

**BOROUGH OF SOUTH TOMS RIVER  
CAUCUS MEETING  
JUNE 22, 2015, 7:00 PM**

Mayor Oscar Cradle opened the meeting with a Moment of Silence, and followed with the Flag Salute.

The Municipal Clerk read the following 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 November 15, 2014; 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.

The Municipal Clerk proceeded with Roll Call:

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

**PUBLIC COMMENTS**

Joseph Baumann was asked by Mayor Cradle to speak to the walk-on resolutions regarding rehabilitation and redevelopment of Borough properties. The Area of Redevelopment gives us more powers, if and when, the Borough decides to redevelop this (current Municipal Building) property. In this package (of walk-on Resolutions), is a resolution investigating whether the property fits an Area of Redevelopment. The second Resolution authorizes a funding agreement, which is simply for now, a source of funding to pay the professionals, to negotiate exclusively for a period of time (180 days) with the designated redeveloper whom is also affiliated with the Double Trouble team. Originally, they came to us for a swap and the mayor and professionals determined it wasn't the best option, as to keep our eye on the ball, our main objective is to get us (Borough) into a new Municipal Building; the landfill may or may not happen. The zoning may not pass, so we have decoupled that process. If the landfill were to work out, the proceeds from all properties (sale of current municipal building property, Sewerage Authority property and landfill) would be used to offset the new Borough property, and would expect there would be a surplus. The Borough hasn't decided what should be there, what they can build there. It matters what the Governing Body wants. Through this process, slowly, carefully, a lot of public comments, decide if it makes sense. Since these are all separate processes, there are all separate resolutions.

Councilman Ross asked about the Redevelopment Plan for these properties.

Mr. Baumann stated that because the Borough is an Area in Need of Rehabilitation, the Borough can start a Redevelopment Plan. Because an Area of Redevelopment requires a strong criteria for determination, a study is required. If we studied it, and the planners conclude that it fits the Area of Redevelopment criteria, the Council will send it to the Planning Board, provide comments back to the Council, then the Council can proceed with establishing the Landfill as an Area of Redevelopment. Then the process initiates a Redevelopment Plan. The plan would be sent to the Land Use Board for comment, and be sent back again to Council. The Council can accept or reject the comments, and then proceed to the adoption process by Ordinance. After all that, a purchase and sale agreement with a Redeveloper, and that contract would further define the terms such as design, density. The proposed plan by the possible Redeveloper requests residential, but what that would look like as of now is too premature to tell; condos, apartments, big, small, are all complete unknowns right now. When this is presented, it will be with and after a lot of dialogue from this Governing Body, and after only you (Governing Body) say so by Ordinance. Mr. Baumann confirmed to Mr. Ross that the Pinelands will also have a say in this application. The funding agreement allows the proposed Redeveloper to fund the cost of this process, relieving our Borough's financial obligation, and does not mandate the Borough to proceed with the process. The Redeveloper will provide \$25,000 escrow to fund the costs for aspects such as Site Plan Application to the Land Use Board. We will get the benefit of speaking with the NJDEP and Pinelands, basically on their dime. There's no obligation to enter into a deal with the Redeveloper. We will also have to address Affordable Housing if this will be residential.

Councilman Murray asked that if Maser already completed the feasibility study and there's been no response yet from DEP or Pinelands, why are we proceeding with another study?

Mr. Baumann stated that this was a feasibility study, and this pending study by Maser is to look at the criteria and determine whether this fits an Area of Redevelopment. Maser provided us with a cost estimate and is part of the resolutions.

Mayor Cradle stated that Greg Handshy, William Gleason and himself are part of the Redevelopment Subcommittee, and that all plans must be brought before Council for approval, and nothing can be done before presenting these items to Council. I want to make sure everyone understands that.

Councilman Murray asked for clarification and description of the resolutions.

The Municipal Clerk stated there are three walk-on Resolutions and one Ordinance pertaining to the respective discussion. They are Resolutions:

Resolution 2015-173	Authorizing the Preparation of a Redevelopment Plan and the negotiation of a purchase and sale and redevelopment agreement for the property commonly known as Block 19, Lot 1 on the Tax Map of the Borough for a new municipal building and authorizing certain other actions in connection therewith
Resolution 2015-174	Authorizing a Funding Agreement for the property commonly known as Block 20, Lots 1.04 and 1.05 (Borough Landfill and adjacent property) on the Tax Map of the Borough and Authorizing the execution of a Funding Agreement
Resolution 2015-175	Authorizing the Planning Board to investigate whether the properties commonly known as Block 20, Lots 1.04 and 1.05 on the Tax Map of the Borough of South Toms River, should be designated as an Area in Need of Redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1, et seq

The Municipal Clerk stated that the walk-on Ordinance will not be necessary due to the Borough having already allocated enough finances for the soft costs related to the 19 Double Trouble property.

Mr. Baumann stated that Resolution 173 is 19 Double Trouble, and Resolutions 174 and 175 are for the Landfill.

Councilman Handshy asked that if the escrow account is funded and the Borough decides not to proceed with the landfill, is there any recourse?

Mr. Baumann stated, "no, this is just part of doing business". Its pretty common where . The money comes to us, we hire the professional. The Redeveloper wants good faith negotiations. We are not far enough along to understand what they want to do; what the town has a tolerance for; safety; traffic; and governing body review. This is to explore the use of the area.

Francis Brady, 7 Holly Street, Toms River, asked if any other businesses located in the Redevelopment area along Route 166 have been submitted applications to the Land Use Board. He is current owner of 316 Atlantic City Blvd, South Toms River. He came down in 1963, bought the business in 1965, belong to the community, not carpetbaggers. We are wondering about the status of the Miller property.

The Municipal Clerk asked the Redevelopment Counsel to speak to that question.

Mr. Baumann stated that the Borough went through the redevelopment designation and are in negotiations for a settlement.

Mr. Brady asked about the plans for the Bike Path.

The Municipal Clerk stated that the path is still expected to be on the west side of Route 166. The timetable is still there. Curbing and sidewalks along the area.

Mr. Brady asked if there has been any other interest for applications?

The Municipal Clerk stated that although there is continually discussion and interest, no other similar applications have been submitted to the Land Use Board in addition to the current L&F application.

Mr. Brady asked the timeline for when substantial things supposed to start in the area?

The Municipal Clerk stated that based on the TAP grant to purchase easements for the Bike Path; based upon the NJEDA and NJDOT, the overall guidance authority for the plan, we expect plans for the path by september of this year. Progress is continuing.

Mr. Brady asked if any other owners located in the stripmall have submitted applications.

The Governing Body state there were no other applications at that time.

Seeing no other Public Comments, the Municipal Clerk asked for a motion to close Public Comment:

**First: Ross Second: Gleason**

Public Comment was closed by unanimous council consent.

**APPROVAL OF MINUTES**

Resolution 2015-159

Approving the minutes of May 11 Caucus Meeting and Executive Session; May 26, 2015 Regular Meeting and Executive Session

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

**ORDINANCES**

5-15 Capital Bond (Second Reading)

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

6-15 Area of Rehabilitation Abatement Program (Second Reading)

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

7-15 Authorizing an Emergency Appropriation in accordance with N.J.S.A. 40a:4-53B for the Preparation and execution of a complete revaluation program as ordered by the Ocean County Board of Taxation (Second Reading)

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Gleason	x			

		Handshy	x			
	x	Mosley	x			
		Murray	x			
		Reevey				x
x		Ross	x			

Based on the discussion during Public Comment, the Borough has soft costs already allocated and Ordinance 8-15 is not necessary at this point.

Councilman Ross motioned to TABLE

- 8-15 Proving for preliminary costs in connection with the acquisition of certain property known as Block 19, Lot 1 (A/K/A 19 Double Trouble Road) in and by the Borough of South Toms River, in the County of Ocean, New Jersey together with related costs required in connection therewith, appropriating \$250,000 therefore and authorizing the financing of \$237,500 to finance part of the cost thereof (First Reading)

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Gleason	X			
		Handshy	X			
		Mosley	X			
	X	Murray	X			
		Reevey				X
X		Ross	X			

## RESOLUTIONS

Based on prior discussions, the Governing Body coupled resolutions 160, 161, and 163 to TABLE

- Resolution 2015-160 Authorizing a Shared Services Agreement with Island Heights Borough for Municipal Clerk
- Resolution 2015-161 Resolution designating L&F Realty Holdings, LLC as “Redeveloper” and authorizing the execution of a Redevelopment Agreement for Block 6, Lot 1.02, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A1 et seq
- Resolution 2015-163 Approving the Borough of South Toms River’s Federal Grant Management Plan

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	X	Gleason	X			
		Handshy	X			
		Mosley	X			
		Murray	X			
		Reevey				X
X		Ross	X			

- Resolution 2015 -162 Authorizing the solicitation of bids for phase 2 block house

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

		Ross	X			
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Resolution 2015-164 Authorizing the Special Emergency and appropriating \$75,000 for a complete revaluation program

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Gleason	X			
		Handshy	X			
	X	Mosley	X			
		Murray	X			
		Reevey				X
X		Ross	X			

Resolution 2015-165 Authorizing Applegate Avenue Improvements Change Order #1 decrease of \$1,879.92 to Earle Asphalt Company

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
X		Gleason	X			
		Handshy	X			
		Mosley	X			
	X	Murray	X			
		Reevey				X
		Ross	X			

Resolution 2015-172 Authorizing the implementation of the Web Inquiry and Payment Program provided by Edmunds and Associates with credit card processing online provided through Paymentech, LLC

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Gleason	X			
		Handshy	X			
	X	Mosley	X			
X		Murray	X			
		Reevey				X
		Ross	X			

Resolution 2015-173 Authorizing the Preparation of a Redevelopment Plan and the negotiation of a purchase and sale and redevelopment agreement for the property commonly known as Block 19, Lot 1 on the Tax Map of the Borough for a new municipal building and authorizing certain other actions in connection therewith

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
X		Gleason	X			
		Handshy	X			
		Mosley	X			
		Murray	X			
		Reevey				X
	X	Ross	X			

Resolution 2015-174 Authorizing a Funding Agreement for the property commonly known as Block 20, Lots 1.04 and 1.05 (Borough Landfill and adjacent property) on the Tax Map of the Borough and Authorizing the execution of a Funding Agreement

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	X	Gleason	X			
		Handshy	X			
X		Mosley	X			
		Murray	X			
		Reevey				X
		Ross	X			

Resolution 2015-175 Authorizing the Planning Board to investigate whether the properties commonly known as Block 20, Lots 1.04 and 1.05 on the Tax Map of the Borough of South Toms River, should be designated as an Area in Need of Redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1, et seq

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	X	Gleason	X			
		Handshy	X			
X		Mosley	X			
		Murray	X			
		Reevey				X
		Ross	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.

- Resolution 2015-166 Approving the renewal of ABC Liquor License #1529-31-004-001( GROUND SWIPERS ROD & GUN CLUB CORP)
- Resolution 2015-167 Approving the renewal of ABC Liquor License #1529-33-002-006 (Stop Inn Inc)
- Resolution 2015-168 Approving the renewal of ABC Liquor License # 1529-44-001-005 Karan (One) Inc
- Resolution 2015-169 Special Event Application for Summer Gospel Music Festival
- Resolution 2015-170 Authorizing the hiring of adult staff members for the STRRC 2015 Summer Camp and the STRRC Teen Summer Program

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Gleason	X			
		Handshy	X			
	X	Mosley	X			
		Murray	X			
		Reevey				X
X		Ross	X			

## BILL LIST

The Bill List was provided to those in attendance requesting to review it.

Councilman Ross brought attention to 11 of 19, regarding the fees relating to the Court payphone. Did we investigate the charge for this? I feel we can have an extension in the Tax Office for anyone to use for local calls.

Councilman Gleason states that he believes there is an alternative to the payphone which would cost about \$200, rather than the \$1,000 yearly cost.

Guy Ryan asked if the Municipal Clerk could ask the Court if this is a requirement.

Councilman Ross provided clarification to Councilman Murray on the price of the rubber surround the ballfields. He also mentioned the on-going soil testing for the landfill and Mathis.

Councilman Murray stated that all tanks were removed from Mathis and wanted to know how much longer the testing would continue.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Gleason	X			
		Handshy	X			
	X	Mosley	X			
		Murray	X			
		Reevey				X
X		Ross	X			

## NEW BUSINESS: JULY 4th Beachwood donation

**Mayor Cradle stated the Borough is in receipt of a letter from Beachwood requesting that we partner with them again for fireworks. He asked this be approved via resolution**

Resolution 2015-176 Partnering with the Borough of Beachwood for July 4th Fireworks

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	X	Gleason	X			
		Handshy	X			
		Mosley	X			
		Murray	X			
		Reevey				X
X		Ross	X			

## COUNCIL LIAISON AND COMMITTEE REPORTS

COUNCILMAN ROSS: Summer Camp is just about full. Still the best deal in town; great staff, thank you. I'm looking forward to it. The registration fee is \$75, trips can be \$125; the second child is \$35 for registration and trips are \$125. Trips include popcorn park zoo, allaire state park and many others. He thanked Councilman Gleason for his work. The senior program is 3-5pm at the Recreation Center this Sunday. The Municipal Alliance and Optimist Club is set for August 15 for the Backpack Extravaganza. We've invited the MONOC helicopter as well. The First Aid and Fire will be there as well.

COUNCILMAN GLEASON: July 4th Fireworks will accompany community groups; woodchips will be installed with a barrier along the exterior of the playgrounds to hold them in place..

COUNCILMAN HANDSHY: I attended the Sustainability Summit at TCNJ, and it was a very educational experience. The Community Garden is coming along nicely, and we had a great turnout at the Recreation Commission meeting. We had meetings as the Redevelopment Subcommittee to review applications.

COUNCILWOMAN MOSLEY: I and Councilman Handshy would like to implement an ESL program and hope to have something set up by September of this year. We also had a meeting with the Toms River Regional Assistant Superintendent regarding Double Trouble area.

COUNCILMAN MURRAY: the Borough had the Barnegat Bay Blitz, he contributed ice for the cleanup; cleaned up the area around the Mathis Gazebo; ensure electric is on for the Fourth of July; met with Chief Izatt regarding police and safety issues.

COUNCILMAN ROSS: added that the Negotiation Committee is expected to meet this Saturday morning. The Chief contract is up for negotiations, and DPW will be up next year as well.

MAYOR CRADLE: the Special Events Committee will be finalizing the Fourth of July. I encourage all community organizations to come out. We will also have a dunk tank and encourages others to participate to raise money to various community organizations, and the choice of the recipient will be at the discretion of the person in the tank. The STR Summer Camp is one of the best around. I had the opportunity to visit the Elementary School for the STAR Students and 8th Grade reception, and recognized the PTO for their amazing work they do. He asked the PTO to attend the July meeting so that the Borough Council can recognize them for their work. The parks have signs designating hours of operations so that the Police can address safety concerns.

The Municipal Clerk stated that he passed the State exam for the Qualified Purchasing Agent and the Borough can increase the bid threshold if they so choose.

Motion to Adjourn

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

**ADJOURNMENT @: 9:05 PM**

Approved

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Rev Oscar L. Cradle, Sr., Mayor

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Joseph A. Kostecki, Municipal Clerk