

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

**APRIL 18, 2012**

**OAKHURST, NEW JERSEY**

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The Regular Meeting of the Township Council was held in the Township Meeting Room, First Floor, Public Meeting Room, 399 Monmouth Road, Oakhurst, NJ 07755 at 7:00 p.m.

**Present:** Mayor Larkin  
Deputy Mayor Siciliano  
Councilmember(s) Evans, Garofalo, Schepiga

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

**Statement of Compliance with the Open Public Meetings Act:**

Mayor Larkin 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 6, 2011.

**Fire Exit Procedures:**

There are two emergency exits on the wall to my right that will take you to the front of the building and another one to my left that will take you to the rear parking lot.

**NOTICE:**

All cell telephones must be turned off. If you need to make a call, please make your call outside the meeting room.

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**PROCLAMATION:** Ann Bonney  
16 Years of Service

Mayor Larkin presented Ann with a Proclamation honoring her for her years of service to the Township and her valuable contributions to the Township, employees, businesses and residents.

Ann thanked the Governing Body for the recognition and stated that she enjoyed working for the Township very much and looks forward to enjoying time with her husband Bob and her children and grandchildren.

**Mayor's Statement:** Public Portion to Ask Questions with Regard to Resolutions and Vouchers

The purpose of this public portion is solely to ask questions to understand Resolutions and Vouchers that appear on the Agenda and is not an occasion for a public hearing on an Ordinance. All questions not related to an item on this Agenda should be asked during the Public Comments portion at the conclusion of the meeting.

**PUBLIC COMMENTS:**

There were no comments at this time.

**CONSENT AGENDA:**

**MINUTES:**

March 21, 2012 – Workshop, Public and Closed Meeting  
March 22, 2012 – Public Meeting  
April 4, 2012 – Workshop and Closed Meeting

**RESOLUTIONS:****12-052 Approve the Developer's Agreement for the following:****a. Block 33.34, Lots 5 & 6 – 1705-1709 Highway 35 – Smart Access, LLC**

**WHEREAS**, Smart Access, LLC (hereinafter "Developer") is the owner of certain property known as Block 33.34, Lots 5 and 6, as shown on the official tax map of the Township of Ocean, which property is located at 1705-1709 Highway 35 in the C-3 (General Commercial) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

**WHEREAS**, the Developer was granted site plan and variance approval from the Township of Ocean Planning Board by way of Resolution dated August, 22, 2011 to remove the front 40' from two (2) existing buildings, fill in the area between the two (2) buildings to create 6,562 square feet of building area on the first floor, and construct 960 square feet of unheated utility area on a new second floor, for a total of 7,522 square feet of gross floor area. A total of thirty-two (32) parking spaces will be constructed in the front of the building and a loading/service area will be constructed at the rear of the building; and

**WHEREAS**, this Agreement relates to a Site Plan of the property entitled Preliminary and Final – Major Site Plan, Smart Access, LLC, 1705-1709 Highway 35, Tax Block 33.34, Tax Lots 5 and 6, Township of Ocean, Monmouth County, New Jersey by Robert A. Nelson, P.E. of Nelson Engineering Associates, Inc. consisting of ten (10) sheets dated January 26, 2011 and last updated January 3, 2012 and the Map entitled Project – Stores Renovation, Block 33.34, Lots 5 & 6, 1709 Highway 35N, Ocean Twp., NJ, Monmouth County by Wellisch Architects, LLC consisting of two (2) sheets dated August 10, 2011 and last updated January 24, 2012; and

**WHEREAS**, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated January 31, 2012 prepared by the Township of Ocean Engineer, Louis J. Lobosco, P.E., P.P. of Leon S. Avakian, Inc.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey as follows:

1. It hereby authorizes the Mayor to execute and the Township Clerk to attest to a Developer's Agreement between the Township of Ocean and Smart Access, LLC, subject to the following conditions first being met:
  - a. All required certificates of insurance be properly filed with the Office of the Township Clerk
  - b. Posting of Performance Guarantees in the total amount of \$177,120.00 and Inspection Fees in the amount of \$8,880.00

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be provided by the Township Clerk to each of the following:

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Smart Access, LLC

**12-053 Authorize the Stormwater Management Agreement with the following:****a. Block 33.34, Lots 5 & 6 – 1705-1709 Highway 35 – Smart Access, LLC**

**WHEREAS**, the Township of Ocean Planning Board as part of a site plan approval for lands designated as **Block 33.34, Lots 5 & 6** located at **1705-1709 Highway 35 (Smart Access, LLC)**, required the applicant to enter into a Stormwater Management Easement and Escrow Fund Agreement; and

**WHEREAS**, the Township professionals in conjunction with the property owners' representatives prepared a Stormwater Management Easement and Escrow Fund Agreement; and

**WHEREAS**, this Stormwater Management Easement and Escrow Fund Agreement is subject to review and approval by the Township Attorney.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Ocean, County of Monmouth, State of New Jersey, that the Mayor and Township Clerk are hereby authorized to sign this Agreement on behalf of the Township of Ocean so that said Agreement can be recorded in the County of Monmouth.

**BE IT FURTHER RESOLVED** that a condition of the approval of this Agreement shall be that the metes and bounds description for the entire property be included as an attachment to the Agreement and the attached recorded in the County of Monmouth.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the following:

1. Smart Access, LLC
2. Township Attorney
3. Director of Community Development

**12-054 Approve the time extension for the placement of two storage containers at Hollywood Golf Club for a period not to extend beyond May 30, 2012**

**WHEREAS**, the Chapter 5, Section 5-3 prohibits the placement of any storage container on private property for a period of not more than 21 consecutive days; and

**WHEREAS**, the Township of Ocean previously approved an extension for the placement of storage containers at Hollywood Golf Club for the period ending March 31, 2012; and

**WHEREAS**, Hollywood Golf Club is requesting a second approval to place 2 storage containers on their property located on Block 40, Lots 1, 2, 34 and 111 (510 Roseld Avenue) for a period ending May 30, 2012; and

**WHEREAS**, the reason for the requested extension is due to the continued renovations to the clubhouse at Hollywood Golf Club;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that approval is hereby granted to allow Hollywood Golf Club to place 2 storage containers on Block 40, Lots 1, 2, 34 and 111 (510 Roseld Avenue) for a period not to extend past May 30, 2012; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the following:

1. Hollywood Golf Club
2. Director of Community Development
3. Zoning Official
4. Code Enforcement Official

**12-055 Authorize the receipt of bids for an abandoned vehicle**

**WHEREAS**, the procedure for disposition of abandoned vehicles in the possession of a municipality is set forth in N.J.S.A. 39:10A-1 et seq.; and

**WHEREAS**, N.J.S.A. 39:10A-1 provides that when such vehicles remain unclaimed by the owner for a period of 30 days, they may be sold at public auction in a public place. The public agency must give notice of the sale by certified mail, to the owner, if his name and address are known and to the holder of any security interest filed with the director of the

Division of Motor Vehicles and by publication at least five (5) days before the date of the sale, in a newspaper published in the state and circulating in the municipality in which the motor vehicle is held; and

**WHEREAS**, the traffic safety officer of the Township of Ocean has requested that the vehicles listed below be auctioned, that proper notice of the sale shall be advertised as required.

YEAR	MAKE	MODEL	VIN#	Minimum Bid
2000	Mazda	Miata Conv.	JM1NB3531Y014613	\$2,002.00

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean that the Township Manager or his designee is hereby authorized to receive bids for abandoned vehicles to be auctioned" on **May 15, 2012**, at **10:00 AM**, at the Township of Ocean Town Hall, 399 Monmouth Road, Oakhurst, N.J. 07755.

**BE IT FURTHER RESOLVED** that the prospective bidders may examine the vehicle to be auctioned at Central Towing, 31 Central Ave., Red Bank, N.J. 07701, between the hours of 10:00 AM and 2:00 PM, on **May 8, 2012**.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the following:

1. Police Department (Traffic Bureau)
2. Towing Company

**12-056 Authorize the submission of the following Grant applications:**

**a. Monmouth County Alcohol and Drug Abuse Prevention Services**

**WHEREAS**, the Township of Ocean is recognized as a model of community response to the problems of alcoholism and drug abuse because of the community's commitment to the provision of community-based services and

**WHEREAS**, the people of the Township of Ocean wish to continue to provide barrier free access to drug and alcohol counseling for residents of Ocean and surrounding communities and

**WHEREAS**, the Alliance for the Prevention of Alcohol and Drug Abuse has recommended the continuation of the prevention, intervention and counseling services provided through the community based programs of the Human Services Department and

**WHEREAS**, the Monmouth County Board of Chosen Freeholders has invited the Township of Ocean to submit an application for renewal of a grant supporting such services for 2012;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Ocean, County of Monmouth that the Director of Human Services is authorized to prepare and submit the 2012 application for funding to the Monmouth County Board of Alcohol and Drug Abuse Services through funding from the County of Monmouth; and

**BE IT FURTHER RESOLVED** that the Township Council has authorized the Township Manager or his designee to provide all necessary and pertinent information to the Monmouth County Board of Drug and Alcohol Services and to sign and execute all related agreements on behalf of the Council.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the following:

1. Monmouth County Division of Mental Health and Addiction Services
2. Township of Ocean Alliance to Prevent Drug and Alcohol Abuse

3. Dr. Richard Ponton, Director of Human Services

**12-057 Authorize the Mayor to execute the Memorandum of Agreement between the Township and the Monmouth County Mosquito Extermination Commission to perform aerial surveillance and treatment in the Township from April 15 through November 30, 2012**

**WHEREAS**, the Township Council is in receipt of a letter dated March 9, 2011 from the Monmouth County Mosquito Extermination Commission advising that it anticipates resuming its aerial surveillance and treatment program on or about April 15, 2012 and continuing through November 30, 2012; and

**WHEREAS**, said letter further requests authorization from the Township Council to conduct its aerial surveillance and treatment program over portions of the Township of Ocean which consists of applying pesticides from an aircraft to control mosquitoes; and

**WHEREAS**, it is represented by the Monmouth County Mosquito Extermination Commission that all pesticides used are approved for aerial applications by both the Federal and state Governments; and

**WHEREAS**, the areas to be treated are only those which have significantly high mosquito populations, so as to be either a public health nuisance or disease factor; and

**WHEREAS**, prior to such application, the Monmouth County Mosquito Extermination Commission agrees to notify the Ocean Township Police Department;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that it does hereby authorize the Mayor and Municipal Clerk to execute said Agreement with the Monmouth County Mosquito Extermination Commission permitting the aerial surveillance and treatment program during the period April 15, 2012 through November 30, 2012; and

**BE IT FURTHER RESOLVED** that a copy of this resolution, certified to be a true copy, be forwarded to the following:

1. Monmouth County Mosquito Extermination Commission
2. Police Chief
3. Director of Public Works

**12-058 Authorize submission of the 2011 Municipal Recycling Tonnage Grant Application**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for the **2011 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township of Ocean to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of Township of Ocean that the Township of Ocean hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates William McMahon to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**12-059 Authorize the Release of Performance Guarantees for:**

**a. Block 7, Lots 5, 6, 44 & 45, West Park Avenue & Woodrow Street, Tsubanos & Stefano**

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Township of Ocean to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Township Engineer; and

**WHEREAS**, the Township Council did authorize and enter into a Developer's Agreement dated November 7, 1990 with A. Stefanou and G. Tsubanos for a subdivision described as Block 7, Lots 5, 6, 44 and 45 located at West Park Avenue and Woodrow Street; and

**WHEREAS**, George Tsubanos has heretofore deposited with the Township of Ocean performance guarantees totaling \$21,600.00, in the form of Performance Bond #C27346 by First Indemnity of America Insurance Company in the amount of \$19,440.00 and cash in the amount of \$2,160.00 to guarantee the completion of all improvements on premises known as Block 7, Lots 5, 6, 44 and 45 located at West Park Avenue and Woodrow Street; and

**WHEREAS**, the Township Council did authorize an increase in the performance guarantees of \$31,203.60 by resolution dated November 21, 1994; and

**WHEREAS**, the Township Council did authorize a decrease in the performance guarantees of \$4,405.20 by resolution dated December 21, 1994; and

**WHEREAS**, the Township Council did authorize time extensions with no reduction by way of resolutions dated March 27, 1996, March 5, 1997, March 24, 1999, December 1, 1999 and November 13, 2000; and

**WHEREAS**, the Township Clerk is in receipt of a letter from George Tsubanos dated January 25, 2012 requesting release of the performance guarantees; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer has advised the Township Manager by letter dated April 10, 2012, a copy of which is on file in the Office of the Township Clerk and made apart hereof, recommending the release of the aforementioned performance guarantees and the waiver of the maintenance guarantees since the improvements were installed over five years ago; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the performance guarantees hereinbefore referred to be and the same are hereby released, canceled and discharged as per the aforesaid memorandum from Gregory S. Blash subject to the payment of any outstanding engineering and administrative fees.

**BE IT FURTHER RESOLVED** that a copy of this resolution, certified to be a true copy, be forwarded to the following:

1. Township Engineer
2. Director of Finance

3. Director of Community Development
4. Construction Official
5. Stefanou and Tsoubanos
6. First Indemnity of America Insurance Company

**b. Block 33.27, Lot 27, 1809 Fanwood Street, Palatial Homes, Inc.**

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Township of Ocean to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Township Engineer; and

**WHEREAS**, Palatial Homes, Inc. has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$6,624.00 to guarantee the completion of all improvements on premises known as Block 33.27, Lot 2.01 also known as 1809 Fanwood Street; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated April 10, 2012, a copy of which is on file in the Office of the Township Clerk and made apart hereof, that the improvements have been substantially completed and said representative of the Township Engineer recommends the acceptance of same and the release of the aforementioned cash performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% (\$3,312.00) of the cost of the improvements and any outstanding engineering and administrative fees; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the performance guarantees totaling \$6,624.00 are hereby released, canceled and discharged.

**BE IT FURTHER RESOLVED** by the Township Council that this resolution shall not become effective unless and until the Township of Ocean is furnished with the posting of a maintenance guarantee in the amount of 15% (\$3,312.00) of the cost of the improvements and payment of any outstanding engineering and administrative fees; and

**BE IT FURTHER RESOLVED** that a copy of this resolution, certified to be a true copy, be forwarded to the following:

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Palatial Homes, Inc.

**c. Block 53, Lot 5, 228 Crosby Avenue, Monmouth Custom Builders, Inc.**

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Township of Ocean to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Township Engineer; and

**WHEREAS**, Monmouth Custom Builders, Inc. has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$27,612.00 to guarantee the completion of all improvements on premises known as Block 53, Lot 5 also known as 228 Crosby Avenue; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated April 10, 2012, a copy of which is on file in the Office of the Township Clerk and made apart hereof, that the improvements have been substantially completed and said representative of the Township Engineer recommends the acceptance of same and the release of the aforementioned cash performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% (\$13,806.00) of the cost of the improvements and any outstanding engineering and administrative fees; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the performance guarantees totaling \$27,612.00 are hereby released, canceled and discharged.

**BE IT FURTHER RESOLVED** by the Township Council that this resolution shall not become effective unless and until the Township of Ocean is furnished with the posting of a maintenance guarantee in the amount of 15% (\$13,806.00) of the cost of the improvements and payment of any outstanding engineering and administrative fees; and

**BE IT FURTHER RESOLVED** that a copy of this resolution, certified to be a true copy, be forwarded to the following:

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Monmouth Custom Builders, Inc.

**d. Block 56, Lot 5, 200 Roseld Avenue, Simon & Renee Abadi**

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Township of Ocean to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Township Engineer; and

**WHEREAS**, Simon and Renee Abadi has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$13,752.00 to guarantee the completion of all improvements on premises known as Block 56, Lot 5 also known as 200 Roseld Avenue; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated April 10, 2012, a copy of which is on file in the Office of the Township Clerk and made apart hereof, that the improvements have been substantially completed and said representative of the Township Engineer recommends the acceptance of same and the release of the aforementioned cash performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% (\$6,876.00) of the cost of the improvements and any outstanding engineering and administrative fees; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the performance guarantees totaling \$13,752.00 are hereby released, canceled and discharged.

**BE IT FURTHER RESOLVED** by the Township Council that this resolution shall not become effective unless and until the Township of Ocean is furnished with the posting of a maintenance guarantee in the amount of 15% (\$6,876.00) of the cost of the improvements and payment of any outstanding engineering and administrative fees; and

**BE IT FURTHER RESOLVED** that a copy of this resolution, certified to be a true copy, be forwarded to the following:

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Simon and Renee Abadi

**e. Block 111, Lots 15.01 & 15.02, 2103 Appleby Drive, Scott Spallone**

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Township of Ocean to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Township Engineer; and

**WHEREAS**, Scott Spallone has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$758.79 to guarantee the completion of all improvements on premises known as Block 111, Lots 15.01, 15.02, 16.02 and 17 also known as 2103 Appleby Drive; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated April 10, 2012, a copy of which is on file in the Office of the Township Clerk and made apart hereof, that the improvements have been substantially completed and said representative of the Township Engineer recommends the acceptance of same and the release of the aforementioned cash performance guarantees and the waiver of the maintenance guarantees subject to the payment of any outstanding engineering and administrative fees; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the performance guarantees totaling \$758.79 are hereby released, canceled and discharged subject to the payment of any outstanding engineering and administrative fees; and

**BE IT FURTHER RESOLVED** that a copy of this resolution, certified to be a true copy, be forwarded to the following:

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Scott Spallone

**f. Block 140, Lot 109, 731 Highway 35, Ocean 35 Developers, LLC**

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:555D-53) permits the Township of Ocean to accept certain improvements and to release performance guarantees posted by Developer's when said improvements have been certified as complete by the Township Engineer; and

**WHEREAS**, the Township Council did authorize and enter into a Developer's Agreement dated March 15, 2010 with Ocean 35 Developers, LLC for Preliminary and Final Site Plan Approval with Variances and Revised Major Site Plan Approval for property located on Block 140, Lot 109, 731 Highway 35 to demolish the existing vacant "Ritz" diner and construct a 15,670 square foot retail building; and

**WHEREAS**, Ocean 35 Developers, LLC posted performance guarantees totaling \$336,480.00 by way of Subdivision Bond Number 1039629 issued by Lexon Insurance Company in the amount of \$302,832.00 together with cash in the amount of \$33,648.00 to guarantee the completion of all improvements on premises known as Block 140, Lot 109 located at 731 Highway 35; and

**WHEREAS**, the Township Council granted a reduction of the performance guarantees to \$141,962.70 by way of resolution dated February 7, 2011; and

**WHEREAS**, the Township Clerk is in receipt of a letter from Rudolf Samandarov, on behalf of Ocean 35 Developers, LLC requesting the release of the performance guarantees; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer has advised the Township Manager by letter dated April 10, 2012, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially completed.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the performance guarantees in the amount of \$141,962.70 are hereby released, canceled and discharged subject to the following:

1. Receipt of a maintenance bond in the sum of \$42,060.00, said maintenance bond is to run for a period of two (2) years to cover the maintenance of all improvements constructed under the original bond
2. Payment of pending and future engineering inspection and administrative fees in an amount to be determined by the Township Engineer to cover estimated inspection fees
3. All required certificates of insurance be properly filed with the Office of the Township Clerk

**BE IT FURTHER RESOLVED** that a copy of this resolution, certified to be a true copy, be forwarded to the following:

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Ocean 35 Developers, LLC
6. Lexon Insurance Company

**12-060 Authorizing Release of Maintenance Guarantees for:**

**a. Block 1.05, Lot 2, 2108 Kings Highway, Omnipoint Communications, Inc./T-Mobile USA, Inc.**

**WHEREAS**, the Township Council did authorize and enter into a Developer's Agreement dated May 18, 2009 with Omnipoint Communications, Inc./T-Mobile USA, Inc. for Preliminary and Final Major Site Plan Approval with Conditional Use Permit for property described as Block 1.05, Lot 2 located at 2108 Kings Highway; and

**WHEREAS**, performance guarantees totaling \$1,860.00 were posted in the form of Performance Bond No. 070007522 issued by Liberty Mutual Insurance Company in the amount of \$1,674.00 and cash in the amount of \$186.00 to guarantee the completion of all improvements on premises known as Block 1.05, Lot 2 located at 2108 Kings Highway; and

**WHEREAS**, the Township Council did authorize the release of the performance guarantees and acceptance of a \$232.50 maintenance bond on October 19, 2009; and

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) provides for the posting of maintenance guarantees with the governing body after final acceptance of improvements when said improvements have been certified as complete by the Township Engineer; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated April 10, 2012, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned maintenance guarantee.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the maintenance guarantee in the amount of \$232.50 is hereby released, canceled and discharged subject to the payment of any outstanding engineering and administrative fees.

**BE IT FURTHER RESOLVED** that a copy of this resolution, certified to be a true copy, be forwarded to the following:

1. Township Engineer

2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Omnipoint Communications, Inc./T-Mobile USA, Inc.
6. Liberty Mutual Insurance Company

**b. Block 1.05, Lot 2, 2108 Kings Highway, Metro PCS New York, LLC**

**WHEREAS**, the Township Council did authorize and enter into a Developer's Agreement dated April 6, 2009 with Metro PCS New York, LLC for Preliminary and Final Major Site Plan Approval with Conditional Use Permit for property described as Block 1.05, Lot 2 located at 2108 Kings Highway; and

**WHEREAS**, performance guarantees totaling \$4,080.00 were posted in the form of Performance Bond No. 020025377 issued by Liberty Mutual Insurance Company in the amount of \$3,672.00 and cash in the amount of \$408.00 to guarantee the completion of all improvements on premises known as Block 1.05, Lot 2 located at 2108 Kings Highway; and

**WHEREAS**, the Township Council did authorize the release of the performance guarantees on October 19, 2009; and

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) provides for the posting of maintenance guarantees with the governing body after final acceptance of improvements when said improvements have been certified as complete by the Township Engineer; and

**WHEREAS**, Metro PCS New York, LLC has heretofore deposited with the Township of Ocean a maintenance guarantee in the amount of \$510.00 on Block 1.05, Lot 2 also known as 2108 Kings Highway; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated April 10, 2012, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned maintenance guarantee.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the maintenance guarantee in the amount of \$510.00 is hereby released, canceled and discharged subject to the payment of any outstanding engineering and administrative fees.

**BE IT FURTHER RESOLVED** that a copy of this resolution, certified to be a true copy, be forwarded to the following:

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Metro PCS New York, LLC

**c. Block 75, Lot 7, 606 Beechwood Avenue, T.B.C. Construction Group, Inc.**

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) provides for the posting of maintenance guarantees with the governing body after final acceptance of improvements when said improvements have been certified as complete by the Township Engineer; and

**WHEREAS**, T.B.C. Construction Group, Inc. has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$1,545.00 for premises known as Block 75, Lot 7 also known as 606 Beechwood Avenue; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated April 10, 2012, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the

aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantee in the amount of \$1,545.00 is hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer subject to the satisfaction of outstanding and anticipated engineering inspection fees which shall either be paid directly or subtracted from the cash maintenance posted.

**BE IT FURTHER RESOLVED** that a copy of this resolution, certified to be a true copy, be forwarded to the following:

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. T.B.C. Construction Group, Inc.

**12-061 Authorize fireworks display by Deal Golf & Country Club for July 1, 2012**

**WHEREAS**, N.J.S.A. 21:3-3 permits the governing body of a municipality to “grant a permit for the public display of fireworks by .... fraternal or civic... or other organizations...”; and

**WHEREAS**, Deal Golf and Country Club will make an application for a public display of fireworks on July 1, 2012 (July 6, 2012 raindate) at the Club; and

**WHEREAS**, the Chief of Police and Fire Marshall of Fire District Number One will be required to review and approve said application;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey that authorization is hereby given for the aforementioned public display of fireworks by Deal Golf and Country Club on July 1, 2012 (July 6, 2012 raindate) at the Club; and

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to execute said permit upon receipt of the following by the Township:

1. Copy of the contract between the pyrotechnic operator and Deal Golf and Country Club
2. Certificate of Insurance with Comprehensive General Liability coverage, including Contractual, Automobile and Workers Compensation
  - a. Liability Limits of \$1,000,000 CSL and Statutory Workers’ Compensation;
  - b. Municipality as additional named insured;
  - c. Specifically mentioned hold harmless contract.
3. An executed hold harmless agreement in favor of the municipality must be signed by the fireworks contractor.
4. Receipt of approval letters from Chief of Police and Fire Marshall of Fire District Number One

**Vote on All Consent Items:**

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	Mayor Larkin
Motion To Approve	X				
Motion to Second		X			

Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**INDIVIDUAL ACTION:**

**VOUCHERS: 7,546,522.95**

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Evans	Councilwoman Schepiga	Mayor Larkin
Motion To Approve	X				
Motion to Second		X			
Approved	X	X	X	X	X*
Opposed					
Not Voting/Recuse					
Absent/Excused					

\* Yes, except for those in which a conflict exists:  
 Sanford Brown, Esq.  
 James Higgins Associates  
 Kepwell Spring Water Co.

**RESOLUTIONS:**

**12-062 Authorize the Mayor and Municipal Clerk to execute the Inter-local Services Agreement between the Township and the Board of Education for the rental of school buses for the 2012 Summer Recreation Program.**

**WHEREAS**, N.J. S. A. 40:8A-1 et seq. authorizes a municipality to enter into a contract with any other local unit for the joint provision of services; and

**WHEREAS**, the Township of Ocean is desirous of entering into a Rental Agreement with the Township of Ocean Board of Education for the use of seven (7) 54-passenger school buses for the Township of Ocean Summer 2012 Recreation Program; and

**WHEREAS**, the Rental Agreement provides that the Township of Ocean Board of Education will receive a flat fee of \$8,000.00; and

**WHEREAS**, the Director of Finance has certified that there are adequate sufficient funds available under the following line item appropriation: Recreation Trust, account # N-03-56-850-801

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean that the Mayor and Municipal Clerk are hereby authorized to execute the Rental Agreement with the Township of Ocean Board of Education for the use of seven (7) 54-passenger school buses for the Township of Ocean Summer 2012 Recreation Program, for the period June 22, 2012 through August 20, 2012; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the following:

1. Township of Ocean Board of Education
2. Department of Human Services
3. Department of Public Works

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	Mayor Larkin
Motion To Approve	X				
Motion to Second		X			
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**12-063 Authorize the renewal of the Contract with Delta Dental of New Jersey, Inc.**

**WHEREAS**, the Township of Ocean presently provides dental insurance coverage to its employees through a contract with Delta Dental Plan of New Jersey, Inc.; and

**WHEREAS**, the current agreement is set to expire on April 30, 2012; and

**WHEREAS**, Delta Dental of New Jersey, Inc. has provided a proposal to the Township of Ocean (Group 3268) to renew the Premier Plan and the Preferred Plan portions of the contract through April 30, 2014 with the following rate structure:

Premier Plan	Single	\$39.63
	Family	\$94.03
Preferred Plan	Single	\$33.05
	Family	\$77.49

**WHEREAS**, Delta Dental of New Jersey, Inc. has provided a proposal to the Township of Ocean (Group 3268) to renew the Delta Care (Flagship) Plan portion of the contract to extend through April 30, 2012 with the following rate structure:

Delta Care Plan	Single	\$26.79
	Two Party	\$51.18
	Three Party	\$84.73

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey, that the Mayor and Township Clerk are hereby authorized to execute the renewal agreements with Delta Dental of New Jersey, Inc., as described above; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution will be provided to the following:

1. Commerce Insurance Services
2. Delta Dental of New Jersey, Inc./Flagship Health Systems, Inc.

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	Mayor Larkin
Motion To Approve	X				
Motion to Second		X			
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**12-064 Authorize the appointment of Kevin P. Stroebel as Special Law Enforcement Officers – Class II for 2012**

**AUTHORIZING THE APPOINTMENT OF  
SPECIAL LAW ENFORCEMENT OFFICERS – CLASS II FOR 2012**

**WHEREAS**, the Township of Ocean has a need for Special Law Enforcement Officers – Class II for the year 2012; and

**WHEREAS**, the Police Chief has submitted the following individuals for appointment as Special Law Enforcement Officers – Class II for the Township of Ocean for the year 2012:

Kevin P. Stroebel

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey that Kevin P. Stroebel be and are hereby appointed as Special Law Enforcement Officers – Class II for the Township of Ocean for the year 2012, as a salary commensurate with the current salary ordinance.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the following:

1. Police Chief
2. Township Manager

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	Mayor Larkin
Motion To Approve	X				
Motion to Second		X			
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**ORDINANCES:**

**Adoption(s):**

Ordinance #2182 – An ordinance to exceed the Municipal Budget Appropriation Limits (Coaster) and to establish a CAP Bank

The following vote was taken to open the Public Hearing on Ordinance #2182:

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	Mayor Larkin
Motion To Approve				X	
Motion to Second			X		
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

There were no public comments on Ordinance #2182.

Seeing that there were no comments on Ordinance #2182, the following vote was taken to close the Public Hearing:

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	Mayor Larkin
Motion To Approve				X	
Motion to Second			X		
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

The following vote was taken to adopt Ordinance #2182 and advertise according to law:

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	Mayor Larkin
Motion To Approve				X	
Motion to Second			X		
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**Introduction(s):**

Ordinance #2183 – A bond ordinance providing for various improvements and appropriating \$2,579,689 therefor and authorizing the issuance of \$1,861,585 bonds or notes to furnish a portion of the costs thereof

**Bond Ordinance No. 2183**

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$2,579,689 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,861,585 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF OCEAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

**BE IT ORDAINED** by the TOWNSHIP COUNCIL OF THE TOWNSHIP OF OCEAN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Township of Ocean, in the County of Monmouth, New Jersey (the "Township"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$2,579,689, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$140,300 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, \$200,000 available from the General Capital Fund balance, \$202,804 available from the Reserve in the General Capital Fund, and \$175,000 grant funds expected to be received by the Township from the New Jersey Department of Transportation. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,861,585, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3 (a). The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the projects listed below, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans,

specifications or requisitions therefor on file with or through the Township Clerk, as finally approved by the governing body of the Township, and the estimated cost of each project, estimated maximum amount of bonds or notes, and the period or average period of usefulness of the improvements are as follows:

(i) the acquisition of Public Works equipment and vehicles, including a one man leaf machine, one (1) automated trash collection truck; one (1) Cat Loader with attachments; one (1) Case Loader; one (1) tandem dump truck with plow; and GPS units for Public Works trucks, with a total appropriation and estimated cost of \$982,350, estimated maximum amount of bonds or notes therefor of \$933,232, and an average period of usefulness of 9.94 years;

(ii) the acquisition of computers, monitors, servers and other computer related items, with a total appropriation and estimated cost of \$60,000, estimated maximum amount of bonds or notes therefor of \$57,000, and an average period of usefulness of 5 years;

(iii) Police Department improvements, including the acquisition of an L-3 Mobile Vision Backend Server with records workstation upgrade, four (4) police mobile computers, an E-Ticketing Bar Code reader system for Datalux MDT computers, a CCTV Camera System for municipal buildings and other municipal sites, a microfilm machine with scanner and viewer, patrol rifles and mounting racks for patrol vehicles, and Police Department building renovations, with a total appropriation and estimated cost of \$206,650, estimated maximum amount of bonds or notes therefor of \$196,317, and an average period of usefulness of 6.06 years;

(iv) recreation improvements, including the reconstruction of the Pool and Tennis Club tennis court, the reconstruction of the Dave Dahrouge tennis court, and the acquisition of a passenger van, with a total appropriation and estimated cost of \$265,000, estimated maximum amount of bonds or notes therefor of \$251,750, and an average period of usefulness of 13.49 years;

(v) the acquisition of OEM equipment, including an NLPRO II 8kw mobile light tower, with a total appropriation of \$11,000, estimated maximum amount of bonds and notes therefor of \$10,450, and an average period of usefulness of 15 years;

(vi) road improvements, including the 2012 Road Improvement Program, Sunset Avenue Reconstruction Phase V, improvements to North/South Edgemere Road and Logan Road, and various road milling and paving improvements, with a total appropriation and estimated cost of \$1,012,368, estimated maximum amount of bonds or notes therefor of \$412,836, \$200,000 available from the General Capital Fund balance, \$202,804 available from the Reserve in the General Capital Fund, and New Jersey Department of Transportation grant funds of \$175,000, and an average period of usefulness of 10 years; and

(vii) equipment purchased from Capital Improvement Fund, including equipment for buildings and grounds, streets and roads, OEM, and recreation departments, with a total appropriation and estimated cost of \$42,321 and an average period of usefulness of 5 years.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,861,585, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,579,689, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$2,579,689 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$140,300 down payment, \$200,000 available from the General Capital Fund balance, \$202,804 available from the Reserve in the General Capital Fund, and the New Jersey Department of Transportation Grant in the amount of \$175,000.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall

determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 9.84 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,861,585 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$215,464 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Township are used to finance, on an interim basis, costs of said improvements or purposes, the Township reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Township for the improvements or purposes described in Section 3 hereof, excluding the grant funds referenced in Section 1 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and, unless paid from other sources, the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	Mayor Larkin
Motion To Approve				X	
Motion to Second			X		
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

Ordinance #2184 – Amend Chapter II of the “Revised General Ordinances of the Township of Ocean, 1965” entitled “Personnel Policies, Practices and Procedures”.

**ORDINANCE #2184**

**AN ORDINANCE RESCINDING ORDINANCE NO. 2147 AS AMENDED ENTITLED: “AN ORDINANCE AMENDING THE REVISED ORDINANCES OF THE TOWNSHIP OF OCEAN, 1965” RELATING TO PERSONNEL POLICIES, PRACTICES AND PROCEDURES AND ESTABLISHING AN ORDINANCE ENTITLED “TOWNSHIP OF OCEAN PERSONNEL POLICIES, PRACTICES AND PROCEDURES”**

**WHEREAS**, it is deemed necessary to upgrade, revise and coordinate personnel policies and procedures so that same shall relate to all Township employees and be referenced in a single document;

**NOW, THEREFORE, BE IT ORDAINED** by the Township of Ocean, County of Monmouth, State of New Jersey that Chapter II, Section 9 entitled “Personnel Policies, Practices and Procedures”, of the Revised General Ordinances of the Township of Ocean, 1965” be hereby amended and supplemented as follows:

**SECTION I**

Ordinance No. 2147 as amended entitled “An Ordinance amending the Revised General Ordinances of the Township of Ocean, 1965” relating to Personnel Policies, Practices and Procedures is hereby rescinded.

**SECTION II**

The following shall constitute the Township of Ocean Personnel Policies, Practices and Procedures Manual:

TEXT: **MANUAL (Full Text)**  
**Schedule of Benefits – A, B, C, D, E, F, G, H**

**SECTION III**

All other ordinances or parts of ordinances thereof enacted prior to the adoption of this ordinance are hereby repealed to the extent of such inconsistencies.

If any section, paragraph, subparagraph, clause or provision of this ordinance shall be adjudged invalid such adjudication shall apply only to the section, paragraph, subparagraph, clause or provision so adjusted and the remained of this ordinance shall be deemed valid and effective.

**SECTION IV**

This ordinance shall take effect after its final passage and advertisement in accordance with the law.

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	Mayor Larkin
Motion To Approve				X	
Motion to Second			X		
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

### **2012 Municipal Budget Presentation**

At this juncture, Mayor Larkin introduced Andrew Brannen, Township Manager, and Stephen Gallagher, Director of Finance, who conducted a powerpoint presentation on the 2012 Municipal Budget.

Mr. Brannen discussed the following:

- 2012 Budget Objectives
  - ✓ Less Personnel – 26 positions eliminated since 2008
  - ✓ Less Reliance on Surplus
  - ✓ More Shared Services
  - ✓ More Reliance on Technology
  - ✓ Continued Investment in Infrastructure
  - ✓ Maintain Township Quality-of-Life
- Reduced Employee Benefits
  - ✓ Eliminated Family and Member/Spouse coverage for New Hires – Clerical Technical and Public Works
  - ✓ Year 2 of increased Employee Health Insurance contributions
  - ✓ Eliminated longevity pay for Public Works Unions (Local 701 and Local 177)
  - ✓ Reduced vacation and sick leave allotments to Public Works Unions
  - ✓ Legislative limitations on accumulated leave balance payouts
- Less Reliance on Surplus – in 2010, Township utilized \$7.4 million of surplus and in 2012, that has been reduced to under \$6.9 million
- More Shared Services
  - ✓ 911 Services – Eatontown
  - ✓ Billing and Accounting Services – TOSA
  - ✓ Court Facilities – Renewal of the West Long Branch Court Lease
  - ✓ Vehicle Maintenance – State Contract with Seacoast Chevrolet
  - ✓ Electricity and Natural Gas – Sustainable Energy Meeting COOP of 180 Municipalities in New Jersey
  - ✓ Animal Control Services – City of Long Branch
  - ✓ Health Department Services – Monmouth County Regional Health Commission
  - ✓ Senior Transportation Services – Monmouth County Transportation Department
  - ✓ Liability Insurance – Mid Jersey Municipal Joint Insurance Fund
- Operating Efficiencies
  - ✓ Solid Waste/Recycling – Township is collecting less solid waste and more recycling
- 2012 Budget Objectives

✓ Changes since Budget Introduction

- Council requested additional \$180,818 removed from 2012 budget
- Appropriations \$80,638 less than the 2011 Budget
- Tax rate increase cut to 0.9 cents per \$100 of assessed value
- Currently \$707,481 below the Property Tax Cap including the CAP Bank

• Revenues

- ✓ Total State Aid – decreased from \$4 million in 2007 to \$3 million in 2012
- ✓ Interest Income – decreased from \$1.2 million in 2007 to \$150,000 in 2012
- ✓ Uniform Construction Code Fess – have been unpredictable
- ✓ Debt Service – has been stabilized

Public Questions on the 2012 Budget :

**Brian Lefferson** inquired as follows:

- Concerned with the reduction in Police Officers and wants the Township to consider hiring more Class II Officers.

Andrew Brannen, Township Manager, stated that the number of Class II officers is mandated by the State and the Township is limited on the number it can have.

- Tax Appeals – how many appeals has the Township received

Mr. Brannen stated that most of the appeals have come from the commercial properties in the Township.

- Colonial Terrace Golf Course – how much did it lose

Mr. Brannen stated that he is anticipating that the golf course will be out of the red in 2012

- When are the Red Light Camera's going to be installed

Mr. Brannen stated that the Township is Number 1 on the list to be approved once the State moves past those municipalities that were part of the Pilot Program

**Florence Hauer** asked for an explanation about the CAP Bank

Mr. Brannen explained that this was money set aside that could be utilized by the Township in future years to covering excess expenditures of the Township.

**Council Reports:**

**Councilmember Schepiga**, reminded everyone about Clean Sweep, which will be held on April 22, 2012 (raindate is April 29).

**Deputy Mayor Siciliano** stated that there will be a Cancer Relay for Life on May 19-20, 2012 at Joe Palaia Park.

The following Councilmember(s) offered no report:

Councilmember Evans and Garofalo  
Martin Arbus, Esq., Township Attorney  
Andrew Brannen, Township Manager

**PUBLIC COMMENTS:**

**Barbara Hudson** discussed her concerns about the potential medical ramifications of cell towers and cell phones.

Mrs. Hudson also was concerned that the Township’s Police Department was getting involved with the cell tower proposal on West Park Avenue.

**Joe Bove** expressed his concerns over the ongoing issue of speeding on Deal Lake. Mr. Bove thanked Mr. Brannen for setting up a meeting with the State of new Jersey.

Mr. Brannen stated that he is getting mixed signals from the State as to whose jurisdiction this falls on but he will continue to work on this issue.

**Brian Lefferson** discussed the Deal lake issues and feels that speed enforcement will be very difficult.

**F.K. Hudson** inquired about the following:

- COAH

Mr. Arbus stated that there was nothing new to report

Seeing that there were no other questions, the meeting was adjourned.

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	Mayor Larkin
Motion To Approve	X				
Motion to Second		X			
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

Respectfully submitted,

William F. Larkin  
Mayor

Vincent Buttiglieri, RMC/CMC/MMC  
Municipal Clerk