

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

**AUGUST 27, 2010**

**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 4:15 p.m.

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

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

Mayor Larkin presided and called the meeting to order and asked for the Pledge of Allegiance.

**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 9, 2009 and revised on August 25, 2010.

**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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**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/or 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 COMENTS:**

There were no public comments at this time.

**INDIVIDUAL ACTION:**

**RESOLUTIONS:**

**10-143 Authorize the Tax Collector to issue refund check(s) in the amount of \$2,522.17 to the owner of Block 154, Lot 15, due to an overpayment of taxes.**

**RESOLUTION  
AUTHORIZING REFUND OF TAX OVERPAYMENT**

**WHEREAS**, a payment was made by the mortgage company for 4<sup>th</sup> quarter 2009 property taxes on June 10, 2010 in the amount of \$2,522.17,

**WHEREAS**, the tax overpayment should be refunded to BAC Tax Services Corporation,

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Tax Collector and the Director of Finance to refund the said tax overpayment to the payer listed below.

Block	Lot	Owner/Payer Name	Amount	Reason
154	15	BAC Tax Services Corp P.O. Box 10211 MS CA0-911-01-03 Van Nuys, CA 91410-0211	2,522.17	Bank of America paid 4 <sup>th</sup> Quarter, 2009 Taxes on 6/10/10 in error. Requested Refund.
<b>Total Taxes Overpaid</b>			<b>\$2,522.17</b>	

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

1. Director of Finance/Tax Collector
2. Township Auditor

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

**10-144 Authorize the Tax Collector to issue refund check(s) in the amount of \$1,685.79 to the owner of Block 31, Lot 68, due to an overpayment of taxes.**

**RESOLUTION  
AUTHORIZING REFUND OF TAX OVERPAYMENT**

**WHEREAS**, a payment was made by the homeowner for 3rd quarter 2010 property taxes by check on August 6, 2010 and by automatic direct debit on August 5, 2010 in the amount of \$1,685.78,

**WHEREAS**, the tax overpayment was requested by the homeowner to be refunded,

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Tax Collector and the Director of Finance to refund the said tax overpayment to the payer listed below.

Block	Lot	Owner/Payer Name	Amount	Reason
31	68	Ketelsen, John J. & Antoinette 104 Whale Pond Road Oakhurst, NJ 07755-1225	1,685.79	Homeowner paid by check and direct debit.
<b>Total Taxes Overpaid</b>			<b>\$1,685.79</b>	

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

1. Director of Finance/Tax Collector
2. Township Auditor

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

**10-145 Authorize the extension of the deadline for payment for delinquent assessments until September 30, 2010**

**RESOLUTION**

**WHEREAS**, the Township Council of the Township of Ocean previously authorized for the installation of curbs, sidewalks and driveway aprons along portions of various streets in the Township of Ocean ; and

**WHEREAS**, said assessments were confirmed by the Township Council of the Township of Ocean on April 19, 2010 with an initial due date of June 1, 2010; and

**WHEREAS**, the following property owners are delinquent for the payment due June 1, 2010 and are hereby required to make the payments that were due June 1, 2010 plus delinquent interest due to the Township of Ocean by September 30, 2010 in order to continue in the installment plan, or if no payment is received by the Township of Ocean then full payment of the assessment will be required:

<u>Block</u>	<u>Lot</u>	<u>Due Date</u>	<u>Installment Amount</u>
5.02	12	6/1/2010	\$134.69 (1)
104	5	6/1/2010	\$154.52 (1)

(1) – includes delinquent Interest

**WHEREAS**, it is the intention of the Township Council to extend the payment period for those property owners affected by said assessments until September 30, 2010 and allow the property owners to continue the installment plan for the payment of the outstanding balance of the assessment; and

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Township of Ocean, County of Monmouth, State of New Jersey, that authorization is hereby given to extend the deadline for payment for the delinquent installment on the assessments due on the above noted properties until September 30, 2010; and

**BE IT FURTHER RESOLVED**, that the installment plan for the payment of the special assessment be reinstated as long as payment of the 2010 installment is made by September 30, 2010; and

**BE IT FURTHER RESOLVED**, that said property owners will be notified by mail of the time extension and the provisions for payment of said monies due the Township of Ocean; and

**BE IT FURTHER RESOLVED**, that any property owner who fails to make the required payment by September 30, 2010, the entire balance of the assessment due shall become and be immediately due with interest imposed at the same rate as delinquent taxes, this being 8% on the first \$1,500.00 delinquent and 18% for the balance; and

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

1. Director of Finance
2. Tax Collector

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

**10-146 Authorize the submission of the FY2011 New Jersey Department of Transportation Trust Fund Municipal Aid Grant.**

**WHEREAS**, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2011; and

**WHEREAS**, the Township of Ocean is desirous of submitting an application under this program for the following purpose:

- Improvements to Sunset Avenue (Phase IV) from Birch Avenue to Wickapecko Drive

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

**FURTHER BE IT RESOLVED**, that the Township Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2011-Ocean Township - 00244 to the New Jersey Department of Transportation on behalf of the Township of Ocean; and

**FURTHER BE IT RESOLVED**, that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Ocean and that their signatures constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Council-woman Schepiga	Councilman Siciliano	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 #2151 – An ordinance amending Chapter XII of the “Revised General Ordinances of the Township of Ocean, 1965” entitled One-Way Streets to include a portion of Bendermere Avenue  
(Coaster)

The following vote was taken to open the Public Hearing on Ordinance #2151

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

Seeing that there were no public comments on Ordinance #2151, the following vote was taken to close the Public Hearing:

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	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 #2151 and advertise according to law:

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

Ordinance #2152 – An ordinance amending Chapter XII of the “Revised General Ordinances of the Township of Ocean, 1965” regulating parking along portion of Bendermere Avenue  
(Coaster)

The following vote was taken to open the Public Hearing on Ordinance #2152

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

Seeing that there were no public comments on Ordinance #2152, the following vote was taken to close the Public Hearing:

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	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 #2152 and advertise according to law:

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

**Council Reports:**

**The following made no Reports:**

Councilmember(s) Garofalo, Hiers, Schepiga, Siciliano  
 Andrew Brannen, Township Manager  
 Martin Arbus, Township Attorney

**PUBLIC COMMENTS:**

Seeing that there were no comments, Mayor Larkin entertained a motion to adjourn the meeting.

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Council-woman Schepiga	Councilman Siciliano	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  
Municipal Clerk