

**BOROUGH OF SOUTH TOMS RIVER  
MINUTES OF REGULAR CAUCUS MEETING  
MARCH 10, 2014**

A regular meeting of the Council of the Borough of South Toms River was held at the Borough Hall on Monday, March 10, 2014 at 7:00 p.m.

**MOMENT OF SILENCE**

Mayor Joseph Champagne observed a moment of silence and led the Flag Salute.

**STATE OF PUBLIC NOTICE**

The Borough Clerk read the 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	x
Absent				x			

**PRESENTATIONS:**

Mayor Champagne addressed those in attendance on the State of the Borough. The Mayor thanked each Council Member, Attorney and Clerk/Administrator for their work. The Mayor stated it is incumbent upon us to share where we have been and where we are going as a municipality and as a people. I must reflect on a moment on what we have accomplished, but the key element in bringing this into context is reflecting on the test that this leadership has received over the years. One of the main tests is to overcome is Hurricane Sandy. Sandy was a major test for every leader, not just in South Toms River, but Ocean County and the State as well. We were very fortunate by the grace of god, and blessed South Toms River because we were one of the least affected municipalities in comparison to others in the county. We also received the human resources to get through the turmoil and pain and suffering that this hurricane brought to our town. We were very fortunate to have individuals come to our town from near and far, and as far as Asia with the Tzu Chi Foundation, and many other organizations throughout the state who came to South Toms River to our aid - and that says a lot of our town for people to come to our town, and recognize that we are the little town with a big heart. We were able to overcome the impact that Hurricane Sandy brought to us and we have rebuilt. I am very grateful to our OEM, and those who work in our department. Our First Aid, Police and Fire, and volunteers who mobilized their efforts and responded to our aid.

In 2013, we experience another form of hurricane in the form of not having personnel necessary to run this town. Due to a time where employees were retiring, we were at a point where we did not have enough employees to run the town administratively, and so with this situation, once again we were tested. Once again, we overcome the obstacle of not having enough personnel. Absent a tax collector, a Clerk, a receptionist, we were still able to run the town efficiently and effectively. For that I am grateful

to Council Members who collaborated together in figuring out what better way to respond to this situation. I am also indebted to Patricia Reevey, who is a South Toms River resident, who rose to the occasion and responded to the call of running this town while there was a shortage in employees - for that I am grateful.

I would also like to highlight that we have embarked on many projects in our town. We have project dealing with resurfacing our community center parking area, beautified our parks, and more specifically Mathis Plaza, which has also been changed to Mathis Veterans Memorial Park. We have also made important change with adding speed humps. With regard to speed humps, there is an interesting story. There are some people questioning the need for speed humps, and I have someone present who is here and inspired me to take a serious look at this situation. This person is Emily Johnson. What Emily did was go on Facebook, with a photo and sign that asked drivers to slow down. She was concerned about safety. This touched my heart. I have children; a nine and five year old, and a 6 day old son. This is what its all about. Its about our children and us to have a safe environment so they can grow safely without being hit by cars. After seeing this, we quickly discussed with Council and agreed to place the speed humps not only on her street but also the ones the police and borough engineer saw fit. I would like to thank our borough engineer. And so, this is what its all about. the ability to raise our children in a safe environment. South Toms River, I'm officially declaring, its a place where families can raise their families safely. And not only that, I've received reports that the education here in South Toms River Elementary, the school has outperformed by 64% of all schools in the State. This is South Toms River Elementary schools, this says a lot and should be applauded and celebrated. And beyond that, we have outperformed more than 84% schools with similar demographics, and have met all of the school targets. It is important to recognize the value so that we may preserve it. So what we have done, with the support of Council, we've established this program to recognize Students of the Month, and to received certificates from the Mayor and Council. We also go to the schools to make sure we read to the children just like today where I read to the children about science and the brain. The stress of education is so vital to ensure a better South Toms River and ofcourse, world. We have visited each and every classroom in South Toms River to inspire you children, my children, our children.

In terms of security, we have made tremendous progress in securing the lives of our residents. WE have made some promotions in the Police Department. One of our residents shortly was involved in an accident and unfortunately did not survive. I take this personally. These officers, with the collaboration with the county police force and prosecutor's office (Mayor acknowledged Sheriff Mastronardy), we were able to find the perpetrator. That to me increases the confidence in our police force, and one that we can rely on. We have a good relationship through our County Sheriff, and this provides a great place for our family.

Last but not least, I want to talk about our taxes. For the fourth consecutive year, our tax increase has been the lowest since 2010. In 2011, we had one of the lowest in our recent history. Throughout the year, we have remained below the 2% threshold, and it is probably that this year, due the way we are handling our budget, our taxes will remain under the 2% cap - because every penny counts. Every penny counts when it is for your family. Thank you for your attention."

The Mayor proceeded to handout the Student of the Month certificates.

With the conclusion of the Student of the Month portion, Councilman Murray made a motion for a short recess, Councilman Cradle seconded the motion. With unanimous vote, the Governing Body went into recess.

Chaplain Dr. Ripley proceeded with the invocation

The Vins provided music in appreciation of the Students achievements

Back into session, Greg Cook spoke on behalf of Hometown Press

Mr. Cook stated they publish newsletters for 85 New Jersey municipalities at no cost to the municipality. They are custom-designed. The only cost would be the postage for mailing out.

Borough Attorney, Guy Ryan, asked what the arrangement is with other towns. Whether resolution or ordinance. Mr. Cook stated there is an order form, with the amount of issues for the year. Mr Ryan wanted to clarification as to whether would have to entertain proposals from other newsletters. Mr. Cook stated that most governing bodies only pass a resolution and continue with the order form.

Councilman Reevey questioned who would be buying the advertising spaces. Mr. Cook stated and confirmed that Hometown Press would obtain a list of mercantile licenses from the Borough and solicit them to ensure local businesses will benefit from the newsletter and the advertisements within. Hometown Press does all of the leg-work for the advertisements, and the Borough would have final approval over all aspects of the newsletter before going to print. Mr. Cook went on the stated that there are two ways for bulk mailing which is 27 cents, and Every Door Direct Mail through the Post Office.

Councilman Handshy asked if this would be a quarterly newsletter. Mr. Cook stated that a municipality of this size should start with two issues per year to see how it goes, such as a spring/summer and fall/winter. After the first year, reevaluate to see if increasing to four would be worth it.

Mayor Champagne asked about the color and format. Mr. Cook stated the Borough has full control over the color and layout.

Councilman Cradle stated he likes how the recycling schedule is in the newsletter. Mr. Cook stated there are many informative information that can be placed in there to ensure it is read and benefits residents. Mr. Cook stated that it would take six weeks to start and complete. Mr. Cook also stated that the Hometown Press would abide by the request of the Borough to not have any political advertisements in newsletter.

Mr. Ryan stated he can contact the two other ocean county towns to see what they did to go ahead with this process. He doesn't feel it would have to go out to bid. He also asked how long it would take to get businesses to buy ad space. Mr. Cook stated it would take approximately 2 to two and a half weeks for the first issue. In most cases, they would come and make the phone calls from Borough Hall so that when they contact businesses, the businesses can come to Borough Hall and have a meeting with the Hometown Press rather than a telemarketer type approach.

Mr. Cook thanked the governing Body for the opportunity to present.

Public Comment was opened up

### **PUBLIC COMMENT**

Charles Watson of Chuck's Ice Cream is proposing a temporary ice cream truck kiosk during the May through September season at Mathis Veterans Memorial Park. It is a full-contained container with water and electricity. Mayor Champagne stated the current ordinance does not allow it, and it would be up to the discretion of council to change the ordinance and allow.

Borough Attorney, Guy Ryan, states that the Borough has a unique provision that allows vendors to sell to customer. however the truck would have to move on after a sell. However, ordinances are subject to amendments. A provision can be added to exclude the Mathis location. Another issue is does the borough have to advertise this space for bid. Towns that have a beach club, they have to publicly bid and received sealed proposals.

The location is on a pad at Mathis and vehicle is thirty feet by twelve feet. Mr Ryan stated that Mr. Watson had a place in Lavallette, and due to Hurricane Sandy, will not be there for the upcoming season.

Council President Murray confirmed that he would require water and electric. Councilman Handshy stated that the Borough has electric and water would have to be addressed.

Mr. Watson stated that he would like to work with Recreation Commission to have family fun nights, movie nights, and he is willing to sponsor these events. Mr. Watson states he has vendor licenses in seven other towns. He also grew up in South Toms River and father used to be a Councilman.

Mr. Ryan stated that he knows of Mr. Watson in Manchester. Each vendor has a background check to ensure they have a clean background.

The Clerk was directed to contact Mr. Watson within the next upcoming weeks. Mr. Watson thanked the governing body.

Chief Robert Krohn approached the Governing Body. On February 21, 2014 at 8am, the first aid was dispatched to the Planet Fitness for a cardiac arrest. the ambulance and police were on scene within four to five minutes and successfully revived teh person before arriving at the hospital. Planet Fitness has an AED on site that was never deployed. The reason being is its behind the counter and not in public view. He believes this should be in plain view for the public to access. A retired police and fire chief were there, who were all trying to assist, and could've deployed the AED even before the First Aid arrived. Luckily, the man is now sitting up in bed. Chief Krohn stated he requested the AED be setup at Planet Fitness and they agreed to do so. However, over a week passed and they still have not set this up. He asked that the Borough encourage these facilities to have AEDs in plain site to be public access. Its easy to do.

Council President asked if a person needs to be trained to use the AED. Chief Krohn stated not at all. A person can open the AED, an alarm will sound informing people that it has been opened. The person would proceed to follow all directions that the AED provides. Some AEDs even shock the person by itself. Mr. Krohn stated he would visit Planet Fitness one more time and if they still have not installed the AED, he would take the corporate route.

Mr. Ryan stated he believes fitness clubs are governed by Department of Community Affairs. Mr. Krohn

stated that they are required to have one on site but not sure if it is required to be in plain site. He would like one at Borough Hall as well, and stated that if the First Aid received a bit more funding, he would be able to buy one for Borough Hall in case of emergencies.

An AED would be one of the emergency supplies that the First Aid could supply the Borough. God forbid Joe (the clerk) is alone and there is an emergency where someone is in need of an AED, he could start CPR and the AED. Another aspect the First Aid could provide to the community is discount emergency supplies to residents. Such as for hurricane supplies or natural disaster supplies at a discounted rate. More catastrophes will happen and allowing the first aid to supply these supplies to residents will assist in emergency preparation. These cost money however and this is the reason why the First Aid Squad is requesting an increase in their operating budget; for more medical supplies also for the Police. The Police AED is the same one that the First Aid has. There are many things able to be provided to the public. There are many things needed to provide to the public such as pagers for First Aid volunteers. There are 13 members who dont have pagers because the First Aid Squad can't afford it. Each pager is \$475 a piece, and the ones they currently have are getting towards the end of their life cycle. These types of purchases and new tires which cost about \$1,000, which is one-tenth of their budget. The Borough of Beachwood provides a \$19,000 operating budget and \$7,000 training budget. A training budget does not exist in South Toms River. The EMT school costs about \$150 a person but CEUs are at the expense of the volunteer. There are classes that provide pre-hospital life support better than the basic training that costs \$225 but the First Aid cannot afford it. Residents want the best trained people arriving at their town, Chief Krohn wants to provide that to the Borough. Unfortunately, a larger budget is necessary for that. Everything has to be approved through the bill list and this will allow the governing body to approve all expenses. The first aid squad has brought on 15 new volunteers within the last year. Jackets cost \$128 a person, pagers, these add up and quickly extinguish the budget. The increase in calls, there are additional costs such as vehicle maintenance.

Mayor Champagne stated the Council will deliberate on this and budget is still being worked on.

Chief Krohn stated that the First Aid Squad would like to provide CPR training to residents. More people are needed to train people and this costs more, but would be less if residents had to hire someone else other than the First Aid Squad. They recently taught 9 people at High School South, where they can now potentially save someone's child.

Council President requested clarification as to the First Aid's budget proposal. Mr. Krohn stated that the operating budget is the requested increase in the donation by \$500. The miscellaneous budget would be approved by governing body through purchase orders through the municipal budget.

Seeing no other comments, Public Comment was closed.

## **ORDINANCES**

The Municipal Clerk proceeded to note the upcoming minutes, ordinances and resolutions that are up for consideration on March 17 Regular Council Meeting. These are:

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|----------------|---|
| Ordinance 7-14 | Amending and Supplementing Chapter 6 to Prohibit the Possession and Consumption of Alcoholic Beverages by Underage Persons on Private Property (Second reading) |
| Ordinance 8-14 | Ordinance creating the office of Administrator of the Borough of South  |

Toms River, prescribing the term and duties thereof, and providing for appointments thereto and compensation therefore (first reading)

Mr. Ryan stated that this was reviewed but will review the 8-14 with the State Statute amendment, and will have comments on this for next week. Mr. Kostecki stated this does not increase a salary, merely amends the administrative aspects that are only mentioned in the current borough code under the position of the Municipal Clerk.

The Municipal Clerk proceeded to read the rest of the Ordinances

Ordinance 9-14            Establishing a Cap Bank

Ordinance 10-14        Establishing the position of Local Historian

Mr. Kostecki stated this position will allow for funding to the Historical Society.

## **RESOLUTIONS**

The Municipal Clerk proceeded to read the proposed resolutions.

- Resolution 2014-92      Accepting and adopting the Ocean County Municipal Joint Insurance Fund's 2014 Safety Management Program
- Resolution 2014-93      Authorizing an Agreement with the South Toms River First Aid Squad
- Resolution 2014-98      Authorizing the execution of the Teamsters Local 97 Contract
- Resolution 2014-108     Resolution Introducing the 2014 Municipal Budget (First Reading)
- Resolution 2014-109     A Resolution to affirm the Borough of South Toms River's Civil Rights policy with respect to all officials, appointees, employees, prospective employees, volunteers, independent contractors, and members of the public that come into contact with municipal employees, officials and volunteers
- Resolution 2014-110     Reappointing Deputy Coordinator William E Gleason FEMA projects administrator \$25.00 per hour
- Resolution 2014-111     Accepting the resignation of Pattie Megill with regrets
- Resolution 2014-112     Dedication by Rider for Tax Lien Redemptions
- Resolution 2014-113     In support of Assembly Bill NO. 3497
- Resolution 2014-114     Approval of the National Multiple Sclerosis Society's annual "Coast the Coast" Bike MS Ride on Saturday, May 17, 2014
- Resolution 2014-115     Recognizing the week of April 21, 214 to April 27, 2014 as National Volunteer Week
- Resolution 2014-116     Supporting Sustainable Land-Use Patterns
- Resolution 2014-117     Calling on the Legislature to make permanent the 2% Cap on interest arbitration awards
- Resolution 2014-118     Supporting the Homeowner Flood Insurance Affordability Act
- Resolution 2014-119     Revising Special Event Committee Members

The Municipal Clerk stated there are several appointments on the upcoming Agenda. These appointments are:

Appointment of Oscar Cradle as Local Historian (Resolutions 2014-120). The Municipal Clerk stated this appointment is connected with the Ordinance creating the position of Local Historian.

Appointment of Joseph Kostecki as JIF Safety Coordinator (2014-121)

Appointment of Greg Handshy as JIF Coordinator (2014-122)

Appointment of Joseph Kostecki as Deputy JIF Coordinator

Mayor Champagne stated he would like to amend the Special Events Committee next week to appoint 3 members of council, not all 7.

Mr. Ryan stated that if four or more council members attended, this would constitute a quorum and violate the Open Public Meetings Act. This change would properly structure the Special Events Committee. The Municipal Clerk was directed to draft a Resolution reflecting the request.

### **NEW BUSINESS**

Mr. Kostecki stated the introduction of a Mayor for a Day. A student, whose age or school level can be determined by the mayor or governing body, where they can stay for the beginning portion of the meeting with the opportunity to lead the flag salute and give a statement or speech to those in attendance. Mr. Kostecki further stated he spoke with Mr. Tarver who will be providing the amendments to the proposed Employee manual.

Mr. Kostecki provided an update on the hiring and interview of a Court Administrator.

Mayor Champagne stated that interviews were held today, where the Judge, three county representatives, Councilman Cradle, and himself were present. There was a unanimous vote to hire Ms. Watson with the understanding that the Council will determine the salary. The Municipal Clerk was directed to issue a RICE notice to speak about or with her at the next council meeting.

Mr. Ryan stated that the Division Court Manager would like the range to be between \$35,000 - \$50,000 to entertain the appropriate applicants. The previous Court Administrator's salary was \$33,000, and acknowledged that smaller towns generally have a problem providing larger salaries. He further stated that the Borough cannot provide a salary that is not within the salary ordinance range.

Councilman Handshy stated that the salary of the previous Court Administrator was based on an agreement between council members of not going higher than \$37,000. However, Ms. Megill stated she wouldn't accept anything less than \$33,000, and so the salary was agreed upon by the governing body at \$33,000.

Councilman Handshy asked if there was anything else to discuss about the Deputy Municipal Clerk. Mr. Kostecki stated that he spoke with Ms. Golda as directed and that any changes in vacation, sick time for part-time employees will have to be done so in the new employee manual.

Councilman Cradle stated he will be speaking with Public Works to work towards the Robo recycling cans.

Mr. Kostecki stated that a Public Works employee will be attending the next meeting to discuss the Borough's interest in paying for an employee to obtain certification courses, and specifically a Public Works Certification.

With no further discussion, Councilman Cradle motioned to adjourn and Councilman Reevey seconded the motion.

With unanimous consent, the meeting was adjourned at 9:25 pm.

**ADJOURNMENT @ 9:25pm**

Respectfully submitted by Municipal Clerk

Approved

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Joseph M. Champagne, Mayor

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Joseph A. Kostecki, RMC  
Municipal Clerk