

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

JANUARY 14, 2016

OAKHURST, NEW JERSEY

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

Present: Mayor Siciliano
Deputy Mayor Garofalo
Councilmember(s) Acerra, Long and Schepiga

Absent: Councilmember Schepiga

Others: Martin J. Arbus, Esq., Township Attorney
Andrew Brannen, Township Manager
Jessie M. Joseph, Deputy Township Clerk

Statement of Compliance with the Open Public Meetings Act:

Mayor Siciliano announced that the notice requirements of the Open Public Meetings Act for this meeting have been satisfied; a copy of the Meeting 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 29, 2015.

NOTICE:

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

COUNCIL COMMENTS:

Deputy Mayor Garofalo reported on the Chamber of Commerce luncheon he recently attended and congratulated Mayor Siciliano for being the recipient of the Chamber's Public Service Award.

Councilmember Schepiga announced that the Township calendars are in and will be in the mail shortly.

Councilmember Long was also at the luncheon and he too wanted to congratulate Mayor Siciliano on the award.

Councilmember Acerra echoed the comments that were made previously.

Andrew Brannen, Township Manager, also congratulated the Mayor.

Mr. Brannen announced that the closing on the Poplar Village property will be taking place shortly. He went on to say that once we close on the property it will be restored as open space.

Martin Arbus, Esq., Township Attorney, also wanted to congratulate the Mayor on his award.

Mayor Siciliano wanted to thank Robert Hazelwood, Jr. for submitting the winning design for the new Township logo. His father designed the logo that the Township has been using for years.

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

The purpose of this public portion is solely to ask questions to understand Resolutions and 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:

Don Geiger asked about the following resolutions:

- Resolution No. 16-0003 – where is the property located?

Mayor Siciliano said the project is located off West Park Avenue and there is a Planning Board hearing for the property on February 1.

- Resolution No. 16-014

Mr. Brannen said the rate is the same as last year.

- Resolution No. 16-015 and No. 16-016

Mr. Brannen said these services were all bid with one year extensions. These are the one year extensions. Resolution No. 16-016 had a \$500.00 increase.

- Resolution 16-017 – did we seek out other proposals

Mr. Brannen said every three years we go out for proposals

- Resolution 16-021

Mayor Siciliano explained that we are looking to put a permanent band shell at Joe Palaia Park and this is for the architects that are designing the project.

Paul Meyerowitz asked what the bid cycle is for Resolution No. 16-017

Mr. Brannen said every three years.

Brian Lefferson had a few more questions regarding Resolution 16-021

Mayor Siciliano gave a more detailed description of the project.

CONSENT AGENDA:**MINUTES:**

December 29, 2015 – Workshop and Public Meeting(s)

RESOLUTIONS:**16-001 Accept a Developer's Agreement for the following:****a. Block 34, Lot 19 – 1900 Highway 35 – Meridian Health Realty Corporation**

WHEREAS, Meridian Health Realty Corporation (hereinafter referred to as “Developer”) is the owner of a portion of certain real property known as Block 34, Lot 19, as shown on the official tax map of the Township of Ocean, which property is located at 1900 Highway 35 in the C-2 (Highway Commercial) Zone in the Township of Ocean, Count of Monmouth, State of New Jersey; and

WHEREAS, the Developer was granted Amended Preliminary and Final Major Site Plan and Bulk Variance Approval from the Township of Ocean Planning Board by way of Resolution dated July 27, 2015 to change the use of the 3,000 square foot third floor within the building at the rear of the property from general office to medical office use; and

WHEREAS, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated October 21, 2015 prepared by the Township of Ocean Engineer, Louis J. Lobosco, P.E., P.P. of Leon S. Avakian, Inc.

WHEREAS, prior to the preparation of this Agreement and the posting of any bonds, Meridian Health Realty Corporation has undertaken and completed the items set forth in the Performance Guarantee Estimate dated October 2, 2015; and

WHEREAS, based upon that representation, the funds for inspections and reviews will be immediately posted and if the inspection indicates the work has been satisfactorily completed, the Developer shall post the maintenance bond within two weeks, following said inspection; and

WHEREAS, if the work is not acceptable for any reason, at sole discretion of the Township Engineer, the full amount of the performance bonds shall be posted within said two week period.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey a 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 Meridian Health Realty Corporation, 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 Performance Guarantees in the total amount of \$14,760.00 and Inspection Fees in the amount of \$2,115.00

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. John A. Guinco, Esq.
5. Meridian Health Realty Corporation

16-002 Authorize the Release of the Maintenance Guarantee(s) for the following:

- a. **Block 61.03, Lot 4 – 604 Woodland Road – Ryan & Wanessa Vaccaro**

WHEREAS, 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, Ryan and Wanessa Vaccaro has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$2,664.00 on premises known as Block 61.03, Lot 4 also known as 604 Woodland Road; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated January 5, 2016, 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 guarantees in the amount of \$2,664.00 are hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer 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. Construction Official
4. Director of Community Development
5. Ryan and Wanessa Vaccaro

16-003 Authorize the Township Manager to execute any and all documents related to the Planning Board application submitted by the Township for Block 1.02, Lot 51.11

WHEREAS, the Township of Ocean is the current owner of Block 1.02, Lot 51.11, commonly known as Clearview Drive; and

WHEREAS, the Township wishes to have an inspection of said property in regard to a pending application for the development of said property; and

WHEREAS, an application has been made to the Planning Board for Preliminary/Final Site Plan Approval for the proposed 48 unit affordable apartment community with associated improvements; and

WHEREAS, authorization is requested to have the Township Manager execute said application on behalf of the Township;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Ocean, County of Monmouth that authorization is hereby given for the Township Manager to execute said Planning Board application as it relates to Block 1.02, Lot 51.11; and

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

1. Township Manager
2. Director of Community Development

16-004 Accept the resignation of Charles Theodora, Jr. as the Alternate No. 2 member of the Environmental Commission

WHEREAS, Charles Theodora, Jr. was appointed to the Environmental Commission as Alternate II member on July 1, 2012 and is currently serving in that same capacity; and

WHEREAS, due to personal reasons, Charles Theodora, Jr. submitted his resignation from the Environmental Commission effective immediately;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that it does hereby accept the resignation of Charles Theodora, Jr. as the Alternate II member of the Environmental Commission; and

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

1. Public Agency Compliance Officer
2. Environmental Commission

16-005 Approve the Release of the Closed Session Minutes from December 29, 2015

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

WHEREAS, the public shall be excluded from discussions of and actions upon specified subject matters including:

1. Personnel
2. Pending litigation matters involving the Township, its employees and/or agents
3. Pending or future land acquisitions
4. Pending or future contract negotiations

WHEREAS, the Township of Ocean adopted procedures to make closed session minutes available for public inspection; and

WHEREAS, the Municipal Clerk, on a periodic basis shall review the minutes of the closed sessions of the Township of Ocean and make a recommendation to the Township Council which minutes should be made available for public inspection. The minutes which are made public shall not thereafter be treated as confidential but may be viewed by and copies issued to any person so requesting them; and

WHEREAS, the release of the below noted closed session minutes are subject to certain item(s) being redacted prior to the release due to the fact that the matter has not been concluded, and therefore, are not subject to release;

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Ocean, County of Monmouth that authorization is hereby given to release the following closed session minutes, subject to any appropriate redaction:

December 29, 2015

16-006 Authorize the Submission of the following Grant(s):

a. State Police Emergency Management Grant

WHEREAS, the Township of Ocean, office of Emergency Management has been awarded State Homeland Security Grant Program, Award #FY15-EMPG-EMAA-1337 from the New Jersey State Police Office of Emergency Management. The Subgrant, consisting of a total amount of up to \$14,000.00, including up to \$7,000.00 Federal Award and up to \$7,000.00 Local Matching Funds, is for the purpose of enhancing the Township of Ocean's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the Township of Ocean Office of Emergency Management, designated by the New Jersey state Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Police Office of Emergency Management; and

WHEREAS, the Application for Subgrant Award calls for a match in the amount of up to \$7,000.00 which the Township of Ocean Office of Emergency Management adequately satisfies through the Township of Ocean approved budget for Division salaries and wages and fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean accepts the award of the FFY14 Homeland Security Emergency Management Performance Grant Program Subgrant in the amount of up to \$7,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

BE IT FURTHER RESOLVED that the Director of the Division of Local Government Services is requested to approve the insertion of an item of revenue in the budget for the year 2016 in the sum of up to \$7,000.00 which is now available from the New Jersey State Police, Office of Emergency Management in the like amount of up to \$7,000 from the aforementioned grant; and

BE IT FURTHER RESOLVED that the like sum of up to \$7,000.00 is hereby appropriated under the caption FY15 Homeland Security Emergency Management Performance Grant; and

BE IT FURTHER RESOLVED that the Township Manager and the Township Director of Emergency Management are authorized to sign the appropriate subgrant award documents; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the following:

1. New Jersey State Police, Office of Emergency Management
2. Director of the Division of Local Government Services
3. Township Manager
4. Township Chief Financial Officer
5. Monmouth County Division of Emergency Management
6. Office of the Treasury

16-022 Approve the Municipal Shared Services Defense Agreement and ratify the execution of the same and the amendment on behalf of the Township with Econsult Solutions, Inc.

(see attached)

16-023 Authorize the Mayor and Municipal Clerk to execute the Deed of Easement – Permanent Access for Block 140, Lot 69 with VB Ocean Ave., LLC

WHEREAS, the Township of Ocean is the current owner of Block 140, Lot 69, commonly known as 737 Highway 35; and

WHEREAS, VB Ocean Ave. , LLC is the developer of Wanamassa Woods Estates and as such has requested that the Township of Ocean provide access to said development through the Township-owned property known as Block 140, Lot 69; and

WHEREAS, the Township of Ocean has consented to said request and has prepared a Deed of Easement – Permanent Access for Block 140, Lot 69 which must be executed by the Township;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Ocean, County of Monmouth that authorization is hereby given for the Mayor and Municipal Clerk to execute the Deed of Easement – Permanent Access for Block 140, Lot 69; and

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

1. Township Manager
2. Director of Community Development
3. VB Ocean Ave., LLC

Vote on All Consent Items (except Minutes):

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

Vote on Minutes:

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

INDIVIDUAL ACTION:

VOUCHERS: \$1,100.00

See next page for full list of Vouchers

Vote on Vouchers:

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

RESOLUTIONS:

16-007 Approve the 2016 Temporary Budget

WHEREAS, in the normal operation of the Township of Ocean it is necessary for the making of contracts, commitments and payments prior to the adoption of the regular budget, and

WHEREAS, N.J.S. 40A:4-19 of the State of New Jersey provides the Governing Body of any municipality may make temporary appropriations to provide for any contracts, commitments or payments to be made between the beginning of the budget year and adoption of the final budget, and

WHEREAS, the total amount of the appropriations attached hereto and made a part thereof in the amount of \$8,427,533.48 does not exceed twenty-six and one-quarter (26.25) percent of the Local Budget Appropriations of the Township of Ocean for the year 2015, exclusive of any 2015 appropriations made for Debt Service and Capital Improvement Fund, and exclusive of 2016 Debt Service Appropriations.

NOW, THEREFORE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth, that the attached Temporary Budget for the year 2016 be adopted.

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

1. Director of Finance
2. Township Auditor

Record of Vote	Deputy Mayor Garofalo	Councilman Acerra	Councilman Long	Councilwoman Schepiga	Mayor Siciliano
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recues					
Absent/Excused					

2016 TEMPORARY BUDGET		
Department		Total Appropriations
Office of the Governing Body	Salary & Wages	9,600.00
Office of the Governing Body	Other Expenses	1,936.00
Office of the Township Manager	Salary & Wages	94,500.00
Office of the Township Manager	Other Expenses	11,049.00
Office of the Township Clerk	Salary & Wages	63,500.00
Office of the Township Clerk	Other Expenses	7,398.00
Financial Administration	Salary & Wages	106,500.00
Financial Administration	Other Expenses	5,787.00
Data Processing	Salary & Wages	30,500.00
Data Processing	Other Expenses	52,205.00

Collection of Taxes	Salary & Wages	24,500.00
Collection of Taxes	Other Expenses	3,279.00
Assessment of Taxes	Salary & Wages	55,000.00
Assessment of Taxes	Other Expenses	14,624.00
Legal Services & Costs	Other Expenses	92,500.00
Engineering Services & Costs	Other Expenses	19,228.00
Planning Board	Other Expenses	3,855.00
Board of Adjustment	Other Expenses	12,311.00
Office of Planning Administration	Salary & Wages	87,419.00
Office of Planning Administration	Other Expenses	3,882.00
Construction Code Enforcement	Salary & Wages	119,393.00
Construction Code Enforcement	Other Expenses	20,011.00
MJMJI Assessment (Liab Ins)	Other Expenses	417,679.72
MJMJI Assessment (W/C Ins)	Other Expenses	643,848.28
Health Insurance	Other Expenses	769,078.00
Police Department	Salary & Wages	2,410,200.00
Police Department	Other Expenses	75,533.00
Police Dispatch (911)	Salary & Wages	151,500.00
Police Dispatch (911)	Other Expenses	458.00
Emergency Management	Other Expenses	752.00
Municipal Prosecutor	Other Expenses	11,000.00
Office of Director of Public Works	Salary & Wages	107,500.00
Office of Director of Public Works	Other Expenses	5,825.00
Road Repairs & Maintenance	Salary & Wages	257,500.00
Road Repairs & Maintenance	Other Expenses	129,923.00
Maintenance of Equipment	Salary & Wages	99,000.00
Maintenance of Equipment	Other Expenses	129,148.00
Garbage & Trash Removal	Salary & Wages	321,775.00
Garbage & Trash Removal	Other Expenses	2,164.00
Recycling	Other Expenses	559.00
Building & Grounds	Salary & Wages	250,000.00
Building & Grounds	Other Expenses	82,553.00
Community Services Act	Other Expenses	20,000.00
Health & Code Enforcement	Salary & Wages	49,000.00
Health & Code Enforcement	Other Expenses	62,229.00
Animal Control Services	Other Expenses	15,225.00
Community Services Department	Salary & Wages	158,000.00
Community Services Department	Other Expenses	9,017.00
Recreation	Salary & Wages	148,500.00
Recreation	Other Expenses	31,577.00
Senior Citizen Transportation	Other Expenses	4,711.00
Pool & Tennis Club	Other Expenses	16,750.00
Colonial Terrace Golf Course	Salary & Wages	10,000.00
Colonial Terrace Golf Course	Other Expenses	73,748.00
Pool & Tennis Club Snack Bar	Other Expenses	1,443.00
Project Extend	Salary & Wages	95,000.00
Project Extend	Other Expenses	11,814.00
Public Celebration / Holidays	Other Expenses	8,137.00
Participation in Deal Lake Comm	Other Expenses	19,750.00
Purchase of Twp Vehicles	Other Expenses	83,693.00
Postage	Other Expenses	17,000.00
Citizen's Information Bulletin	Other Expenses	2,625.00
Shade Tree Commission	Other Expenses	525.00
Environmental Commission	Other Expenses	636.00
Electricity	Other Expenses	73,237.00
Street Lighting	Other Expenses	63,000.00
Telephone	Other Expenses	15,015.00
Water	Other Expenses	20,937.00
Natural Gas	Other Expenses	56,000.00
Heating Oil	Other Expenses	5,500.00
Sewerage	Other Expenses	9,550.00
Fuel	Other Expenses	124,500.00
Landfill & Solid Waste	Other Expenses	221,942.00
Social Security System	Other Expenses	163,892.00
DCRP Employer Contribution	Other Expenses	3,000.00
USDJ Bulletproof Vest Grant	Other Expenses	3,101.48
Municipal Court	Salary & Wages	94,500.00
Municipal Court	Other Expenses	4,006.00
Public Defender	Salary & Wages	6,000.00
Public Defender	Other Expenses	500.00
TOSA Shared Services	Salary & Wages	18,500.00
Total 2016 Temporary Budget Appropriations		8,427,533.48

16-008 Authorize the 2016 Tax Sale and request approval from the Director of the Division of Local Government Services to conduct the sale electronically

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs; and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/Real Auction.com to conduct pilot programs; and

WHEREAS, the Township of Ocean had previously received approval from the Director of the Division of Local Government Services to conduct its 2013 through 2015 Tax Sale electronically in accordance with the rules and regulations promulgated for participation in said pilot program for an electronic tax sale; and

WHEREAS, the Tax Collector wishes to conduct the 2016 Tax Sale electronically as to continue to provide a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

WHEREAS, the Tax Collector is hereby directed to sell all municipal delinquencies through December 31, 2015 on October 13, 2016 at 8:30 AM in a manner prescribed by New Jersey State Statute

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, that authorization is hereby given to conduct the 2016 Tax Sale electronically on October 13, 2016 at 8:30 AM; and

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
3. Director of the Division of Local Government Services
4. NJ Tax Lien Investors/Real Auction.com

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

16-009 Approve the 2016 Cash Management Plan

WHEREAS, the Director of the Division of Local Government Services requires the annual adoption of a Cash Management Plan pursuant to guidelines in N.J.S.A. 40A:5-14; and

WHEREAS, the Mayor and Council and Municipal Clerk have received the 2016 Cash Management Plan from the Director of Finance and desire that the Township of Ocean, Monmouth County, follow the provisions contained in the plan for the investment of the Townships' idle funds;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Ocean, Monmouth County, approve and adopt the 2016 Cash Management Plan.

BE IT FURTHER RESOLVED that two copies of this resolution be forwarded to the following:

1. Director of Finance
2. Township Auditor

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

CASH MANAGEMENT PLAN OF THE TOWNSHIP OF OCEAN IN THE COUNTY OF MONMOUTH, NEW JERSEY

I. Statement of Purpose:

This Cash Management Plan (the “plan”) is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits (“Deposits”) and investments (“Permitted Investments”) of certain public funds of the Township of Ocean, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. Identification of Funds and Accounts to be covered by The Plan.

- A. The plan is intended to cover the deposit and or investment of the following funds and accounts of the Township of Ocean:
 1. Current Fund Account
 2. Payroll Account
 3. General Capital Fund Account
 4. Other Trust Fund Accounts
 5. Animal Control Trust Fund Account
 6. Public Assistance Trust Fund Account
 7. Election Account

- B. It is understood that this Plan is not intended to cover certain funds and accounts of the Township of Ocean, Specifically:
 1. Developers Escrow Account

III. Designation of Officials of the Township of Ocean Authorized to Make Deposits and Investments Under The Plan.

The Chief Financial Officer of the Township of Ocean or Designee is hereby authorized and directed to deposit and or invest the funds referred to in The Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Township of Ocean are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgement kept on file with such officials.

IV. Designation of Depositories.

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

- A. Bank of America (Formerly Fleet Bank)
- B. Hudson City Savings Bank
- C. Investors Savings Bank
- D. Kearney Federal Savings Bank (Formerly Ocean First/Central Jersey Bank)
- E. New Jersey ARM
- F. New Jersey Cash Management Plan
- G. Provident Savings Bank
- H. Santander (Formerly Sovereign Bank)
- I. TD Bank
- J. Wells Fargo (Formerly Wachovia Bank)

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Official(s) referred to in Section III above.

V. Official Check Signers

The Township of Ocean does hereby designate the following to be the official check signers for all accounts: Director of Finance, Township Manager and the Township Clerk.

VI. Designation of Brokerage Firms and Dealers With Whom The Designated Officials May Deal.

There are currently no Brokerage Firms or Dealers with whom the Designated Officials may deal with. In the event that, subsequent to the passage of this Plan by the Governing Body of the Township of Ocean, a resolution shall be made and duly passed authorizing amendment of this plan, all such brokerage firms and or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Official(s) referred to in Section III above.

VII. Authorized Investments.

- A. Except as otherwise specifically provided for herein, the Designated Official(s) is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments.
 - 1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America including Treasury Bills, Treasury Notes and Treasury Bonds.
 - 2. Government money market mutual funds.
 - 3. Any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors.
 - 4. Bonds or other obligations of the local unit or school districts of which the local unit is a part.
 - 5. Any other obligations with maturities not exceeding 397 days, as permitted by the Division of Investments.
 - 6. Local government investment pools, such as New Jersey CLASS, and the New Jersey Arbitrage Rebate Management (NJ ARM) program.
 - 7. New Jersey State Cash Management Fund.

8. Repurchase agreements (repos) of fully collateralized securities if:
 - a. The underlying securities are permitted investments pursuant to paragraphs 1 and 3 of this subsection A;
 - b. The custody of collateral is transferred to a third party;
 - c. The maturity of the agreement is not more than 30 days
 - d. The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17:9-41; and
 - e. A master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms “government money market mutual fund” and “local government investment pool “ shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- a. Which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7.
- b. The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- c. Which has:
 - i. attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - ii. retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940,” 15 U.S.C. sec.80b-1 et seq., with experience investing in U.S. Government Securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An investment pool:

- a. Which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- b. Which is rated in the highest category by a nationally recognized statistical rating organization;
- c. Which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;

- d. Which is in compliance with rules adopted pursuant to the “Administrative Procedure Act.” P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments.
 - e. Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
 - f. Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c,9 (C349:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.
- B. Notwithstanding the above authorization, the monies on hand in the following funds and accounts shall be further limited as to maturities, specific investments or otherwise as follows:
- 1. All Permitted investments are to have a maturity of not more than 397 Days. Permitted investments are as follows:
 - a. Certificates of Deposit.
 - b. New Jersey Cash Management Plan.
 - c. New Jersey Arbitrage Rebate Management Program.
 - d. U.S. Government Treasury Bills, Notes, and Bonds not having a maturity greater than 1 year.
 - e. Government Money Market Mutual Funds.

VIII. Safekeeping Custody Payment and Acknowledgement of Receipt of Plan.

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Township of Ocean, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Township of Ocean to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments or securities shall be executed by a “delivery versus payment” method to insure that such Permitted Investments are either received by the Township of Ocean or by a third party custodian prior to or upon the release of the Township of Ocean’s Funds.

To assure that all parties with whom the Township of Ocean deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall

acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

IX. Reporting Requirements.

On the fifteenth day of each month during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the Township Manager of the Township of Ocean a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Township of Ocean.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the Township Manager.

X. Term of Plan.

This Plan shall be in effect from January 1, 2016 to December 31, 2016. Attached to this Plan is a resolution of the governing body of the Township of Ocean approving this Plan for such period of time. The Plan may be amended by the Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

16-010 Approve the 2016 Interest Rates and Penalties for delinquent taxes, assessments and other municipal charges

WHEREAS, N.J.S.A.54: 4-67 et seq., permits the Governing Body to fix the rate of interest to be charged for the non-payment of taxes, assessments or other municipal charges.

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

1. The rate of interest on unpaid taxes, assessments or other municipal charges shall be eight (8%) percent per annum on the first One Thousand Five Hundred (\$1,500.00) Dollars of delinquent taxes, assessments or other municipal charges that become delinquent after the due date and eighteen (18%) percent per annum on any amount in excess of One Thousand Five Hundred (\$1,500.00) Dollars to be calculated from the date the tax, assessments or other municipal charges was payable until the date of actual payment, provided that no interest shall be charged if payment of any installment is made on or before the tenth calendar day following the date upon which the same became payable and, where the 10th falls on a Saturday, Sunday or legal holiday, than they will be payable the next working day; and,
2. In addition to the interest provided above, on all delinquencies in excess of Ten Thousand (\$10,000.00) Dollars not paid prior to the end of the fiscal year, the Tax

Collector shall also collect a penalty of six (6%) percent of the amount of the delinquency in excess of Ten Thousand (\$10,000.00)

3. For all taxes, assessments, and other municipal charges sold as tax liens to outside lien holders or struck to the Township of Ocean, a redemption penalty shall be charge for an additional two (2%) percent when the redemption is over \$200.00 but not over \$5,000.00; four (4%) percent when the redemption is over \$5,000.00 but less than \$10,000.00 and six (6%) percent for redemptions in excess of \$10,000.

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

1. Tax Collector
2. Township Auditor

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

16-011 Authorize the Township Manager to execute an agreement with the United States Department of Agriculture for wildlife management services for 2016 at a cost not to exceed \$2,833.00

WHEREAS, the Township of Ocean is desirous of contracting with an entity to provide wildlife management in the Township; and

WHEREAS, the United States Department of Agriculture (herein referred to as "USDA") has submitted a proposal to assist the Township in this endeavor, which will include treatment and/or destruction of Canadian Geese nests and eggs throughout the nesting season at 7-14 day intervals; and

WHEREAS, as per the proposal submitted, the cost for said wildlife management is \$2,833.00; and

WHEREAS, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2016 Municipal Budget under the following line item appropriations: Colonial Terrace Golf Course – Contract Services – account #6-01-28-799-247;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize a contract with the United States Department of Agriculture to perform wildlife management services, including the treatment and/or destruction of Canadian Geese nests and eggs throughout the nesting season at 7-14 day intervals at a cost not to exceed \$2,833.00; and

BE IT FURTHER RESOLVED that the Mayor or Manager and Municipal Clerk are authorized to execute any and all documents related to this contract; and

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

1. Township Manager
2. Director of Public Works
3. Department of Recreation
4. United States Department of Agriculture

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

16-012 Authorize the following contracts for Colonial Terrace Golf Course:

a. Geese Chasers, LLC

WHEREAS, the Township of Ocean owns and operates the Colonial Terrace Golf Course; and

WHEREAS, the Township of Ocean is desirous of providing environmentally safe goose control measures to deter geese from the grounds of the facility; and

WHEREAS, the Township of Ocean desires to enter into an annual agreement with Geese Chasers, LLC, 42 Broadacre Dr., Mt. Laurel, NJ 08054 for the provision of the aforementioned services in an amount not to exceed \$11,200.00 for 2016; and

WHEREAS, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2016 Municipal Budget

under the following line item appropriation: Colonial Terrace Golf Course – Outside Services – account #6-01-28-799-252;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean that the Township Manager is hereby authorized to execute a service contract with Geese Chasers, LLC, Mt. Laurel, NJ for 2016 goose control measures at the Colonial Terrace Golf Course at a cost not to exceed \$11,200.00; and

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

1. Geese Chasers, LLC
2. Department of Human Services
3. Director of Finance

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

b. Vic Gerard Golf Cars, LLC

WHEREAS, the Township of Ocean will resume operations of the Colonial Terrace Golf Course on or about April 2, 2016; and

WHEREAS, the Township of Ocean intends to provide golf cars available for rent by course users during the operating season; and

WHEREAS, the Township of Ocean desires to enter into a full service lease agreement with Vic Gerard Golf Cars, LLC, 281 Squankum Road, Farmingdale, NJ 07727 for the provision of 23 reconditioned Club Car gasoline golf cars and two Club Car utility vehicles for the 2016 operating season in an amount not to exceed \$18,325.00; and

WHEREAS, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2016 Municipal Budget under the following line item appropriation: Colonial Terrace Golf Course – Outside Services – account #6-01-28-799-252;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean that the Township Manager is hereby authorized to execute a Full Service Lease Agreement with Vic Gerard Golf Cars, LLC for the 2016 Colonial Terrace Golf Course operating season at a cost not to exceed \$18,325.00; and

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

1. Vic Gerard Golf Cars
2. Department of Human Services
3. Director of Finance

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

16-013 Authorize the Mayor and Municipal Clerk to execute the 2016 agreement with Monmouth County for the Special Citizens Area Transportation (SCAT)

WHEREAS, the Township of Ocean heretofore entered into an agreement as authorized by resolution dated January 7, 2015 with the Monmouth County Board of Chosen Freeholders, specifically the Office of Special Citizens Area Transportation (SCAT), to provide certain services to senior citizens and handicapped individuals, among others, residing within the Township of Ocean for the year 2015 pursuant to an agreement between the Township of Ocean and the Board of Chosen Freeholders of Monmouth County; and

WHEREAS, the Township Council wishes to continue said services through the calendar year 2016 at a cost of \$150.00 per half day; and

WHEREAS, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2016 Municipal Budget under the following: SCAT Program - account #6-01-28-797-304;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey, that the aforesaid agreement be renewed for the calendar year 2016 at a cost of \$150.00 per half day; and

BE IT FURTHER RESOLVED by the Township Council that certified copies of this resolution be forwarded to the following:

1. Kathleen Lodato, Director
Monmouth County Division of Transportation (w/ 3 certified copies)
2. Kathleen Reiser, Recreation Director, Interim Director of Human Services

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

16-014 Authorize a contract with the City of Long Branch for Animal Control Services for the period January 1 through December 31, 2016 at a cost not to exceed \$58,000.00

WHEREAS, N.J.S.A. 40:8A-1 authorizes a municipality to enter into a contract with another municipality for the joint provision of services; and

WHEREAS, the Township of Ocean and the City of Long Branch are desirous of entering into an agreement whereby the City of Long Branch will provide animal control services to the Township of Ocean for the period January 1 through December 31, 2016, pursuant to an Agreement being entered into by both parties; and

WHEREAS, the said Agreement provides for the aforementioned services being provided by the City of Long Branch at a cost not to exceed \$58,000.00 for said period; and

WHEREAS, the Director of Finance has certified that funds will be made available by the Governing Body in the 2016 Temporary and Final Budget under Animal Control Contractual Services budget, account #6-01-27-788-247; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that the Mayor and Municipal Clerk are hereby authorized to execute and deliver the Inter-local Services Agreement to the City of Long Branch for the joint provision of animal control services for the period January 1 through December 31, 2016 at a cost not to exceed \$58,000.00; and

FURTHER BE IT RESOLVED that said Agreement shall be maintained in the Office of the Municipal Clerk and available for public inspection during regular business hours; and

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

1. Director of Community Development
2. Director of Finance
3. City of Long Branch

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

16-015 Authorize a maintenance contract for the Police communications console equipment with Wireless Communications & Electronics, Inc. for the period January 1 through December 31, 2016 at a cost not to exceed \$18,000.00

WHEREAS, the Township of Ocean purchased new police communications console equipment as part of the Police Communications Renovation Project; and

WHEREAS, the Township of Ocean is desirous of entering into a maintenance contract for said police communications console equipment for a period of January 1 through December 31, 2016; and

WHEREAS, the Township of Ocean, Monmouth County has availed itself of the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State of New Jersey pursuant to N.J.S.A. 40A:11-12; and

WHEREAS, the Township of Ocean, Monmouth County desires to enter into a maintenance agreement for said console equipment from Wireless Communications & Electronics, Inc., Metuchen, NJ (State Contract # A83909) at a cost not to exceed \$18,000.00; and

WHEREAS, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2016 Municipal Budget under Contract Services - Police, account #6-01-25-745-247;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of Ocean, County of Monmouth, State of New Jersey, that authorization is hereby given to enter into a maintenance agreement for the police communications console equipment with Wireless Communications & Electronics, Inc (State Contract #A83909) at a cost not to exceed \$18,000.00 for the one year period January 1 through December 31, 2016; and

BE IT FURTHER RESOLVED, by the Township Council that certified copies of this resolution be forwarded to the following:

1. Police Chief
2. Wireless Communications & Electronics, Inc.

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

16-016 Approve the one-year extension of the contract with Air Systems Maintenance for the heating and air conditioning system maintenance for all municipal buildings for the period January 1 through December 31, 2016 at a cost not to exceed \$24,000.00

WHEREAS, the Township Council of the Township of Ocean awarded a contract for heating and air conditioning services for all Township facilities to Air Systems Maintenance, Inc., Kenilworth, NJ for the period January 1 through December 31, 2015 on December 30, 2014; and

WHEREAS, the bid gave the Township of Ocean the right to extend said contract for two (2) one (1) year terms; and

WHEREAS, the Township Manager and Director of Public Works have recommended that the contract with Air Systems Maintenance, Inc. be extended for the one (1) year period from January 1 through December 31, 2016 at a cost of \$24,000.00 (plus labor at the rates as stated in their bid); and

WHEREAS, the Director of Finance has certified that funds for said contract will be made available by the Governing Body in the 2016 Temporary and Final Budget in the following account(s): Contract Services, account #6-01-26-772-247 and Outside Services Repairs, account #6-01-26-772-252;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize an extension of the contract for heating and air conditioning service at all Township facilities to Air Systems Maintenance, Inc., Kenilworth, NJ for the period of January 1 through December 31, 2016 at a cost not to exceed \$24,000.00 (plus labor at the rates as stated in their bid); and

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

1. Director of Finance
2. Public Works Department
3. Air Systems Maintenance, Inc.

16-017 Authorize a Professional Services contract for the period January 1 through December 31, 2016 with the following:

a. Suplee, Clooney & Company – Auditing Services

WHEREAS, in accordance with the Laws of the State of New Jersey regulating the financial conduct of a municipal corporation, the Township of Ocean is required to cause an annual audit of its books after the close of each fiscal year by a Registered Municipal Accountant pursuant to N.J.S.A. 40A:5-4; and

WHEREAS, the Township Council of the Township of Ocean further acknowledges that there is a need for an auditor to assist in the preparation of the 2016 Budget, the 2016 Financial Statements and conducting the 2016 Statutory Audit; and

WHEREAS, the Township Council of the Township of Ocean has elected to utilize the “non-fair and open” process in making this appointment pursuant to the provisions of N.J.S.A. 19:44A-20.8 for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local unit Pay-to-Play Law; and

WHEREAS, the Township Manager has determined that the value of these services is expected to exceed \$17,500.00 in the calendar year of 2016; and

WHEREAS, the anticipated term of this contract is one year from January 1 through December 31, 2016; and

WHEREAS, the Firm of Suplee, Clooney & Company has submitted a proposal to provide auditing services to the Township of Ocean at a cost not to exceed \$43,800.00; and

WHEREAS, the Township Manager and the Director of Finance have recommended that a contract be awarded to the Firm of Suplee, Clooney & Company, Westfield, NJ at a cost not to exceed \$43,800.00; and

WHEREAS, the Firm of Suplee, Clooney & Company has completed and submitted a Business Entity Disclosure Certification and a C.271 Political Contribution Disclosure Form which certifies that the Firm of Suplee, Clooney & Company has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous year, and that the contract will prohibit the Firm of Suplee, Clooney & Company from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract; and

WHEREAS, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2016 Municipal Budget

under the following line item appropriations: Audit/Accounting Services – Annual Audit – account #6-01-20-706-247 and Financial Administration – Professional Services – account #6-01-20-705-201;

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and under the contract itself must be available for public inspection;

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Township Council of the Township of Ocean, County of Monmouth that authorization is hereby given to enter into a contract with the Firm of Suplee, Clooney & Company as described herein at a cost not to exceed \$43,800.00; and

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form shall be placed on file with this resolution and contract; and

BE IT FURTHER RESOLVED that the Mayor or his designee and the Municipal Clerk are hereby authorized to execute any and all documents related to this contract; and

BE IT FURTHER RESOLVED, that this resolution shall be published according to law; and

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

1. Director of Finance
2. Suplee, Clooney & Company

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

b. Jeffrey R. Surenian, Esq. and the Firm of Jeffrey R. Surenian & Associates, LLC – COAH Attorney

WHEREAS, there exists a need for the services of an attorney to assist the Township of Ocean and its legal counsel in helping the Township address its responsibilities with respect to its affordable housing obligations; and

WHEREAS, the Township Council of the Township of Ocean has elected to utilize the “non-fair and open” process in making this appointment pursuant to the provisions of N.J.S.A.

19:44A-20.8 for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Unit Pay-to-Play Law; and

WHEREAS, the Township Manager has determined that the value of these services is expected to exceed \$17,500.00 in the calendar year of 2016; and

WHEREAS, the anticipated term of this contract is for the one year period from January 1 through December 31, 2016; and

WHEREAS, Jeffrey R. Surenian, Esq., and the Firm of Jeffrey R. Surenian and Associates, LLC has submitted a proposal to perform said legal services for the Township of Ocean at a fee of \$185.00 per hour, not to exceed \$45,000.00; and

WHEREAS, the Township Manager has recommended that a contract be awarded to Jeffrey R. Surenian, Esq., and the Firm of Jeffrey R. Surenian and Associates, LLC, at a cost of \$185.00 per hour, not to exceed \$45,000.00; and

WHEREAS, Jeffrey R. Surenian, Esq., and the Firm of Jeffrey R. Surenian and Associates, LLC, has completed and submitted a Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form which certifies that Jeffrey R. Surenian, Esq., and the Firm of Jeffrey R. Surenian and Associates, LLC, have not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous year, and that the contract will prohibit Jeffrey R. Surenian, Esq., and the Firm of Jeffrey R. Surenian and Associates, LLC, from making any reportable contributions through the term of the contract which shall be made a part of the fully executed 2016 contract; and

WHEREAS, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2016 Municipal Budget under the following: Litigation – account #6-01-20-712-217

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Township Council in the Township of Ocean, County of Monmouth that authorization is hereby given to enter into a contract with Jeffrey R. Surenian, Esq., and the Firm of Jeffrey R. Surenian and Associates, LLC to assist the Township of Ocean and its legal counsel in helping the Township address its responsibilities with respect to its affordable housing obligations at a fee of \$185.00 per hour, not to exceed \$45,000.00 for the period January 1 through December 31, 2016; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form shall be placed on file with this resolution and Contract; and

BE IT FURTHER RESOLVED that the Mayor or his designee and Municipal Clerk are hereby authorized to execute any and all documents related to this contract; and

BE IT FURTHER RESOLVED that this resolution shall be published according to law.

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

1. Director of Finance
2. Township Auditor
3. Jeffrey R. Surenian and Associates, LLC

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

c. James W. Higgins Associates – Planning Services

WHEREAS, the Township of Ocean is in need of general consulting services for the year 2016 to assist in the preparation of zoning ordinances, to assist in the evaluation of zone

change requests, to assist in analysis of landscape plans and provide other general assistance as may be required; and

WHEREAS, the Township Council of the Township of Ocean has elected to utilize the “non-fair and open” process in making this appointment pursuant to the provisions of N.J.S.A. 19:44A-20.8 for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Unit Pay-to-Play Law; and

WHEREAS, the Township Manager has determined that the value of these services is expected to exceed \$17,500.00 in the calendar year of 2016; and

WHEREAS, the anticipated term of this contract is for the one year period from January 1 through December 31, 2016; and

WHEREAS, James W. Higgins of James W. Higgins Associates has submitted a proposal for Planning Services at an hourly rate of \$125.00, as well as a fee of \$200 per meeting of the Township Planning Board and Zoning Board of Adjustment, not to exceed \$60,000.00; and

WHEREAS, the Township Manager has recommended that a contract be awarded to James W. Higgins of James W. Higgins Associates at a cost not to exceed \$60,000.00; and

WHEREAS, James W. Higgins of James W. Higgins Associates has completed and submitted a Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form which certifies that James W. Higgins Associates has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous year, and that the contract will prohibit James W. Higgins of James W. Higgins Associates from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract; and

WHEREAS, the Director of Finance shall certify that funds for the purpose of the award of this contract will be provided for in the 2016 Township of Ocean Temporary and Final Budget under the following line item appropriations:

Planning Board – Planning – 6-01-21-720-263
Board of Adjustment – Planning – 6-01-21-721-263
Various Escrow Accounts

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and under the contract itself must be available for public inspection;

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Township Council of the Township of Ocean authorized the Mayor and Municipal Clerk to enter into a contract with James W. Higgins of James W. Higgins Associates as described herein and with a not to exceed provision of \$60,000.00; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form be placed on file with this resolution and Contract; and

BE IT FURTHER RESOLVED, that the Mayor or his designee and the Municipal Clerk are hereby authorized to execute any and all documents associated with this contract; and

BE IT FURTHER RESOLVED, that this resolution shall be advertised according to law; and

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

1. Director of Finance
2. James W. Higgins Associates
3. Director of Community Development

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

d. Clark Caton Hintz – COAH Planning Services

WHEREAS, the Township of Ocean requires the services of a professional planner, licensed in the State of New Jersey, to provide planning services relating to its affordable housing obligations; and

WHEREAS, the Township of Ocean Council has elected to make this appointment pursuant to the provisions of N.J.S.A. 19:44A-20.8 for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Unit Pay-to-Play Law; and

WHEREAS, the Township Manager has determined that the value of these services is expected to exceed \$17,500.00 for the calendar year 2016; and

WHEREAS, the anticipated term of this contract is for the one year period from January 1 through December 31, 2016; and

WHEREAS, the Township of Ocean solicited a proposal from the firm of Clarke Caton Hintz, Trenton, NJ to provide said service to the Township at a cost not to exceed \$30,000.00; and

WHEREAS, the Township Manager has recommended that a contract be awarded to the Firm of Clarke Caton Hintz, Trenton, NJ at a cost not to exceed \$25,000.00 for the period January 1 to December 31, 2016; and

WHEREAS, Clarke Caton Hintz, Trenton, NJ has completed and submitted a Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form certifying that Clarke Caton Hintz has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous one year, and that the contract will prohibit Clarke Caton Hintz from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract and shall be made a part of the fully executed 2015 contract;

WHEREAS, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2016 Municipal Budget under the following: Legal, account #6-01-20-712-217; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Ocean, County of Monmouth that authorization is hereby given to enter into a contract with Clarke Caton Hintz to provide planning services to the Township of Ocean relating to its

affordable housing obligations at a cost not to exceed \$30,000.00 for the period January 1 through December 31, 2016; and

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form shall be placed on file with this resolution and contract; and

BE IT FURTHER RESOLVED, that the Mayor or his designee and the Municipal Clerk are hereby authorized to execute any and all documents related to this contract; and

BE IT FURTHER RESOLVED this resolution shall be advertised according to law; and

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

1. Director of Finance
2. Township Auditor
3. Clarke Caton Hintz

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

e. Mark S. Ruderman and the Firm of Ruderman, Horn & Esmerado, PC – Labor Attorney

WHEREAS, the Township of Ocean has a need to engage the services of an attorney licensed in the State of New Jersey specializing in the field of labor law; and

WHEREAS, the Township Council of the Township of Ocean has elected to utilize the “non-fair and open” process in making this appointment pursuant to the provisions of N.J.S.A. 19:44A-20.8 for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Unit Pay-to-Play Law; and

WHEREAS, the Township Manager has determined that the value of these services is expected to exceed \$17,500.00 in the calendar year of 2016; and

WHEREAS, the anticipated term of this contract is one year from January 1 through December 31, 2016; and

WHEREAS, Mark S. Ruderman, Esq. and the Firm of Ruderman, Horn & Esmerado, PC has submitted a proposal to provide legal services pertaining to labor law matters at an hourly rate of \$175.00, not to exceed \$90,000.00; and

WHEREAS, the continuation of the utilization of Mark S. Ruderman, Esq., and the Firm of Ruderman, Horn & Esmerado, PC, will provide continuity of representation with respect to certain pending matters; and

WHEREAS, the Township Manager has recommended that a contract be awarded to Mark S. Ruderman, Esq., and the Firm of Ruderman, Horn & Esmerado, PC, at an hourly cost of \$175.00, with a cost not to exceed \$90,000.00; and

WHEREAS, the firm of Ruderman, Horn & Esmerado, PC has completed and submitted a Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form which certifies that the firm of Ruderman, Horn & Esmerado, PC has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous year, and that the contract will prohibit the firm of Ruderman, Horn & Esmerado, PC from making any reportable contributions through the term of the contract; and

WHEREAS, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2016 Municipal Budget under the following line item appropriation: Legal O.E. – 6-01-20-712-218

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and under the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Ocean, County of Monmouth authorizes the Mayor and Township Clerk to enter into a contract with Mark S. Ruderman, Esq., and the firm of Ruderman, Horn & Esmerado, PC, as described herein and with an hourly rate of \$175.00, not to exceed \$90,000.00 provision for the period January 1 through December 31, 2016; and

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form shall be placed on file with this resolution and contract; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute any and all documents related to this contract; and

BE IT FURTHER RESOLVED that this resolution shall be published according to law; and

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

1. Director of Finance
2. Mark S. Ruderman, Esq., and the Firm Ruderman, Horn & Esmerado, PC

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

16-018 Authorize a contract with Coded Systems for the codification of the Township of Ocean Land Development Ordinance at a cost not to exceed \$15,155.00

WHEREAS, the Township of Ocean wishes to perform a re-codification of the Township’s Land Use and Land Development Ordinance; and

WHEREAS, the Township of Ocean solicited a proposal from Coded Systems, Spring Lake Heights, NJ to provide re-codification of the Land Use and Land Development Ordinance; and

WHEREAS, Code Systems has agreed to provide said the following services and related costs:

Codification Project	\$14,480.00
Annual Hosting Fee of Land Use Code	\$ 300.00
Five (5) Additional Copies of Code	\$ 375.00
 Total Cost	 \$15,155.00

WHEREAS, the Township Manager and Director of Community Development have recommended that Coded Systems, Spring Lake Heights, NJ be authorized to perform said services as outlined in their proposal at a total cost not to exceed \$15,155.00; and

WHEREAS, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Final 2016 Municipal Budget under the following: Township Clerk – Codification, account #6-01-20-704-244;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Ocean, County of Monmouth that authorization is hereby given for the Mayor and Municipal Clerk to execute the agreement with Coded Systems, Spring Lake Heights, NJ to provide a re-codification of the Township’s Land Use and Land Development Ordinance at a cost not to exceed \$15,155.00; and

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

1. Director of Community Development
2. Coded Systems

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

16-019 Authorize the purchase of diesel, unleaded and winter blend gasoline from Allied Oil, LLC through the Monmouth County Cooperative Purchasing Program (F-33-2016)

WHEREAS, the Township Council of the Township of Ocean is in need of purchasing diesel, unleaded and winter blend gasoline for the one-year period from January 1 through December 31, 2016; and

WHEREAS, it was determined that said diesel, unleaded and winter blend gasoline could be purchased under the Monmouth County Cooperative Purchasing Program (F-33-2016) from Allied Oil, LLC, Manville, NJ at the following costs:

Regular Diesel	\$1.6259 per gallon
Winter Blend	\$1.6715 per gallon
Unleaded Gasoline	\$1.4722 per gallon

WHEREAS, the Director of Finance has certified that sufficient funds exist for the purchase of said fuel will be made available by the Governing Body in the Public Works 2016 Budget, account #6-01-31-833-392 and #6-01-31-833-393;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that authorization is hereby given to purchase diesel, unleaded and winter blend gasoline from Allied Oil, LLC, Manville, NJ through the Monmouth County Cooperative Purchasing Program (F-33-2016) at the above noted prices; and

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

1. Director of Public Works
2. Director of Finance
3. Allied Oil, LLC

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

16-020 Authorize a contract with Seacoast Chevrolet to perform vehicle repairs for the period January 1 through June, 2016 at a cost not to exceed \$30,000.00

WHEREAS, the Township of Ocean wishes to authorize a contract with an outside vendor to perform vehicle repairs on various Township vehicles; and

WHEREAS, the State of New Jersey, Division of Purchase and Property has awarded a cooperative purchasing contract to Seacoast Chevrolet, Ocean Township, NJ under State Contract A76415, and

WHEREAS, it is the recommendation of the Director of Public Works that a contract be awarded to Seacoast Chevrolet, Ocean Township, NJ at a cost not to exceed \$30,000 for the period January 1 through June 30, 2016; and

WHEREAS, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2016 Municipal Budget for the Department of Public Works – Outside Repairs/Service - account #6-01-26-767-252;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby award a contract to Seacoast Chevrolet, Ocean Township, NJ, to perform vehicle repairs on various Township vehicles for the period January 1 through June 30, 2016 at a cost not to exceed \$30,000.00; and

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

1. Director of Finance
2. Director of Public Works
3. Seacoast Chevrolet

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

16-021 Authorize a contract with KNTM Architects to design a permanent band shell at Joe Palaia Park

WHEREAS, the Township of Ocean wishes to contract with a professional architect to design a permanent Band Shell to be located within the festival site at Joe Palaia Park; and

WHEREAS, the Township of Ocean Council has elected to make this appointment pursuant to the provisions of N.J.S.A. 19:44A-20.8 for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Unit Pay-to-Play Law; and

WHEREAS, the Township of Ocean has solicited and received a proposal for the design of said band shell within the festival site at Joe Palaia Park from KNTM Architects, L.L.C., East Orange, New Jersey with a cost not to exceed \$15,000.00; and

WHEREAS, the Township Manager has recommended that a contract be awarded to KNTM Architects, L.L.C., East Orange, NJ at a cost not to exceed \$15,000.00 for architectural services related to the design of a permanent band shell at the festival site at Joe Palaia Park; and

WHEREAS, KNTM Architects, L.L.C., East Orange, New Jersey will be required to complete and submit a Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form certifying that KNTM Architects, L.L.C. has not made any

reportable contributions to a political or candidate committee in the Township of Ocean in the previous one year, and that the contract will prohibit KNTM Architects, L.L.C. from making any

reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract and shall be made a part of the fully executed 2016 contract;

WHEREAS, the Director of Finance has certified that funds for said contract are available in the following: Reserve for Developers Impact Fees, account #T-03-56-878-872; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize a contract with KNTM Architects, L.L.C., East Orange, New Jersey to provide architectural services for a Band Shell located within the festival area at Joe Palaia Park at a cost not to exceed \$15,000.00; and

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

1. Director of Finance
2. Township Manager
3. KNTM Architects, L.L.C.

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

ORDINANCES:

Introduction(s):

Ordinance #2256 – (P.H. 2/9 – Coaster)

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XII OF THE “REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF OCEAN, 1965” TEMPORARILY PROHIBITING PARKING DURING SNOWFALL ON A PORTION OF BEECHWOOD AVENUE

ORDINANCE #2256

BE IT ORDAINED, by the Township Council of the Township of Ocean, County of Monmouth and State of New Jersey, that Chapter XII, Section 12-12.1 Schedule XIX of an ordinance entitled “Revised General Ordinances of the Township of Ocean, 1965”, be and the same is hereby amended and supplemented in the following manner:

CHAPTER XII TRAFFIC

12-12.1 Parking Temporarily Prohibited During Snowfall.

Schedule XIX is hereby amended and supplemented as follows:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Beechwood Avenue	North	Starting from Monmouth Road (County Road 15) running east to South Edgemere Drive

BE IT FURTHER ORDAINED, that all other ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistencies; and

BE IT FURTHER ORDAINED, if any section, paragraph, subparagraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subparagraph, clause or provision or adjusted and the remainder of the ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, this ordinance shall take effect after publication and passage as provided by law.

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

Ord #2257 – (P.H. 2/9 - Coaster)

BOND ORDINANCE 2257

REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$9,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS AUTHORIZED IN AND BY THE TOWNSHIP OF OCEAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, IN ORDER TO PROVIDE FOR THE REFUNDING OF CERTAIN BONDS HERETOFORE ISSUED BY THE TOWNSHIP AND APPROPRIATING THE PROCEEDS OF SUCH GENERAL OBLIGATION REFUNDING BONDS TO SUCH PURPOSE

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, the Township of Ocean, in the County of Monmouth, New Jersey (the "Township"), has heretofore issued its General Obligation Bond, Series 2007 dated December 13, 2007 (the "Bonds") to the Monmouth County Improvement Authority (the "MCIA"); and

WHEREAS, the Bonds currently are outstanding in the amount of \$10,567,000 and the Bonds maturing in 2018 through 2025, in the aggregate principal amount of \$8,190,000, may be redeemed prior to maturity at the option of the Township; and

WHEREAS, the Township has determined that it is in the best interests of the Township to refund the Bonds which are scheduled to mature on December 1 in each of the years 2018 through 2025, inclusive (the "Refunded Bonds"); and

WHEREAS, the Township has determined to provide for the refunding of the Refunded Bonds through the issuance by the Township of its General Obligation refunding bonds in an aggregate principal amount not to exceed \$9,000,000, as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF OCEAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concerning) **AS FOLLOWS:**

Section 1. The Township hereby authorizes the issuance of negotiable General Obligation refunding bonds of the Township (the "Refunding Bonds") in an aggregate principal amount not to exceed \$9,000,000 in order to finance the purposes described in Section 2 hereof, pursuant to the Local Bond Law. The proceeds of the Refunding Bonds are hereby appropriated to the purposes described in Section 2 hereof.

Section 2. (a) The purposes for which the Refunding Bonds are to be issued consist of (i) paying for the refunding of all or a portion of the Refunded Bonds and (ii) paying the cost of the issuance of the Refunding Bonds, including printing, advertising, accounting, financial and legal services, and further including such other costs allocable to the Township by the MCIA as costs of issuance.

(b) An aggregate amount not exceeding \$300,000 is included in the maximum principal amount of Refunding Bonds authorized herein to pay the cost of issuing the Refunding Bonds as provided by N.J.S.A. 40A:2-51(b) (which amount includes all items described in Section 2(a)(ii) hereof).

(c) The Refunded Bonds shall be called for redemption prior to maturity thereof, as provided by subsequent resolution of the Township. If provided by subsequent resolution of the Township, all or a portion of the proceeds from the sale of the Refunding Bonds shall be deposited in a sinking fund in trust to provide for the payment and retirement of the Refunded Bonds. Any moneys in such sinking fund may be invested as provided in N.J.S.A. 40A:2-60, and any moneys in excess of the amounts required for such purpose may be used for any lawful purpose of the Township.

Section 3. Further provisions as to terms of sale, deposit, securing, regulation, investment, reinvestment, disposition or application of the proceeds of the Refunding Bonds,

and matters in connection herewith, shall be determined by resolution of the Township adopted prior to the issuance of the Refunding Bonds.

Section 4. All other matters relating to the Refunding Bonds shall be performed or determined by subsequent resolution of the Township, or the performance or determination thereof shall be delegated by resolution of the Township to a financial officer of the Township.

Section 5. A certified copy of this refunding bond ordinance, as passed upon first reading, has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption hereof, together with the statement required by N.J.S.A. 40A:2-55.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the Refunding Bonds authorized by this refunding bond ordinance. The Refunding Bonds shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all taxable real property within the Township for the payment of the Refunding Bonds and the interest thereon without limitation as to rate or amount.

Section 7. The Township hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt obligations as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated hereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 8. This bond ordinance shall take effect 20 days after the first publication hereof after the final adoption, but not prior to the time that the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted, as provided by N.J.S.A 40A:2-55.

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

STATEMENT PURSUANT TO N.J.S.A. 40A:2-55 AS TO
THE BONDS TO BE REFUNDED BY THE REFUNDING BONDS*

The Bonds bear interest at the rates of interest per annum and are scheduled to mature in the years and in the aggregate principal amounts set forth below:

General Obligation Bonds, Series 2007

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2018	\$874,000	5.25%
2019	\$918,000	4.00%
2020	\$954,000	4.00%
2021	\$992,000	5.25%
2022	\$1,047,000	4.25%

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2023	\$1,087,000	4.25%
2024	\$1,133,000	4.25%
2025	\$1,185,000	4.25%
Total	\$8,190,000	

The Township anticipates refunding the Bonds which mature on and after December 1, 2018.

*A copy of this Statement must be executed by the Chief Financial officer and filed with the Refunding Bond Ordinance with the Director of the Division of Local Government Services.

**TOWNSHIP OF OCEAN, IN THE
COUNTY OF MONMOUTH,
NEW JERSEY**

Dated: January 14, 2016

STEPHEN O. GALLAGHER, Chief Financial Officer

PUBLIC COMMENTS:

Barbara Hudson wanted to thank the Council for putting a band shell at Joe Palaia Park and asked where the money will be coming from. She then asked if there was any way to hold a fundraiser to rehabilitate the White Building at the park.

Mayor Siciliano said the money is coming from an account we have called the Reserve for Developers Impact Fees. We will do a study to see what it would take to fix the White building.

Mrs. Hudson voiced her concerns over taxes and the future of the Township tax base.

Paul Meyerowitz inquired about the following:

- No Knock Ordinance

Mr. Brannen said the Ordinance will be introduced at the January 28th meeting

- Sexually-Oriented Ordinance

Mr. Brannen said we cannot not make a commitment on that at this time

- Assessment Project

Mr. Brannen explained that the revaluation is 50% done and it must be finished in 2016 for 2017.

- Yeshiva Lawsuit

Mr. Brannen explained that we just received the lawsuit and it is being reviewed.

- Traveling southbound on Route 35 to go west on Route 66 when the Police are sitting on the circle their headlights shine right into the driver’s eyes.

Mayor Siciliano said he will let the Chief of Police know.

Marwin Meller reported that the residents of Cedar Village just held a clothing drive and everything was brought to the Mercy Center in Asbury Park.

Mr. Meller wanted to know how much the cost will be for the Yeshiva lawsuit.

Mr. Arbus said we just received the lawsuit and have no idea at this time what the cost will be.

Brian Lefferson wanted to voice his concerns regarding the construction going on at the Heritage Village property by the Post Office. He feels it is very dangerous.

Mayor Siciliano said he will relay his concerns to the Chief of Police.

Joe Bove had comments and question regarding the following:

- Status of Sunset Avenue bridge

Mayor Siciliano said the construction is moving along ahead of schedule and it looks great.

- What time are trash cans allowed to be placed at the curb and what time are they supposed to be taken in.

Mayor Siciliano said he will have Code Enforcement take a look at the situation.

Don Geiger wanted to voice his concerns regarding the entrance and exit onto Sunset Avenue behind Staples. He feels it is an extremely dangerous spot.

Mayor Siciliano said he will speak to the owner of the property.

Fenton Hudson had the following comments and questions:

- Happy to see the good discussions between the residents and the Council
- Questioned the number of one-man leaf vacuum trucks we have. They seem to have left a lot of leaves behind.

Mayor Siciliano said he will ask the Public Works Director to have the trucks do another run.

- Any COAH update.

Mr. Arbus said one case was settled and one we are trying to resolve.

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

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

Respectfully submitted,

Christopher P. Siciliano
Mayor

Jessie M. Joseph, RMC/CMR
Deputy Township Clerk