial Officer

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Cradle	X			
		Handshy	X			
Tabled		Murray	X			
		Reevey	X			
		Sykes	X			
		Williams	X			

Resolution 2013-216 Authorizing a contract with David D'Ambrosia Plumbing & Mechanical for Court Room Ceiling Installation

Municipal Clerk confirmed to Councilman Murray that this is for the Court Ceiling and at-least 2 bids were received for this contract.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Cradle	X			
		Handshy	X			
x		Murray	X			
		Reevey	X			
		Sykes	X			
		Williams	X			

Councilman Murray asked to table 2013-214, 2013-217, R 2013-218, R 2013-219

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle	X			
		Handshy	X			
table		Murray	X			
		Reevey	X			
		Sykes	X			
		Williams	X			

Resolution 2013-217 Approving the Promotion of South Toms River Borough Patrolman Frank Polozzo to Provisional Sergeant

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle	X			
		Handshy	X			
table		Murray	X			
		Reevey	X			
		Sykes	X			
		Williams	X			

Resolution 2013-218 Approving the Promotion of South Toms River Borough Detective Timothy Meier to Provisional Sergeant

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle	X			
		Handshy	X			
table		Murray	X			
		Reevey	X			
		Sykes	X			
		Williams	X			

Resolution 2013-219 Approving the Promotion of South Toms River Borough Patrolman William Kosh to Detective

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle	X			
		Handshy	X			
table		Murray	X			
		Reevey	X			
		Sykes	X			
		Williams	X			

9. CONSENT AGENDA/PERMISSION

The below listed items are considered to be routine by the Borough of South Toms River and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

Councilman Murray requested Resolution 2013-189 be considered separately. He stated Mr. Mathis was not a veteran. He does not have a veteran memorial in recognition of a veteran, but to name this dedication as veteran memorial park is not warranted for someone who did not serve our country in the military.

Mayor Champagne stated this is a dedication to all veterans. He mentioned that Mathis' son was a boat captain. This does not take away the contribution of our veterans, it is reflecting on the contribution of all veterans.

Sandy Ross asked if the changing of the name to Mathis Veterans Memorial Park would harm the use or any future funding of Mathis Plaza

Municipal Clerk stated he confirmed with the Land Use Attorney that this was a change in name only and would not change the use or funding of the property.

Mayor Champagne stated this will not change the use in any way. It could in fact possibly allow for additional funding as a Veterans Memorial.

Councilman Handshy stated he is a veteran, and supports Veterans. The submarine veterans already have a memorial in place, this place is the home of the Submarine Veterans, and raised concern that the park would run out of space if additional space was mandated to allow all veterans to place a memorial on this location due to dedicating this as a Veterans Memorial Park.

Solicitor Tarver asked Councilman Handshy if there was an indication that he received information that would mandate the allowance of all veterans to place a memorial on this location due to the name change. Councilman Handshy responded raising concern of this potential.

Vice Commander of the Submarine Base stated that all branches of the military are already represented at the current memorial at Mathis Plaza. Anyone who wished to add a stone is welcomed, as the Submarine Veterans are looking to add the memorial.

Resolution 2013-189 Resolution recognizing veterans and dedicating Mathis Plaza a Mathis Veteran Memorial Park

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle		x		
		Handshy		x		
		Murray		x		
		Reevey	X			
	x	Sykes	X			
x		Williams	X			

Mayor Champagne voted in the Affirmative to break a tie. The Resolution passed 4 Yeas and 3 voting Nay

Municipal Clerk addressed questions with regard to waivers of fees and waiver of mercantile license for a special event with East Coast Paws N Claws. He further stated other municipalities have waiver of fees as well as ordinances allowing special events. Mr. Tarver confirmed this was allowed, based on past practices of the town which were stated by Bill Gleason and Sandy Ross that the Borough previously allowed events at Mathis Plaza and charged the nonprofit vendor a minimal fee.

Resolution 2013-203 Granting permission to the 501(C)(3) East Coast Paws N Claws Animal Rescue for the 1st Annual Howliday fundraiser event on Saturday November 2nd.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Cradle		x		
		Handshy		x		
		Murray		x		
x		Reevey	X			
		Sykes	X			
		Williams	X			

The following Resolutions and Proclamation went back to Consent Agenda

Proclamation Curfew regulations during the Halloween Season

Resolution 2013-204 Granting permission to the South Toms River Volunteer First Aid Squad for a Coin Toss on November 2, 2013 at the intersection of Double Trouble Road and Rt 530.

Resolution 2013-205 Granting the Municipal Clerk to provide a key to Borough Hall to the Submarine Veterans for the purpose of their meetings

Resolution 2013-206 Resolution Supporting the proposed Hurricane Sandy Tax Relief Act of 2013

- Resolution 2013-207 Resolution Authorizing cancellation of 2013 Real Estate Taxes on Block 4 Lot 3 Qualifier B01
- Resolution 2013-208 Resolution authorizing 2013 Tax Sale and Setting Fees
- Resolution 2013-209 Resolution authorizing 2013 Tax Tax Sale Certificate # 12-00006 on Block 20.26, Lot 6 – 132 Attison Avenue
- Resolution 2013-210 Resolution authorizing 2013 Tax Tax Sale Certificate # 12-00008 on Block 20.29, Lot 1 – 150 Attison Avenue
- Resolution 2013-211 Resolution authorizing 2013 Tax Tax Sale Certificate # 12-00011 on Block 21.12, Lot 15 – 9 Colgate Road
- Resolution 2013-212 Resolution authorizing 2013 Tax Tax Sale Certificate # 11-00019 on Block 21.08, Lot 6 – 29 Annapolis Road
- Resolution 2013-220 Resolution Approving the refund of Tax Over-payment to Thomas Patierno

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Cradle	X			
		Handshy	X			
	x	Murray	X			
		Reevey	X			
		Sykes	X			
		Williams	X			

10. VOUCHERS

Sandy Ross raised a question on a person listed on the Bill List who is attending the NJ League of Municipalities.

Councilman Handshy asked for clarification from the CFO on the cost of sparkplugs. The CFO stated this cost is for 1 car. The CFO was asked to hold payment on this until clarification on the charge.

A resident raised a question on page 15, confirmed the purchase of infra-red cameras for Manitou Fire through Shared Services.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Cradle	X			
		Handshy	X			
x		Murray	X			
		Reevey	X			
		Sykes	X			
		Williams	X			

11. OLD BUSINESS

Mayor Champagne reminded the public of the Honoring Hurricane Sandy Heroes Event Oct 24th - 6:30pm @ STR Elementary. This event will honor those who were the first responders during Super Storm Sandy. Individuals and Organizations will be present. The Municipal Clerk stated the Boy Scouts and Girl Scouts will be leading the flag salute, the National Anthem will be sung. The attendance is unknown since this is the first event.

The Municipal Clerk stated the Pinelands Commission provided a Resolution authorizing the Borough’s Master Plan. The Pinelands Commission thanked the Borough.

Councilman Handshy clarified to a resident that this approval means the Pinelands Commission cannot overturn our zoning ordinances.

12. NEW BUSINESS

Mayor Champagne asked the Municipal Clerk to expand on the upcoming focus on Borough ordinances.

The Municipal Clerk stated this will revisit the Borough’s ordinance to allow a greater number of vendors and make it more business friendly. The current ordinance does not allow for special

events, or mobile vendors or Home businesses. The Clerk will also revisit taxi ordinances. This will look at both business-friendly policy as well as ensuring the safety of residents.

The Municipal Clerk stated that a robocall system can be in-place when the Borough would like to send out community messages.

13. MONTHLY COMMITTEE & LIAISON REPORTS

Councilman Cradle did not have a report

Councilman Handsby updated on the Environmental Commission, stating this was the first year of the community garden. He further stated this was a success and looks forward to seeing if there is an educational need on how to make a backyard garden for residents. New Jersey is the Garden State and known worldwide for our produce. The work is almost completed at the Recreation building. The Court Ceiling is almost fully taken care of and insurance is handling the recouping of cost. The Borough is in need of service in many of its buildings, and a service contract is something the Borough may want to consider looking into. Additionally, there are major holes at the pier that are need of repair. Vandalism took place on some municipal light poles which will be addressed to the police.

Councilman Williams is looking for volunteers to pick potatoes and hand out to residents who need them. Needy families should come first, however residents will be allowed to pick potatoes as well.

Councilman Murray spoke with the police on behalf of the Police Committee, upgrading computer systems so that all information is readily athand. Public Works interviewed potential candidates for open positions. The Youth Football, Peewee and Jr. Peewee are playing this weekend with hopeful playoff.

Mayor Champagne thanked the Environmental Commission for their work with the Community Garden, stating this was a labor of love. This project coming to fruition is a beautiful sight to behold. He further noted Councilman Handsby's comment that Jersey tomatoes are known throughout the world, and South Toms River tomatoes are just as well known. This is to promote community gardens and educate residents about growing gardens.

Councilman Williams did not have an update

14. PUBLIC COMMENTS

Tom Rolhauzen expressed appreciation for the four-way stop sign.

Anthony Picole 5 Green Ridge Dr, asked for an update on Wawa coming to town. The Governing Body stating it is still at the planning board. He further stated that- the property near the park on Rt 166, he wanted to know if there were any plans or to add to Mathis Plaza. Mayor Champagne stated he spoke with the DEP to obtain grants for the purpose of beautifying this area. Mr. Picole would like to see a gazebo for residents. Municipal Engineer, Chris Theodos, stated CDBG grants would be able to assist in this process.

Councilman Williams stated he agrees with beautifying this area, but not in favor of installing basketball hoops due to previous negative experiences in this area.

Ernest Hemman stated the beatification of recreation areas, in addition to addressing policies on these grounds, can and should be done by the Recreation Commission.

Sandy Ross gave an update stating the Optimist and Municipal Alliance is hosting a Halloween Party at the Recreation Building. It is from 6-9pm and flyers will be available in stores around town. Monday Oct 27 there is a Senior program from 3-5pm. Saturday November 9, the Municipal Alliance is hosting a Punt-Pass-Kick. The Alliance Cheesecake sale is underway as well. The Optimist Raffle is on November 30, and benefits local youth programs.

The Vice Commander of the Submarine Veterans expressed appreciation on behalf of the Submarine Veterans for all of the support given to them by the Governing Body.

CFO, Mr. Gallagher requested permission to include a Security Camera bill on the Call-Out-List. The Governing Body gave the unanimous consent to include this on the Voucher Bill List.

Municipal Clerk stated that the Governing Body should consider a change in schedule, separating the meetings to possible a 1st and 3rd week, or a 2nd and 4th week schedule. This will allow expedited service to residents, as there will be less separation between dates.

15. EXECUTIVE SESSION

Resolution R2013-221 Approving the Governing Body to go into Closed Session for the purpose of discussion Personnel, Collective Bargaining, and Tax Appeals litigation

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Cradle	X			
		Handshy	X			
		Murray	X			
	x	Reevey	X			
		Sykes	X			
		Williams	X			

16. ADJOURNMENT

Out of Executive Session, Mayor Champagne asked for the continual Table for Resolutions 2013- 217, 218 and 219, and for these to be presented at the next Council meeting.

Mayor Champagne asked for a Resolution 2013-214 to be considered

Resolution 2013-214 Amending the salary of Patricia Reevey for the position of Assistant to the Tax Collector and Assistant to the Chief Financial Officer

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Cradle	X			
		Handshy	X			
		Murray		x		
		Reevey	X		x	
		Sykes	X			
	x	Williams	X			

Resolution 2013-202 Authorizing the hiring of Ronnell Decker for a full-time position in the South Toms River Public Works Department

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Cradle	X			
		Handshy	X			
		Murray	X			
		Reevey	X			
	x	Sykes	X			
		Williams	X			

GSI Disaster requested permission to use Borough property as a contractor of the DEP to clean up Cedar Cove Marina. Solicitor Tarver requested more information prior to providing access.

Seeing no other action, the Council asked for a motion to adjourn

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Cradle	X			
		Handshy	X			
	X	Murray	X			
		Reevey	X			
		Sykes	X			
		Williams	X			

The meeting was adjourned at 10:10 p.m.

Respectfully submitted by Acting Municipal Clerk

Approved

Personnel

Joseph M. Champagne, Mayor

Joseph A. Kostecki, Acting Municipal Clerk

DRAFT