

BOROUGH OF SOUTH TOMS RIVER
REGULAR CAUCUS MEETING
May 19, 2014, 7:00 PM

MOMENT OF SILENCE & FLAG SALUTE
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 14, 2013; 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.

ROLL CALL:

	Cradle	Gleason	Handshy	Mosley	Murray	Reevey	Champagne
Present		x	x		x	x	x
Absent	x			x			

There was a request to excuse Councilwoman Mosley due to Medical reasons

First: Councilman Murray Second: Councilman Gleason

With council and Attorney consent.

The Borough Attorney allowed Councilman Reevey to vote via phone call from a satellite location.

PUBLIC COMMENTS

Ernest Hemman 8 Dartmouth Dr. He stated there is a problem with the Citgo Station. He stated the Code Enforcement officer is aware of cars on the property, and stated the cars are being brought in for servicing and repair; although Mr. Hemmann stated there are price tags on some cars.

Councilman Murray stated he spoke with Mr. Richardson. Councilman Murray stated he saw the sticker but he doesn't know if they are being sold there or being repaired there. Mr. Richardson is working on this, and he doesn't know if they are being sold; Mr. Hemmann agreed that he doesn't know if they are being sold. Mr. Richardson is working on it, going through a procedure with Summons and takes an x amount of time.

Mayor Champagne stated this is very relevant because the lists on the cars does not say they are being sold, and the borough does not know if any transactions are being done. If they are being sold, they will proceed full force.

Mr. Hemmann further stated the Pinelands Commission prohibits the sale of cars. Councilman Murray stated he will follow-up with Mr. Richardson to see where he stands on this.

Mr. Hemmann stated he feels there is a problem with businesses at homes; specifically a gentleman having a awning business in freehold and resides on Applegate Avenue. UPS drops off packages and dumps off boxes in his container.

The Municipal Clerk stated the Ordinance has nothing to do with the misuse of someone's property, and we will have to address the boxes through the Code Enforcement as it occurs. The address is at 116 Applegate.

Don Williams, 122 Dittmar Dr, stated he supports Ernest on the car claim. He can't be a gas station, a garage and an auto dealership. Councilman Murray stated he didn't come in as a garage; that business used to be on Rt.37. Mr. Williams states that garage has been in there longer than he has been in town. Councilman Murray corrected Mr. Williams, stating the garage business has only recently moved there.

Mr. Williams stated if it walks like a goose, smells like a goose and sounds like a goose, it's a "g*d damn goose". He further asked if the borough is done with the boat cleanup and there is still a boom in the water, and another in the parking lot. The Municipal Clerk stated that at the NJDEP's request, to contain any remnants of any sheens, the booms will remain in the water as a precautionary measure. The NJDEP is fully happy with the process the Borough, Mayor and Council have taken, noting Councilman Handshy. The borough swiftly and precisely laid out any plans. The remaining boom on land is the Miller's and they will remove that property. Mr. Williams stated that over the barrier at the Recreation Building, there are tires that have been dumped. He has been in touch with the County previously. He also mentioned that dirt bikers have been going through the access roads without mufflers. This is a problem since this is the dry season, and can cause a possible fire.

Tom Rolzhausen, 420 Applegate Avenue, commended the public works for their recent pickup, and they've been doing a great job.

Charles Watson of Chuck's Ice Cream, approached the Governing Body and provided additional diagrams of a potential ice cream truck at Mathis Plaza. He states this wouldn't need a concrete pad and set it on concrete patio blocks. Mr. Ryan stated he spoke with the Borough Engineer to construct a diagram, and this again would be subject to ordinance passage and public bid. No one is suggesting a concrete pad, but stone or gravel may be appropriate.

Sandy Ross, 16 Hummel Dr, updated those in attendance of upcoming events. The Senior program is this Saturday through the Municipal Alliance. Summer camp registration has begun at the Rec Building, and June 4th. 4 weeks long with about 19 trips, with a fee of \$75, additional kids in the household are \$25.

Seeing no other public comments, Public Comments was closed.

APPROVAL OF MINUTES

April 14 and Executive Session

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle				
	x	Gleason	x			
		Handshy	x			
		Mosley				x
x		Murray	x			
		Reevey	x			

April 21 and Executive Session

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle				x
	x	Gleason	x			
		Handshy	x			
		Mosley				x
x		Murray	x			
		Reevey	x			

ORDINANCES

Ordinance 11-14

Bond Ordinance (Second Reading)

**EXTRACT OF MINUTES OF GOVERNING BODY SHOWING PUBLIC HEARING AND
FINAL ADOPTION OF BOND ORDINANCE**

EXTRACT, from the minutes of a regular meeting of the governing body of the Borough of South Toms River in the County of Ocean, New Jersey, held at the Municipal Building, in said municipality on May 9, 2014 at 7:00 P.M

The Clerk, JOSEPH A. KOSTECKI, MPA, RMC, reported that on April 21, 2014, there was filed in the Clerk’s Office a Supplemental Debt Statement and said Supplemental Debt Statement was filed with the Division of Local Government Services on April 21, 2014 and has been returned to the Clerk’s Office with the Director of the Division of Local Government Services written endorsement thereon dated April 22, 2014. The Clerk further reported a copy of the ordinance was posted and published, as required by law.

The following Ordinance was introduced for second reach by Council Member Handshy :

BOND ORDINANCE PROVIDING FOR VARIOUS GENERAL IMPROVEMENTS, APPROPRIATING \$736,500 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$699,675 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COSTS FOR SAID IMPROVEMENTS AUTHORIZED TO BE UNDERTAKEN IN AND BY THE BOROUGH OF SOUTH TOMS RIVER, IN THE COUNTY OF OCEAN, NEW JERSEY

and seconded by Council Member GLEASON.

The title of the ordinance was thereupon read and upon motion duly made by Council Member Handshy, and seconded by Council Member Gleason, to hold a public hearing on said ordinance the following roll was recorded:

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle				x
	x	Gleason	x			
x		Handshy	x			
		Mosley				x
		Murray	x			
		Reevey	x			

Ordinance 12-14 Charitable Organization Sales on Public Streets (Second Reading)

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle				x
		Gleason	x			
x		Handshy	x			
		Mosley				x
	x	Murray	x			
		Reevey	x			

Ordinance 13-14 Amending and supplementing Chapter XIII entitled Property Maintenance so as to enact Section 13-7 Entitled Lighting and Illumination

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle				x

	x	Gleason	x			
x		Handshy	x			
		Mosley				x
		Murray	x			
		Reevey	x			

RESOLUTIONS

Resolution 2014-173 Authorizing the solicitation for proposals for stationary Ice Cream truck vendor at Mathis Veterans Memorial Truck

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle				x
		Gleason	x			
	x	Handshy	x			
		Mosley				x
x		Murray	x			
		Reevey	x			

Resolution 2014-174 Authorizing Combined sale and issuance of Bond Anticipation Notes, in an aggregate amount not to exceed \$1,870,680 General Improvement Bond Anticipation Notes

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle				x
x		Gleason	x			
	x	Handshy	x			
		Mosley				x
		Murray	x			
		Reevey	x			

Resolution 2014-175 Issuing Final Change Order for Payment #1 and Final Package for Mathis Plaza Phase III

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle				x
	x	Gleason	x			
		Handshy	x			
		Mosley				x
x		Murray	x			
		Reevey	x			

Resolution 2014-176 Awarding a contract to Moderno Construction, Inc., for catch basin improvements/storm drainage piping replacement

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle				x
	x	Gleason	x			
		Handshy	x			
		Mosley				x
x		Murray	x			
		Reevey	x			

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.

Due to the Municipal Clerk not being in receipt of the ABC renewal application, Resolution 2014-179 was removed from the Consent Agenda and tabled.

- Resolution 2014-177 Approving the renewal of ABC Liquor License for Stop Inn Inc
- Resolution 2014-178 Approving the renewal of ABC Liquor License for Luck Spirits
- Resolution 2014-179 Approving the renewal of ABC Liquor License for Ground Swipers Rod and Gun Club
- Resolution 2014-180 Recognizing Municipal Clerk's Week
- Resolution 2014-181 Raising awareness of Fibrodysplasia Ossificans Progressiva
- Resolution 2014-182 Authorizing the hiring of Douglas Ripley as a Police Special Class 1 at \$8/hr
- Resolution 2014-183 Approving a Special Events permit for the Ocean County International Gospel Fest on August 16
- Resolution 2014-184 Approving a refund for overpayment of Lien Redemption

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle				x
	x	Gleason	x			
		Handshy	x			
		Mosley				x
x		Murray	x			
		Reevey	x			

APPOINTMENTS

There was a request for Barbara Englehardt to be nominated to the Sewerage Authority, however since Councilman Gleason must abstain, there were not enough votes and this will be tabled until next month.

Mayor Champagne appointed Mary Howard to the Recreation Commission as a Mayor's appointment.
Resolution 2014-185 Appointing Mary Howard to the Recreation Commission

VOUCHERS

Resolution 2014-186 Authorizing payment of Bill List with approval of payment to Lucan Thomas McCann for Blockhouse upon satisfied building inspection

OLD BUSINESS

The Municipal Clerk presented an additional quote for cameras at the Public Works building for council consideration and review.

MONTHLY COMMITTEE & LIAISON REPORTS

Borough Attorney, Guy Ryan, stated that in previous years, Council meetings were limited to once a month during the summer months and requested guidance by the Governing Body to see if they wish to entertain that schedule.

Councilman Handshy asked whether the meeting would be held at the Caucus or Regular meeting and when the Agenda would be due? Mr. Ryan stated the meeting could be held at either, and the Agenda will

still be produced at the normal schedule, with any Governing Body member still having the opportunity to sit with the Municipal Clerk and go over any Agenda items.

Councilman Handshy stated the Borough had its 1st Annual Earth Day on April 26th, and thanked all in attendance for this great event. He also thanked the Recycling Commission. Bio Blitz was held on Friday April 25th and volunteers cleaned up on Crabbe Rd. He thanked Amanda Lotto from the NJDEP, Jane Kunka and everyone from United Water, and Waste Management for providing a “Bagster” for the cleanup. The Recycling Committee toured the Ocean County Recycling facility to see their single-stream process. They also have the ability to dispose or restore electronics at their Electronic Recycling facility which they resell. The Police Committee is continuing with negotiation.

Councilman Murray thanked all the fire and First Aid members for their recent activities. The recent fire in South Toms River injured six Fire Department members due to flash-over but not too bad, and gave them all the credit in the world for what they do for people. He noted that there were two undefeated football teams, the 5th grade all-stars, and the fourth and fifth grade.

Mayor Champagne stated his appreciation for the work done for Earth Day celebration, allowing the residents to be cognizant of our environment. He thanked all those involved with the event, and stated he is happy to have initiated the Environmental Commission in 2011. He further noted the continuation of the environment with the Borough Garden. The Mayor continued and stated there were 115 boats removed from the Marina down at Crabbe Rd; he thanked the NJDEP, and felt encouraged with the beautification possibilities on Rt. 166 with the Streetscape Grant. He also expressed excitement for the forthcoming robo recycling cans. He further expressed appreciation for all First Responders, stating these individuals are special, and no words can express such courage who are braving such dangers.

Councilman Gleason asked Sandy Ross to provide an update for the Summer Camp. Mr. Ross stated Summer Camp sign-ups would be held this coming weekend from 9-11am. Councilman Gleason stated that with the recent ability to have electronic recycling drop-offs at Earth Day, he is considering having a new Electronic Recycling Commission.

EXECUTIVE SESSION

Resolution 2014-187 Approving the Governing Body to go into Closed Session for the purpose of discussion Personnel and Collective Bargaining

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Cradle				x
	x	Gleason	x			
		Handshy	x			
		Mosley				x
x		Murray	x			
		Reevey	x			

The Governing Body heard from Robyn Lawrence after Executive Session with regard to her trash, recycling and bulk pick-up. She asked why Public Works stopped picking up any of trash? The Governing Body, with Borough Attorney and Municipal Clerk stated that due to a house fire, what is left is not “household trash.” Upon Council consent, the Borough stated they would give her one more pick-up and she would have to proceed with a container for the rest.

ADJOURNMENT at 9:25pm

Respectfully submitted by Municipal Clerk

Approved

Joseph M. Champagne, Mayor

Joseph A. Kostecki, MPA, RMC, CMR
Municipal Clerk