

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

APRIL 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: Andrew Brannen, Township Manager

Others: Matthew Goode, Esq., Township Attorney (for Martin J. Arbus, Esq.)
Vincent Buttiglieri, Township Clerk
Stephen O. Gallagher, Director of Finance

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.

As a number of residents were present to discuss the Yeshiva Gedola Na'Os Yaakov litigation, Mayor Siciliano stated the Council would not be able to comment on said litigation, however, he was offended that the Township is being portrayed as anti-semitic, which could not be further from the truth.

COUNCIL COMMENTS:

Deputy Mayor Garofalo said he attended the exit meeting with the Township Auditors concerning the 2015 Audit. Once again, there were no material deficiencies. He complimented the staff for another great job.

Councilmember Long reported the applications for residency for Heritage Village at Oakhurst will begin to be disseminated on April 19, 2016.

Councilmember Long stated he sits as a member of the Executive Board of the Greater Ocean Township Chamber of Commerce. A meeting was held on April 7 with Monmouth County Freeholder Director Tom Arnone who spoke about both the Grow Monmouth and Made in Monmouth initiatives. It was very well received.

Councilmember Long announced on April 27, 2016, Senator Jennifer Beck will be hosting a meeting at the Ocean Township High School auditorium to discuss the heroin epidemic.

Mayor Siciliano said he met with Senator Beck and Deputy Mayor Garofalo concerning improvements to Route 35, which he believes will help stimulate business growth.

The following did not offer any report:

Councilmember(s) Acerra and Schepiga
Stephen Gallagher, Director of Finance
Matthew Goode, Township Attorney

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.

B1 Authorize the 2016 Municipal Budget to be read by Title Only

WHEREAS, the 2016 Local Municipal Budget of the Township of Ocean was duly published in The Coaster on March 31, 2016 and the Public Hearing thereon was scheduled for April 14, 2016 at 7:00 p.m., or soon thereafter; and

WHEREAS, N.J.S.A. 40A:4-8 provides that the Budget, as advertised, may be read by title if at least one week prior to the date of the hearing it shall be posted in the Municipal Building, a copy of Budget be delivered to the Township of Ocean Public Library and made available to any person requesting same during said week and during the Public Hearing; and

WHEREAS, the Township Clerk has advised that the forgoing conditions have been met;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that it does hereby find that the conditions set forth in N.J.S.A. 40A:4-8 have been met and, accordingly, the Municipal Budget may be read by title:

**“LOCAL BUDGET OF THE TOWNSHIP OF OCEAN,
COUNTY OF MONMOUTH FOR THE FISCAL YEAR 2016”**

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					

Public Hearing on the 2016 Municipal Budget

Motion to open the Public Hearing on the 2016 Municipal Budget

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					

Public Comments on the 2016 Municipal Budget:

There were no comments on the 2016 Municipal Budget.

Motion to close the Public Hearing on the 2016 Municipal Budget

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					

B2 Resolution to amend the previously approved 2016 Municipal Budget

WHEREAS, the local municipal budget for the year 2016 was approved on the 10th day of March, 2016; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said approved budget;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that that following amendments to the approved budget of 2016 be made:

RECORDED VOTE:

Ayes:	(Acerra	(Absent:	(
	(Garofalo	Nays: ((
	(Long	((
	(Schepiga			
	(Siciliano	Abstained: (

	FROM	TO
Anticipated Revenues:		
3. Miscellaneous Revenues – Section D: Special Items of Revenue Anticipated With Prior Written Consent Director of Division of Local Government Services – Interlocal Municipal Service Agreements Offset With Appropriations		
West Long Branch Court – Shared Service Agreement	-0-	\$137,853.00
Total Section D: Interlocal Municipal Services Agreements Offset With Appropriations	\$299,978.00	\$437,831.00
3. Miscellaneous Revenues – Section G: Special Items of General Revenue Anticipated With Prior Written Consent Of Director of Division of Local Government Services – Other Special Items		
West Long Branch Court – Shared Service Agreement	\$137,853.00	-0-
Total Section G: Special Items of Revenue Anticipated With Prior Written Consent Director of Local Government Services – Other Special Items		
Total Section G: Special Items of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services – Other Special Items	\$1,352,389.00	\$1,214,536.00
Summary of Revenues:		
3. Miscellaneous Revenues		
Total Section D: Interlocal Municipal Service Agreements Offset With Appropriations	\$299,978.00	\$437,831.00
Total Section G: Special Items of Revenue Anticipated With Prior Written Consent Of Director Of Local Government Services – Other Special Items	\$1,352,389.00	\$1,214,536.00
8. General Appropriations		
(A) Operations – Within “CAPS”		
Municipal Court:		
Salary & Wages	\$289,495.00	\$261,495.00
Other Expenses	\$15,275.00	\$13,775.00
Total Operations (Items 8(A)) Within “CAPS”	\$24,053,490.00	\$24,023,990.00
Total Operations Including Contingent – within “CAPS”	\$24,058,490.00	\$24,028,990.00
Detail:		
Salaries & Wages	\$14,204,961.00	\$14,176,961.00
Other Expenses (Including Contingent)	\$9,853,529.00	\$9,852,029.00

(E) Deferred Charges and Other Statutory Expenditures-		
(2) Statutory Expenditures:		
Social Security System (O.A.S.I.)	\$638,526.00	\$636,526.00
Total Deferred Charges & Statutory Expenditures – Municipal Within “CAPS”	\$2,966,249.00	\$2,964,249.00
(H-1) Total General Appropriations For Municipal Purposes Within “CAPS”	\$27,024,739.00	\$26,993,239.00
(A) Operations – Excluded From “CAPS” (continued)		
Interlocal Municipal Service Agreements		
West Long Branch Court – Shared Service Agreement:		
Salaries & Wages	-0-	\$28,000.00
Other Expenses	-0-	\$3,500.00
Total Interlocal Service Agreements	\$299,978.00	\$331,478.00
Total Operation – Excluded From “CAPS”	\$766,458.44	\$797,958.44
Detail:		
Salaries & Wages	\$426,058.76	\$454,058.76
Other Expenses	\$340,399.68	\$343,899.68

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Division of Local Government Services for his certification of the local municipal budget so amended.

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					

Adopt the 2016 Municipal Budget as amended

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					

Public Questions on Resolutions:

There were no comments at this time.

CONSENT AGENDA:

MINUTES:

- March 10, 2016 - Workshop and Public Meeting
- March 24, 2016 - Workshop and Public Meeting

RESOLUTIONS:**16-080 Authorize the Release of Closed Session Minutes from March 10, 2016 and March 24, 2016**

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:

March 10, 2016
March 24, 2016

16-081 Authorize the receipt of Request for Proposals for the following:**a. Engineering Services**

WHEREAS, the Township Council is desirous of receiving Requests for Proposals for the following:

Engineering Services

WHEREAS, specifications for the aforesaid items will be on file in the Township Clerk's Office, and will be available for inspection.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Township Clerk to advertise for Requests for Proposals for the aforesaid items as per the specifications on file and will be received by the Township Manager in the Township Council Conference Room, Second Floor, Township Hall, 399 Monmouth Road, Oakhurst, New Jersey on a date to be determined.

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

1. Township Manager
2. Director of Finance

b. Banking Services

WHEREAS, the Township Council is desirous of receiving Requests for Proposals for the following:

Banking Services

WHEREAS, specifications for the aforesaid items will be on file in the Township Clerk's Office, and will be available for inspection.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Township Clerk to advertise for Requests for Proposals for the aforesaid items as per the specifications on file and will be received by the Township Manager in the Township Council Conference Room, Second Floor, Township Hall, 399 Monmouth Road, Oakhurst, New Jersey on a date to be determined.

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

1. Township Manager
2. Director of Finance

16-082 Authorize the submission of the following Grants:**a. Community Hope Fund**

WHEREAS, the Township of Ocean Department of Human Services is dedicated to promoting youth development through programs and services as provided by the Community Services and Recreation Offices.

WHEREAS, funding is available through the Community Hope Fund, Inc. to support such community-based programs and services,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, State of New Jersey that the Township of Ocean Department of Human Services is authorized to prepare and submit Community Hope Fund Grant applications to support programs and services offered through the Community Services and Recreation Offices.

BE IT FUTHER RESOLVED, that the Township Manager or his designee is authorized to provide any additional information or take any additional steps which may be lawful and necessary to execute the application for funding; and

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

1. Sharon Moleski, Co-Director of Human Services
2. Kathy Reiser, Co-Director of Human Services
3. Director of Finance

b. Safe Route to Schools Program

WHEREAS, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Federal Aid Safe Route to School Program (SRTS) for Fiscal Year 2016; and

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

- Sidewalk Improvements to Carol Avenue from western property line of the school (Ocean Township Elementary School) to New Jersey State Highway Route 35

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

BE IT FURTHER RESOLVED that the Township Engineer, Mayor and/or Municipal Clerk are hereby authorized to submit an electronic grant application identified as **SRS-I-2016-Ocean Township-00123** to the New Jersey Department of Transportation on behalf of the Township of Ocean; and

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

16-083 Authorize the Appointment of Mary Johnson to the Environmental Commission

BE IT RESOLVED by the Governing Body of the Township of Ocean in the County of Monmouth that the following person(s) be and are hereby appointed for the terms hereinafter provided:

ENVIRONMENTAL COMMISSION

	<i>Member</i>	<i>Starting</i>	<i>Ending</i>
2 year term	Mary Johnson	April 14, 2016	June 30, 2016

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

1. Board/Committee or Department
2. Administrative Assistant to the Township Manager
3. Public Agency Compliance Officer

16-089 Authorize the Mayor to sign a certification prohibiting the use of excessive force and prohibiting the use of federal funds for lobbying

WHEREAS, certain Federal funds are potentially available to Monmouth County under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the United States Department of Housing and Urban Development has allocated funding to the County of Monmouth for **FY2015**; and

WHEREAS, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and

WHEREAS, it is required that the **Township of Ocean** execute a project agreement with Monmouth County to undertake a project known as **Pedestrian Walkway between Senior Center and Senior Affordable Housing Complex**; and

WHEREAS, the U.S. Department of Housing and Urban Development is requiring the Mayor of the **Township of Ocean** sign additional certifications in order to receive these funds; and

WHEREAS, the Township of Ocean has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individual engaged in non-violent civil rights demonstrations; and

WHEREAS, a copy of that policy is attached to and made part of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the **Township of Ocean** has met the conditions of receiving a **Fiscal Year 2015** allocation by adopting a policy prohibiting the use of excessive force and by not using federal funds for lobbying or by disclosing that funds have been used for lobbying; and

BE IT FURTHER RESOLVED that the Mayor, or his designee, of the **Township of Ocean** is hereby authorized to sign the attached certifications which will become part of the **FY2015** Project Agreement.

16-090 Authorize the Township Manager to execute the Planning Board Application on behalf of the Township for Block 25, Lots 1 & 2

WHEREAS, the Township of Ocean is the current owner of Block 25, lots 1 and 2, commonly known as 301 Monmouth Road; and

WHEREAS, the Township wishes to expand its parking lot onto said property; and

WHEREAS, an application has been made to the Planning Board for site plan approval; 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 25, Lots 1 and 2; 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

Vote on 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 of March 10, 2016

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					

*Deputy Mayor Garofalo abstained on the Public Meeting only. He was present for the Workshop meeting.

Vote on Minutes of March 24, 2016

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

*Mayor Siciliano and Councilmember Schepiga abstained from voting on the Minutes for this meeting as they were not present at the March 24, 2016 meeting.

INDIVIDUAL ACTION:

VOUCHERS: \$ \$6,439,035.10

See below for full list of 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:

16-084 Authorize the acceptance of the following Grants:

a. Community Development Block Grant

WHEREAS, certain Federal funds are potentially available to Monmouth County under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the County of Monmouth expects to receive an allocation for Fiscal Year 2015 from the United States Department of Housing and Urban Development; and

WHEREAS, the County of Monmouth has submitted its Annual Plan for Fiscal Year 2015 to the U.S. Department of Housing and Urban development, which included a project hereinafter referred to as Pedestrian Walkway between Senior Center and Affordable Housing Complex with a grant allocation of \$65,436.00; and

WHEREAS, the Township of Ocean hereby met all the requirements for the release of funds to begin incurring costs for this project; and

WHEREAS, the Township of Ocean has filed with the Monmouth County Community Development Program an acceptable timetable for completion and expenditure of grant funds, which is included as an appendix to the Project Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean that the Mayor and Municipal Clerk are hereby authorized to execute with the County of Monmouth the attached Project Agreement on behalf of the Township of Ocean.

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					

16-085 Authorize the consideration of the following Bids:

a. Class B Recycling Material Recovery Facility

WHEREAS, the Township of Ocean Council authorized the receipt of bids for a Class B Recycling Material Recovery Facility to Accept Certain Class B Recyclable Yard Waste Materials (Brush, Branches & Limbs) as Delivered by the Township of Ocean in Packer & Dump Trucks; and

WHEREAS, the Township Clerk did duly advertise the receipt of bids for said service on March 4, 2016; and

WHEREAS, in connection therewith the Township of Ocean received one (1) bid on March 23, 2016 from Mazza Mulch, Inc., Tinton Falls, NJ at the following cubic yard prices:

Un-chipped Yard Waste	\$5.00 per cubic yard
Chipped Yard Waste	No Cost

WHEREAS, the Township Manager is in receipt of a memorandum from Thomas Crochet, Director of Public Works, dated March 31, 2016 recommending that the Township accept the bid from Mazza Mulch, Inc., Tinton Falls, NJ be accepted at a total not to exceed cost of \$80,000.00 for the period May 1, 2016 through April 30, 2018;

WHEREAS, the Director of Finance has certified that funds are available for the purpose of award of this contract in the Department of Public Works Solid Waste Budget – Account # 6-01-32-837-341;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, State of New Jersey, that it does hereby authorize the execution of a contract with Mazza Mulch, Inc., Tinton Falls, NJ as per their bid submission for the period May 1, 2016 through April 30, 2018; and

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

1. Director of Public Works
2. Director of Finance
3. Mazza Mulch, 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					

b. Recap Tires, Accessories and Road Service

WHEREAS, the Township Council of the Township of Ocean authorized the Municipal Clerk to advertise for the receipt of bids for the recapping of tires, accessories and road service on December 3, 2015; and

WHEREAS, the Township Clerk did duly advertise to receive bids for the recapping of tires, accessories and road service on December 19, 2015; and bids were opened on January 6, 2016; and

WHEREAS, in connection therewith, bids were received on January 6, 2016 and the Township of Ocean received two (2) bids from the following: Edwards Tire Co., Inc., Farmingdale, NJ and Service Tire Truck Centers, Edison, NJ; and

WHEREAS, the Director of Public Works has reviewed said bid and has recommended to the Township Manager that a contract be awarded to the lowest responsible bidder, Edwards Tire Co., Inc., Farmingdale, NJ as per their bid proposal for the recapping of tires, accessories and road service at a cost not to exceed \$56,994.00; and

WHEREAS, the Director of Finance has certified that sufficient funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2016 Municipal Budget for the purpose of award of this contract in the Public Works Budget – Maintenance of Equipment – Other Expenses, account # 6-01-26-767-249;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the award of a contract to Edwards Tire Co., Inc., Farmingdale, NJ for the recapping of tires, accessories and road service at a cost not to exceed \$56,994.00; and

BE IT FURTHER RESOLVED that the award of this contract is conditioned upon the delivery and execution of the appropriate insurance certificate, Affirmative Action Certificate and performance bonds as may be required by said specifications; 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. Edwards Tire Co., 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					

16-086 Authorize the receipt of a 1999 Ford Expedition from the Township of Ocean Board of Fire Commissioners No. 1

WHEREAS, the Board of Fire Commissioners of Fire District No. 1 of the Township of Ocean is the owner of a 1999 Ford Expedition, VIN No. 1FMPU18L5XLB73301; and

WHEREAS, the Township of Ocean is in need of said vehicles and is desirous of obtaining the same for use for the cost of \$1.00, payable to the Township of Ocean Board of Fire4 Commissioners No. 1; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Ocean, County of Monmouth, State of New Jersey, that authorization is hereby given for the Township Manager to execute any and all documents related to the receipt of a 1999 Ford Expedition from the Township of Ocean Board of Fire Commissioners No. 1 for the cost of \$1.00; and

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

1. Director of Public Works
2. Township of Ocean Board of Fire Commissioners No. 1

Record of Vote	Deputy Mayor Garofalo	Councilman Acerra	Councilman Long	Councilwoman Schepiga	Mayor Siciliano
Motion To Approve		X			
Motion to Second0				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

16-087 Request Approval of the Director of the Division of Local Government Services to establish a dedicated Trust by Rider for outside employment of off-duty Police

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, N.J.S.A. 40A:4-39 allows municipalities to establish and maintain a dedicated trust fund for the receipt of payments for the employment of off duty police and the payment for services provided by off duty police.

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

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

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for off duty police as per N.J.S.A. 40A:4-39.
2. The Municipal Clerk of the Township of Ocean, County of Monmouth is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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					

16-088 Authorize the Tax Collector to issue a refund to the owner of Block 60, Lot 6 due to an overpayment of the 1st Quarter 2016 Taxes

WHEREAS, a payment was made through Direct Withdrawal by the owner of Block 60, Lot 6 for the 1st quarter 2016 property taxes in the amount of \$10,594.79 subsequent to their sale of said premises; and

WHEREAS, the tax overpayment should be refunded to Morris Dweck, 605 Park Avenue, Apt. 11C, New York, NY 10065;

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

Block	Lot	Owner/Payer Name	Amount	Reason
60	6	Morris Dweck	\$10,594.79	Payment made by Morris Dweck subsequent to sale of home for 1 st Quarter 2016 taxes.
Total Taxes Overpaid			\$10,594.79	

BE IT FURTHER RESOLVED that a copy of the within 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					

ORDINANCES:

Adoption(s):

Ord #2264 – (Coaster)

An ordinance amending Chapter XII of the Revised General Ordinances of the Township of Ocean, 1965 authorizing a Stop Intersection at various locations in the Township of Ocean

The following vote was taken to open the Public Hearing on Ordinance #2264

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					

Public Comments:

There were no comments at this time.

The following vote was taken to close the Public Hearing on Ordinance #2264

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					

The following vote was taken to adopt Ordinance #2264 and advertise according to law:

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					

Ord #2265 – (P.H. 4/14 Coaster)

An ordinance amending Chapter XII of the Revised General Ordinances of the Township of Ocean, 1965 designating certain streets as through streets

The following vote was taken to open the Public Hearing on Ordinance #2265

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					

Public Comments:

Debbie Mansfield asked what streets were being designated?

Deputy Mayor Garofalo responded it will be Klein Street and Franklin Avenue.

There were no additional comments at this time.

The following vote was taken to close the Public Hearing on Ordinance #2265

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					

The following vote was taken to adopt Ordinance #2265 and advertise according to law:

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					

Ord #2266 - - (P.H. 4/14 Coaster)

An ordinance amending Ordinance No. 2255 establishing salaries and compensation for certain offices, positions and employees in the Township of Ocean

The following vote was taken to open the Public Hearing on Ordinance #2266

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					

Public Comments:

There were no comments at this time.

The following vote was taken to close the Public Hearing on Ordinance #2266

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					

The following vote was taken to adopt Ordinance #2266 and advertise according to law:

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					

Ord #2267 - (P.H. 4/14 Coaster)

An ordinance amending Chapter XII of the "Revised General Ordinances of the Township of Ocean, 1965" prohibiting parking at various locations in the Township of Ocean

The following vote was taken to open the Public Hearing on Ordinance #2267

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					

Public Comments:

Paul Mayerowitz asked what prompted this ordinance?

Deputy Mayor Garofalo stated the construction of the new bike lanes facilitated the need for these restrictions.

There were no additional comments at this time.

The following vote was taken to close the Public Hearing on Ordinance #2267

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					

The following vote was taken to adopt Ordinance #2267 and advertise according to law:

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					

Ord #2268 – (P.H. 4/14 Coaster)

An ordinance amending and supplementing Chapter II-B of the "Revised General Ordinances of the Township of Ocean, 1965" entitled: Miscellaneous Administrative Provisions and Personnel Policies

The following vote was taken to open the Public Hearing on Ordinance #2268

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					

Public Comments:

There were no comments at this time.

The following vote was taken to close the Public Hearing on Ordinance #2268

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					

The following vote was taken to adopt Ordinance #2268 and advertise according to law:

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					

Introduction(s):

Ord #2269 - (P.H. 4/28 Asbury Park Press)

An Ordinance authorizing the Private Sale of a portion of Non-Conforming Real Property known as Block 8, Lot 27 to the contiguous property owner of Block 8, Lot 24

WHEREAS, NJSA 40A:12-13(B)(5) authorizes the sale of municipally owned property which is less than the minimum size required for development under the Municipal Zoning Ordinance; and which is without any capital improvement thereon, to the owners of contiguous real property; and

WHEREAS, the Township Council has found and determined that a portion of the real property designated as Block 8, Lot 27 aforesaid (hereinafter the "Property") will not be needed for public use and may be offered for sale to the contiguous owners pursuant to the cited statutes; and

WHEREAS, the Property is more fully described by the legal description attached as Schedule A; and

WHEREAS, the Tax Assessor of the Township of Ocean has recommended the sale of the subject lot with a minimum bid price of \$54, 240.00 "Schedule B" attached;

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

SECTION I

Within five (5) days following final enactment of this ordinance, the Township Clerk shall post on the regular Town Hall bulletin board and advertise in a newspaper circulating the Township, a notice setting forth the following information as to the sale of a portion of Block 8, Lot 27 (41 Monmouth Road) of the Township of Ocean Tax Map, whose sale is hereby authorized. A copy of this notice shall be mailed by certified mail by the Township Clerk to all contiguous property owners of the property being offered for sale within the aforesaid five (5) day period.

PUBLIC NOTICE**TOWNSHIP OF OCEAN – MONMOUTH COUNTY**

TAKE NOTICE that an ordinance of the Township of Ocean adopted pursuant to NJSA 40A:12-13(b)(5) on April 28, 2016 the Township of Ocean offers for sale the following property to contiguous property owners under the following terms and conditions:

- a) Property offered for Sale: a portion of Block 8, Lot 27 (41 Monmouth Road) of the Township of Ocean Tax Map
- b) Minimum Price: \$54,600.00
- c) Deed Restriction: The Property shall be precluded from further sale as a separate lot by the contiguous owner purchasing said property pursuant to this ordinance. Nothing contained herein shall prohibit the development of the Property for accessory uses to the principal, contiguous lot with which it shall be merged; or shall preclude its development as a fully buildable lot providing it is included with other lands from the principal contiguous lot if a subdivision is approved by the Township of Ocean Planning Board or Board of Adjustment.
- d) The sale is made subject to all restrictions, covenants, restrictions and conditions of record, with said property being sold in an "as is" condition and is being sold subject to such other facts that an accurate, certified survey would reveal. The sale is further subject to the purchaser obtaining subdivision and site plan approval to consolidate the Property for use with the contiguous property.
- e) Any contiguous property owner desiring to make an offer for the purchase of the property being offered for sale herein shall, within twenty (20) days following advertisement of this notice or a receipt of a mailed copy of this note, make an offer in writing by certified mail addressed to the Township Council c/o Township Clerk, Township of Ocean, 399 Monmouth Road, Oakhurst, New Jersey 07755 at no less than the minimum price set forth hereinabove. All bids must be received no later than 3:00pm on Thursday, May 18, 2016, all bids must be marked "Sealed Bid Enclosed".
- f) The Township Council of the Township of Ocean reserves the right to reject any and all offers, and shall accept or reject any offer within thirty (30) days of the advertisement of this public notice. If the Township Council fails to accept or reject any offer within the aforesaid time period, all offers will be deemed rejected. Where there is more than one owner with real property contiguous to the property being offered for sale, the subject property will be sold to the highest bidder or offer from among all such owners submitting an offer as provided for herein. All offers shall be accompanied by a certified or cashier's check in the amount of ten percent (10%) of the offer made, payable to the Township of Ocean; the balance shall be paid at closing of title.
- g) A meets and bounds description must be provided by the successful bidder within twenty (20) days after the acceptance of the offer by the Township Council.
- h) The closing of title shall be by a bargain and sale deed without covenants as to grantor. Closing shall take place no later than ninety (90) days after the acceptance of the offer by the Township Council. The Township of Ocean makes no representation as to the condition or marketability of title as to the subject property.
- i) In addition to the purchase or offer price, it shall be the responsibility of the successful bidder to pay at closing the advertisement and mailing costs in connection with this sale and the Township Attorney's fee for the preparation of the deed in connection with this sale. If the successful bidder or offer shall fail to close title through no fault of the Township, the successful bidder or offerer shall forfeit the deposit made for the sale, which shall be retained by the township as liquidated damages, except in the event the successful bidder or offerer is not successful in obtaining subdivision and site plan approval to develop the Property with the contiguous property, the Township shall return the deposit to the

successful bidder and neither party shall have any further obligation to the other with regard to the Property.

- j) The Township Clerk shall file with the Director, Division of Local Government Services in the Department of Community Affairs, a sworn affidavit verifying publication of advertisement as required by this ordinance.

SECTION II

All ordinances and parts of ordinances in consistent herewith are hereby repealed.

SECTION III

Since this ordinance is not legislative in nature, it need not be codified in the “Revised General Ordinances of the Township of Ocean.”

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					

PUBLIC COMMENTS:

Marwin Meller asked if, during the Mayor’s meeting with Senator Beck, there was any mention regarding the planting of trees and/or landscaping along Route 35 and if not, what improvements were mentioned?

Mayor Siciliano said there was mention of perhaps stamped concrete crosswalks and even the construction of sidewalks to make the corridor more pedestrian friendly.

Paul Mayerowitz inquired about the following matters:

1. Route 66 Circle – State was doing a study. What were the results?

Mayor Siciliano commented there have been fewer accidents at the circle after the construction than before.

Deputy Mayor Garofalo said Route 66 is on the State’s radar.

2. Legal Budget – Does all legal come out of this line item?

Deputy Mayor Garofalo responded that it depends on the service being rendered – all Planning Board and Zoning Board matters generally come out of the escrow accounts not the Township coffers.

Mr. Mayerowitz asked if those boards control their own budgets?

Mayor Siciliano stated they do.

3. Expressed concern over the amount of time remaining for testimony at the Zoning Board of Adjustment meeting.

Debbie Mansfield asked if those residents still living at the existing Poplar Village may stay once Heritage Village at Oakhurst is completed?

Mayor Siciliano said the residents are permitted to stay where they are currently living.

Sally and Bill Madden from the League of Women Voters handed out the yearly New Jersey Citizen's Guide to Government. The League continues to encourage voter participation.

Geri Lynn Novello asked if the Township has the ability to hire additional professionals to fight the Yeshiva litigation?

Mayor Siciliano said the Board has its own professionals that they appoint each year.

Barbara Hudson inquired about the following matters:

1. What happened to the chickens?
2. What document has the mandate of the Judge in the Yeshiva litigation?

Matthew Goode, Esq., Township Attorney, said the document is available on the PACER system.

3. She saw an article on April 13 that noted the number of students at the Yeshiva was being reduced. Is that true?

Mayor Siciliano said no one has been authorized to negotiate any settlement in this matter.

Mrs. Hudson read a statement concerning the matter of litigation.

Paul Mayerowitz asked if once the case is settled, can any interested party file suit?

Mayor Siciliano said yes.

Mr. Mayerowitz also suggested everyone read the article on Toms River Township concerning this same matter.

Marwin Meller said this is not the appropriate venue to be giving testimony on this matter. Everyone had numerous meetings to do so.

Geno Dellomo said everyone has a right to express their opinions at any public meeting.

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

Vincent Buttiglieri, RMC/CMC/MMC
Township Clerk