

**WORKSHOP MEETING
COUNCIL – TOWNSHIP OF OCEAN**

APRIL 6, 2009

OAKHURST, NEW JERSEY

Call Meeting to Order: 5:30 p.m.

Roll Call: Mayor Larkin
Deputy Mayor Hiers, Councilmember(s) Garofalo, Schepiga, Siciliano

Statement of Compliance with the Open Public Meetings Act:

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 Municipal Clerk on December 16, 2008 and revised on March 16, 2009.

REVIEW OF ALL PUBLIC MEETING MATERIAL:

EMERGENCY ITEMS:

ITEMS FOR DISCUSSION:

- D1. Sign Request (enc.)
- D2. 2009 Municipal Budget
- D4. Animal Control
- D5. Poplar Brook Flood Control Project

PUBLIC COMMENTS:

RESOLUTION DECLARING CLOSED SESSION FOR THE FOLLOWING MATTERS:

- C1. Contract . Sale of Real Estate
- C2. Contract . Proposed Development (2 matters)

RESOLUTION
ENDING CLOSED SESSION

Councilmember Garofalo offered the following Resolution and moved its adoption, seconded by Council member Schepiga

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

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

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
 - C1. Contract . Sale of Real Estate
 - C2. Contract . Proposed Development (2 matters)
 - C3. Contract . Municipal Court
3. It is anticipated at this time that the Municipal Clerk shall on a six (6) month basis, review the minutes of closed sessions of the Township of Ocean and make a recommendation to the Governing Body which minutes should be considered for public record. The minutes which are made public shall not thereafter be treated as confidential but may be seen and copied by any person(s) in the same manner as any meeting minutes of the Township of Ocean.
4. This resolution shall take effect immediately.

ROLL CALL: Garofalo, Hiers, Schepiga, Siciliano, Larkin

CERTIFICATION

*I hereby certify that this is a true copy of a resolution passed by the Township of Ocean Governing Body at their meeting held on **April 6, 2009**.*

Vincent Buttiglieri, RMC/CMC
Township Clerk

**AGENDA
TOWNSHIP COUNCIL MEETING
TOWNSHIP OF OCEAN**

APRIL 6, 2009

OAKHURST, NEW JERSEY

Call Meeting to Order: 7:00 pm

Roll Call: Mayor Larkin
Deputy Mayor Hiers, Councilmember(s) Garofalo, Schepiga, Siciliano

Pledge of Allegiance and Silent Prayer

Statement of Compliance with the Open Public Meetings Act:

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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, kindly make your call outside the meeting room.

PROCLAMATIONS:

Eesha Ramanujam . 2009 Spelldown Champion
National Start! Walking Day . April 8, 2009
Autism Awareness Month . April 2009
Myasthenia Gravis Awareness Month . June 2009

Mayor's Statement: Public Portion of any Questions as to Resolutions and Vouchers

The purpose of this public portion is solely to ask questions to understand Resolutions and/or Vouchers that appear on this 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 Questions on Resolutions and/or Vouchers:

CONSENT AGENDA:

MINUTES:

February 16, 2009 . Workshop, Public and Closed

RESOLUTIONS:

09-044 Accept Performance Guarantee for:

- a. Block 40.11, Lot 10 . 1002 Franklin Avenue . Glenn and Debra Henderson

09-045 Authorize the release of Performance Guarantees for:

- a. Block 22, Lot 96 . 261 Monmouth Road . Layne Messina
- b. Block 37.11, Lot 9 . 11 Standish Drive . Mark and Evelyn Diedrichsen
- c. Block 35, Lot 55 . 16 Carbury Road . MGO Group
- d. Block 35, Lot 83 . 46 Northwoods Road . MGO Group
- e. Block 35.02, Lot 2 . 22 Northwoods Road . MGO Group
- f. Block 35.06, Lot 5 . 17 Hartshorne Road . MGO Group
- g. Block 35, Lot 95 . 24 Brandywine Road . MGO Group

09-046 Authorize the release of Maintenance Guarantees for:

- a. Block 22, Lot 44.01 . 247 Overbrook Avenue . Alessandro Nascimento
- b. Block 25.05, Lot 16 . 146 Delaware Avenue . Richard and Hally Roman
- c. Block 35, Lot 96 . 22 Brandywine Road . MGO Group
- d. Block 35, Lot 77 . 37 Northwoods Road . MGO Group
- e. Block 35, Lot 49 . 4 Carbury Road . MGO Group
- f. Block 35, Lot 74 . 31 Northwoods Road . MGO Group
- g. Block 35, Lot 75 . 33 Northwoods Road . MGO Group
- h. Block 35, Lot 78 . 39 Northwoods Road . MGO Group
- i. Block 35, Lot 70 . 43 Northwoods Road . MGO Group
- j. Block 35, Lot 81 . 45 Northwoods Road . MGO Group
- k. Block 35, Lot 85 . 42 Northwoods Road . MGO Group
- l. Block 35, Lot 86 . 40 Northwoods Road . MGO Group
- m. Block 35, Lot 87 . 38 Northwoods Road . MGO Group
- n. Block 35.02, Lot 3 . 24 Northwoods Road . MGO Group
- o. Block 35.02, Lot 6 . 30 Northwoods Road . MGO Group
- p. Block 35.02, Lot 9 . 39 Brandywine Road . MGO Group
- q. Block 25.03, Lot 5 . 35 Brandywine Road . MGO Group
- r. Block 206, Lots 5.01 and 5.02 . 1211 and 1215 Herbert Avenue . Stephen, Anna, Lucille and Phillip Petillo
- s. Block 35, Lot 76 . 35 Northwoods Road . MGO Group

09-047 Authorize the reduction of the Performance Bond for the following:

- a. Block 22, Lot 16 . 225 Monmouth Road . The Keybound Group, LLC

09-048 Authorize the acceptance of the Developers Agreement for the following:

- a. Block 1.05, Lot 2 . 2108 Kings Highway . Metro PCS New York, LLC

09-049 Authorize the Assignment of the Developers Agreements from Starwood Heller Seaview, LLC to Seaview Square, LLC for the following:

- a. Block 141, Lots 1 and 23 . Retail Phase %A+. Lowe's Building
- b. Block 141, Lots 1 and 23 . Retail Phase %B+. Costco Wholesale Club & Gasoline Station
- c. Block 141, Lots 1 and 23 . Retail Phase %C+. Target & Ring Road
- d. Block 141, Lots 1 and 23 . Retail Phase %D+. Applebee's & Retail Building
- e. Block 141, Lots 1 and 23 . Office Building Phase

09-050 Authorize the Mayor and Township Clerk to execute the Agreement with Monmouth County Mosquito Extermination Commission

09-051 Appoint Thomas Caruso, Safety Delegate, and Andrew Brannen, Alternate Safety Delegate for the Mid Jersey Joint Insurance Fund

09-052 Appoint members to the Senior Citizen Housing Corporation

INDIVIDUAL ACTION:

VOUCHERS: \$ 7,232,664.69

SPECIAL ORDINANCE:

Ordinance #2125 . To exceed the Municipal Budget Appropriation Limits and to
(P.H. 5/18/09 APP) Establish a CAP Bank

RESOLUTIONS:

09-053 Consideration of Bids:

- a. Towing Services to Central Towing Company, Red Bank, NJ
- b. HVAC at the Township Library to Encon Mechanical Corp. Ocean, NJ
- c. Asphalt F.A.B.C., Mix I-2, Mix I-4 and Mix I-5 to Stavola Asphalt Co., Tinton Falls, NJ

09-054 Amend the per ton price for road materials awarded on December 1, 2008

09-055 Award Professional Services Contract to Leon S. Avakian, Inc. for the following projects:

- a. 2009 Roadway Improvement Program in the amount of \$76,500.00
- b. Paving of Sunset Avenue . Phase II in the amount of \$42,500.00

09-056 Authorize submission of the 2008 Municipal Recycling Tonnage Grant Application.

09-057 . 2009 Emergency Temporary Appropriations

09-058 Authorize a contract with Concord Engineering Group, Inc. to perform an energy audit on the Township of Ocean Municipal Facilities.

09-059 . Authorize the purchase of four (4) police vehicles from Winner Ford of Cherry Hill, State Contract #A72467

09-060 . Introduction of the 2009 Municipal Budget

09-061 - Authorize the refund of overpayment of taxes resulting from a favorable tax appeal judgment

ORDINANCES:

Adoption(s):

Introduction(s):

Ordinance #2120 . An Ordinance amending Ordinance #2085 entitled: ~~%~~An Ordinance fixing salaries and compensation of certain offices, positions and employees in the Township of Ocean, County of Monmouth, State of New Jersey for the year 2009.
(P.H. 5/18/09 Coaster)

COMMENTS:

PUBLIC COMMENTS:

ADJOURNMENT: