

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

JUNE 9, 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

Others: Martin Arbus, Esq., Township Attorney
Andrew Brannen, Township Manager
Vincent Buttiglieri, 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 appealed to the residents to STOP feeding the wildlife as it takes them out of their natural habitat, attracts vermin and shortens their gestation period causing more offspring.

Councilmember Schepiga reminded all that the parade originally scheduled for Memorial Day will be held on July 3, 2016. Details are still being finalized. The Community Picnic will begin at 6:00 p.m. with the Fireworks set to begin at 8:30 p.m.

Councilmember Long reported that he attended a Forum on Opiate Addiction at Jersey Shore Medical Center which was held on May 19, 2016. As this epidemic is becoming more wide-spread, efforts are being made to obtain a list of the doctors that are issuing the most opiate prescriptions.

Councilmember Acerra reported that he attended the Italian American Association Scholarship Dinner where they awarded twelve (12) scholarships totaling \$24,000.00. Three (3) of the recipients were from the Township of Ocean. Councilmember Acerra commended all the recipients for being incredible students.

Andrew Brannen, Township Manager, congratulated Vincent Buttiglieri, Township Clerk, who was sworn in as President of the International Institute of Municipal Clerks.

Martin Arbus, Esq., Township Manager, congratulated former Mayor Bill Larkin on the renaming of Colonial Terrace Golf Course the William F. Larkin Golf Course at Colonial Terrace.

Mayor Siciliano said the Mayor's Ball was a tremendous success with over 250 attendees and raised \$50,000 for local charities.

CEREMONY:

Oath of Office - Police Captain Michael Sorrentino

Steven R. Peters, Police Chief, spoke about Captain Sorrentino's 20 years of experience including his promotions to Sergeant in 2008 and Lieutenant in 2013. Chief Peters also

commended Lieutenant Sorrentino on the great job he did ensuring the Police Department received their re-accreditation

Mayor Siciliano administered the Oath of Office to Captain Sorrentino, as his wife and children held the Bible.

Captain Sorrentino thanked the Governing Body, Chief Peters, his fellow officers and his family for their continued support.

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

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

Don Geiger inquired about a number of payments that appeared on the Voucher List including but not limited to: All Risk, ANJEC, Atlantic Plumbing Supply, Banish Associates, Inc., C.E.U., Inc., Concept Professional, Gramco, Granicus, House of Bounce, JN Supplies, LLC, Lester Glenn Ford, Ocean Township Auto Body, Pesi, LLC, Quality Auto Glass and Shred-It.

Mr. Brannen responded as needed.

Mr. Geiger also asked questions on the following Resolutions:

- 16-107c – asked for clarification on the money breakdown

Mr. Brannen said the Township would still have those costs so the Grant received in the amount of \$60,000.00 helps to offset the total cost of the services.

- 16-109 b and c – are those costs recoverable?

Mr. Brannen said they were recoverable.

There were no additional comments at this time.

CONSENT AGENDA:

MINUTES:

May 12, 2016 - Workshop and Public Meeting

16-106 Authorize the release of Closed Session Minutes from May 12, 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:

May 12, 2016

16-107 Authorize the submission of the following Grant(s):

a. COPS in SHOPS - Summer Shore Initiative 2016

WHEREAS, there are funds available from the New Jersey Division of Alcoholic Beverage and New Jersey Division of Highway Traffic Safety. The grant is titled ***Cops in Shops – Summer Shore Initiative 2016 (AL-16-45-05-02)***; and

WHEREAS, the funds will be used to cover overtime wages for the Township of Ocean Police Officers to enforce underage drinking laws; and

WHEREAS, the Township of Ocean Police Chief has recommended that this allocation be accepted; and

WHEREAS, it is in the best interest of the Township of Ocean to apply for said grant,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Ocean, County of Monmouth, and State of New Jersey, that the appropriate officials are hereby authorized to execute and sign any and all documents in order to effectuate the receipt of Grant Funds between the Township of Ocean, County of Monmouth and the New Jersey Division of Alcoholic Beverage Control for the ***Cops in Shops – Summer Shore Initiative 2016 Grant***, and

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

1. Director of Finance
2. Chief of Police

b. FY2016 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 on northern most side of Deal Road from Poplar Road to Bowne Road

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.

c. Safe and Secure Communities Program

**STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE**

SAFE AND SECURE COMMUNITIES PROGRAM

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Township of Ocean wishes to apply for funding of approximately \$60,000.00 with a match of \$207,946.12 for an approximate project total of \$267,946.12 for a project under the Safe and Secure Program Continuation Funding Grant Program; and

WHEREAS, the Township of Ocean Council has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Township of Ocean, for the purpose described in the application;

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

1. As a matter of public policy the Township of Ocean wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General of New Jersey will receive funds on behalf of the Applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to the applicant as authorized by law.

16-108 Support the use of a "No Passing Zone" on Fairmont Avenue as recommended by NJDOT

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Fairmont Avenue in the Township of Ocean; and

WHEREAS, NJDOT investigation revealed the current centerline pavement markings on Fairmont Avenue meet and conform to current design standards; and

WHEREAS, NJDOT will update existing records to reflect current No Passing Zone conditions along Fairmont Avenue;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Ocean, County of Monmouth, in the State of New Jersey, that it supports the use of a "No Passing Zone" on Fairmont Avenue in the Township of Ocean as recommended by NJDOT.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

16-109 Authorize the Receipt of Bids for the following:

a. Property Maintenance on Bank-owned and/or abandoned properties

WHEREAS, the Township Council is desirous of receiving Sealed Bids for the following:

Property Maintenance on Bank-owned and/or abandoned properties

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 Sealed Bids 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. Code Enforcement Official

b. Demolition of five (5) structures determined to be unsafe and/or unfit for human occupancy

WHEREAS, the Township Council is desirous of receiving Sealed Bids for the following:

Demolition of five (5) structures determined to be unsafe and/or unfit for human occupancy

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 Sealed Bids 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. Code Enforcement Official

c. Construction of Band Shell at Joe Palaia Park

WHEREAS, the Township Council is desirous of receiving Sealed Bids for the following:

Construction of Bandshell at Joe Palaia Park

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

Sealed Bids 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. Code Enforcement Official

16-111 Approve the fourteen (14) month extension of the Intensive Outpatient Services (15S-13) agreement with the Monmouth County Office of Addiction Services

WHEREAS, the Township of Ocean is recognized as a model of community response to the problems of alcoholism and drug abuse; and

WHEREAS, the County of Monmouth has authorized the extension of health services contracts administered by the Monmouth County Division of Mental Health and Addiction Services, Office of Addiction Services for the fourteen-month period beginning March 1, 2016 through April 30, 2017; and

WHEREAS, the Township of Ocean wishes to extend its agreement for Intensive Outpatient Services in South Eastern Monmouth County for Juveniles (15S-13) for said period; and

WHEREAS, the extension of said Agreement will provide additional funding in the amount of \$11,666.67 to the Township of Ocean to offset said cost of providing said services;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Ocean, County of Monmouth that the Community Services Director is authorized to **extend** the Agreement with the County of Monmouth, Department of Human Services, Division of Mental Health and Addiction Services for Intensive Outpatient Services in South Eastern Monmouth County for Juveniles (15S-13) by where the Township of Ocean will receive funding in the amount of \$53,000.00 to offset said costs of providing said service; and

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

1. Township of Ocean Alliance to Prevent Drug and Alcohol Abuse
2. Community Services Director

16-112 Authorize Fireworks Display on July 3, 2016 (raindate July 5, 2016) at Joe Palaia Park

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

WHEREAS, the Township of Ocean Community Celebration Committee has made an application for a public display of fireworks on July 3, 2016 (raindate July 5, 2016) at Joe Palaia Park; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey that authorization is hereby given for the aforementioned public display of fireworks by the Township of Ocean Community Celebration Committee on July 3, 2016 (raindate July 5, 2016) at Joe Palaia Park; and

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

1. Copy of the contract between the pyrotechnic operator and the Township of Ocean Community Celebration Committee
2. Certificate of Insurance with Comprehensive General Liability coverage, including Contractual, Automobile and Workers Compensation
 - a. Liability Limits of \$1,000,000 CSL and Statutory Workers' Compensation;
 - b. Municipality as additional named insured;
 - c. Specifically mentioned hold harmless contract
3. An executed hold harmless agreement in favor of the municipality must be signed by the fireworks contractor

Vote on All Consent Items:

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					

INDIVIDUAL ACTION:

VOUCHERS: \$10,110,268.08

See next page for full list.

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:**16-110 Stating Compliance with Promulgation of Local Finance Board of the State of New Jersey accepting the 2015 Annual Audit for the Township of Ocean**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Township of Ocean pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Ocean in the County of Monmouth, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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					

16-113 Authorize the Tax Collector to issue a refund due to an overpayment of taxes to the following property owners:

a. Block 128 Lot 12 \$1,856.70

WHEREAS, a duplicate payment was made by the property owner, Damien Girardi, and Corelogic for the 2nd quarter 2016 property taxes in the amount of \$1,856.70 for Block 128, Lot 12; and

WHEREAS, the tax overpayment should be refunded to Damien Girardi, 1300 Garven Avenue, Ocean, NJ 07712;

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
128	12	Damien Girardi	\$1,856.70	Duplicate Payment made by Damien Girardi and Corelogic for 2 nd Quarter 2016 taxes.
Total Taxes Overpaid			\$1,856.70	

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					

b. Block 25.05 Lot 10 \$1,697.11

WHEREAS, a duplicate payment was made by Foundation Title, LLC and Corelogic for the 2nd quarter 2016 property taxes in the amount of \$1,697.11 for Block 25.05, Lot 10; and

WHEREAS, the tax overpayment should be refunded to Foundation Title, LLC, ATTN: Nicole Luna, 25 Sycamore Avenue, Little Silver, NJ 07739;

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
25.05	10	Foundation Title, LLC	\$1,697.11	Duplicate Payment made by Foundation Title, LLC and Corelogic for 2 nd Quarter 2016 taxes.
Total Taxes Overpaid			\$1,697.11	

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					

16-114 Confirm the sale of a portion of Block 8, Lot 27 at a cost of \$54,600.00 in accordance with N.J.S.A. 40A:12-13(b)(5)

WHEREAS, the Township Council of the Township of Ocean adopted Ordinance #2269, authorizing the private sale of certain municipality owned, non-conforming real property known as Block 8, Lot 27 (portion of), 41 Monmouth Road, pursuant to and in accordance with N.J.S.A. 40A:12-13(b)(5) for a minimum bid price of \$54,600.00; and

WHEREAS, the Township Clerk received one (1) bid from Charles and Rochelle Abady, 25 Old Farm Road, Oakhurst, New Jersey (owners of Block 8, Lot 24) for the purchase of the said real property at the bid price of \$54,600.00, accompanied by a cashier's check in the amount of \$5,640.00 and has otherwise met the terms and conditions of the Ordinance;

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

1. That the sale of a portion of Block 8, Lot 27, 41 Monmouth Road, to Charles and Rochelle Abady for the bid price of \$54,600.00 be and is hereby confirmed.
2. That the Township Clerk shall provide certified copy of this resolution to the following:
 1. Charles and Rochelle Abady
 2. Jennifer S. Krimko, Esq., attorneys for Charles and Rochelle Abady
 3. Tax Assessor
 4. Tax Collector
 5. Township Attorney

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					

16-115 Approve a Ch. 159 Budget Amendment for the Clean Communities Grant 2016

WHEREAS, N.J.S.A.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for any equal amount, and

WHEREAS, the Township of Ocean has received funds from the New Jersey Department of Environmental Protection in the amount of \$75,818.69 for the Fiscal Year 2016 Clean Communities Program and

NOW, THEREFORE BE IT RESOLVED that the Township of Ocean, County of Monmouth hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget year 2016 the sum \$75,818.69 which is now available as revenue from the State of New Jersey Department of Environmental Protection.

BE IT FURTHER RESOLVED that a like sum is hereby appropriated under the caption of:

Clean Communities Grant 2016:

Salary & Wages	\$	30,000.00
Other Expenses	\$	45,818.69

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

1. Director, Division of Local Government Services
PO Box 803, Trenton NJ 08625-0803
2. Director of Finance
3. Director of Housing/Code Enforcement/Clean Communities
4. Director of Public Works
5. 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					

16-116 Authorize the Tax Collector to issue refund(s) to those taxpayers who received a favorable State Tax Appeal judgment

AUTHORIZING THE CANCELTION OF YEAR 2015 TAXES AND REFUNDING OR CREDITING THE TAX OVERPAYMENTS RESULTING FROM NEW JERSEY STATE TAX COURT JUDGMENT TO THE TAXPAYER

WHEREAS, the State of New Jersey Tax Court has rendered judgments on appeals made by a tax payer regarding the assessment of their property, and,

WHEREAS, the property had the assessment reduced by the State of New Jersey Tax Court resulting in a reduction in the total taxes to be paid to the Township of Ocean for the year 2015 and,

WHEREAS, proper procedures require that the tax assessments for the year 2015 be adjusted and refunds or credits to unpaid taxes be made for taxes overpaid in those years that resulted from New Jersey Tax Court judgments reducing the property assessment reflected in the Tax Assessor's Field Book.

NOW, THEREFORE, BE IT RESOLVED, by the Township council of the Township of Ocean, County of Monmouth and State of New Jersey that it does hereby authorize the Tax Collector to adjust the year 2015 tax assessments based on the State Tax Board Judgment and refund the tax overpayments or credit 4th quarter taxes for those years' taxes on the attached listing

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

1. Tax Collector
2. Township Auditor

Block/Lot	Property Owner/Address	2015	Total Refund
141 3	WARFIELD SHELL PROP % MADISON LEASE ASBURY AVE	5,160.45	5,160.45
Totals		5,160.45	5,160.45

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					

16-117 Approve the continuance on the assessment installment payment plan for the property owner of Block 40.12, Lot 3 who has become delinquent for their assessment confirmed on March 10, 2016

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

WHEREAS, said assessments were confirmed by the Township Council of the Township of Ocean on March 10, 2016 with an initial due date of June 1, 2016; and

WHEREAS, the following property owner(s) are delinquent for the payment due June 1, 2016 and are hereby required to make the payments that were due June 1, 2016 plus delinquent interest due to the Township of Ocean by June 30, 2016 in order to continue in the installment plan, or if no payment is received by the Township of Ocean then full payment of the assessment will be required:

<u>Block</u>	<u>Lot</u>	<u>Due Date</u>	<u>Installment Amount</u>
40.12	3	6/1/2016	\$260.25 (1)

(1) – includes delinquent Interest

WHEREAS, it is the intention of the Township Council to extend the payment period for said property owner affected by the assessments until June 30, 2016 and allow the property owner to continue the installment plan for the payment of the outstanding balance of the assessment; and

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Ocean, County of Monmouth, State of New Jersey, that authorization is hereby given to extend the deadline for payment for the delinquent installment on the assessments due on the above noted property until June 30, 2016; and

BE IT FURTHER RESOLVED, that the installment plan for the payment of the special assessment be reinstated as long as payment of the 2016 installment is made by June 30, 2016; and

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

BE IT FURTHER RESOLVED, that any property owner who fails to make the required payment by June 30, 2016, the entire balance of the assessment due shall become and be immediately due with interest imposed at the same rate as delinquent taxes, this being 8% on the first \$1,500.00 delinquent and 18% for the balance; and

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

1. Director of Finance
2. Tax Collector

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

16-118 Authorize the Township of Ocean to waive of certain Township fees in order to incentivize the renovation of vacant commercial structures

WHEREAS, the Township of Ocean wishes to incentivize businesses to renovate their existing vacant commercial structures; and

WHEREAS, these renovations are designed to facilitate the occupancy of the vacant commercial establishments and therefore assist the owner of finding a suitable tenant; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council in the Township of Ocean, County of Monmouth, that in an effort to assist property owners of commercial structures by promoting renovation of existing vacant commercial structures, the following will be effective until December 31, 2016:

- A. No person shall be charged a Township construction fee or enforcing agency fee for any construction, alteration and improvement designed and undertaken solely to renovate a previously occupied and currently vacant commercial structure or currently vacant unit within an existing commercial structure for the purpose of obtaining a certificate of occupancy. The waiver of fees shall not include Uniform Commercial Code Surcharge Fees as applicable.
- B. For the purpose of this section, the structure or unit within the structure which is being renovated shall be required to be vacant for six (6) months prior to the permit application in order to be eligible for the waiver of fees. The applicant shall be required to establish that the structure, or the unit within the structure, has been vacant. A waiver shall be limited to a renovation or alteration of unit of less than 5,000 square feet. For purposes of calculating square footage, a vacant unit of 5,000 square feet or less shall qualify for the waiver of fees if the unit existing prior to and after the renovations is equal to or less than 5,000 square feet, regardless of the total size of the structure. Units which exceed 5,000 square feet prior to or after renovation shall not qualify for the waiver of fees.

- C. For the purpose of this section, no waiver of fee shall be provided to any commercial structure or unit within a structure if the commercial property has outstanding property taxes or outstanding property maintenance violations.
- D. This section shall expire on December 31, 2016, unless extended by the Township Council of the Township of Ocean.

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

- 1. Director of Community Development
- 2. Township Attorney

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					

Adoption(s):

Ord #2272 – (Coaster)

An ordinance amending and supplementing Chapter VII of the "Revised General Ordinances of the Township of Ocean, 1965" entitled: Property Maintenance and Housing

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 #2272

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 #2272 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 #2273 – (P.H. 6/23 Coaster)****An ordinance providing for various capital improvements and the acquisition of various capital equipment, appropriating \$2,499,375 therefor and authorizing the issuance of \$2,092,375 bonds or notes to finance a portion of the cost thereof**

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Township of Ocean, in the County of Monmouth, New Jersey (the "Township"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$2,499,375, said sum being inclusive of all appropriations heretofore made therefore, including \$250,000 grant funds expected to be received from the New Jersey Department of Transportation ("NJDOT"), and the sum of \$157,000 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$2,092,375, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of:

i) Various improvements and equipment acquisitions for the Department of Public Works including, but not limited to, a replacement pickup truck with snow plow; a replacement four-wheel drive eight (8) cubic yard dump truck with plow and spreader; street signs and striping; a Toro 7210 Mower; an irrigation well at Colonial Terrace Golf Course; the conversion of Truck No. 27 from utility body to mason dump; improvements to Sunset Avenue Garage Phase I; and a master key system for Town Hall and other buildings, with a total appropriation and estimated cost of \$409,000, estimated maximum amount of bonds and notes therefor of \$388,550, and an average period of usefulness of 6.83 years;

ii) Acquisition of various information technology equipment including, but not limited to, computers, monitors, cameras, servers and other computer-related items, with a total appropriation and estimated cost of \$70,000, estimated amount of bonds and notes therefor of \$66,500, and an average period of usefulness of five (5) years;

iii) Improvements and equipment acquisitions for the police department including, but not limited to, locker room improvements; and a live scan fingerprint machine with accessories, with a total appropriation and estimated cost of \$94,000, estimated amount of bonds and notes therefor of \$89,300, and an average period of usefulness of 10.32 years;

iv) Recreation improvements and equipment acquisitions including, but not limited to, replacement of multipurpose play equipment at Oakhurst Park Playground; initial design of an activity pool at WP Pool & Tennis Club; and reconstruction of Oakhurst Tennis Court, with a total appropriation and estimated cost of \$233,500, estimated amount of bonds and notes therefor of \$221,825, and an average period of usefulness of 13.93 years;

v) Acquisition of equipment for the Office of Emergency Management including, but not limited to, a solar panel dome camera trailer; purchase and installation of a 700 MHz radio with antenna for the Emergency Operations Center ("EOC"); and radio communications upgrade for the EOC, with a total appropriation and estimated cost of \$21,000, estimated maximum amount of bonds and notes therefor of \$19,950, and an average period of usefulness of five (5) years;

vi) Reconstruction of various streets including the 2016 Road Improvement Program; and a study of the Route 35 Traffic Corridor, with a total appropriation and estimated cost of \$1,625,000, including \$250,000 grant funds expected to be received from the NJDOT, estimated maximum amount of bonds and notes therefor of \$1,306,250, and an average period of usefulness of 18.91 years; and

vii) Acquisition of various capital equipment purchased exclusively from the Capital Improvement Fund for various departments and divisions thereof including, but not limited to, Buildings and Grounds; Streets and Roads; Equipment Maintenance; Sanitation; Recreation/Pool; Human Services; Police; and Emergency Management, with a total appropriation and estimated cost of \$46,875,

together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Township Clerk, as finally approved by the governing body of the Township.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$2,092,375, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,499,375, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$2,499,375 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$157,000 down payment for said purposes, and the \$250,000 grant funds expected to be received from the NJDOT.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15.20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,092,375 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$475,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Township are used to finance, on an interim basis, costs of said improvements or purposes, the Township reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

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

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

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

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

Record of Vote	Deputy Mayor 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 #2275 - (P.H. 6/23 Coaster)

An ordinance amending and supplementing Chapter 21 - the Land Development Ordinance of the Township

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

Section 21-51 shall be amended as follows:

Section 21-51.38 Retail Uses in Combination with Retail Development in an adjacent C-3 Zone:

NEW SECTION NUMBER should be 21-51.40

Section 21-51.39 Automotive Gasoline Stations in a Regional Shopping Center:

NEW SECTION NUMBER should be 21-51.41

Section 21-51.40 Golf Course/Country Clubs in the R-1 Zone:

NEW SECTION NUMBER should be 21-51.42

All Ordinances, or parts thereof, contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

This Ordinance will take effect upon passage and publication according to 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					

PUBLIC COMMENTS:

Don Geiger wished Councilmember Schepiga good luck on the new date for the parade.

Mr. Geiger also asked about the following:

- How many tickets were issued by the Township during the “Distracted Driving” initiative?

Mr. Brannen did not know what that number was but will get back to Mr. Geiger

- When will Allaire Avenue be paved and the potholes be filled on the BJ’s jughandle?

Mr. Brannen said both will be done in July..

- The status of the Yeshiva litigation?

Mr. Arbus said there is a Hearing scheduled for July 21 to determine if the applicant can perform renovations while the suit is ongoing

Susan Borea spoke about the great Memorial Day service, which she felt was better than last year. She especially liked the inclusion of the youth in the program.

Ms. Borea commended Corey and Tony at the Recycling Center who do a fabulous job.

Barbara Hudson asked about the status of the Stop and Shop litigation:

Mr. Arbus reported that a complaint has been filed and the Township has to file their response.

Mrs. Hudson spoke about her desire to minimize the clear-cutting of trees throughout the Township. She was appreciative that some trees will be saved on the Apple Farms parcel.

Councilmember Acerra responded by stating the trees along the perimeter of the Apple Farms parcel will remain.

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