

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

JULY 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
Councilmember(s) Acerra and Schepiga

Absent: Councilmember Long

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 mentioned that Monmouth Road will be repaved from Roseld Avenue to the Interlaken border.

Councilmember Schepiga announced that the Township of Ocean Historical Museum received a 1772 Foundation Award Grant in the amount of \$12,500 to be utilized toward exterior restoration and painting for the Stucile Farms Water Tower. The Township was one of only 25 award recipients.

Councilmember Acerra said that Verizon appeared before the Planning Board and assured the Township that the service will be improved.

Councilmember Acerra mentioned that discussions were held about making improvements to the Monmouth Road and West Park Avenue intersection.

Andrew Brannen, Township Manager, announced that representatives from the State of New Jersey, Division of Taxation will be holding an information meeting on August 2 at 7:00 p.m. to discuss the various property tax relief programs available. All are invited to attend.

The following did not offer any report:

Councilmember(s) Long
Martin J. Arbus, Esq., Township Attorney

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: Accredited Analytical Resource, Allcom Technologies, Inc., Asbury Auto Tops, Atlantic Plumbing Supply Corp., Barg's Lawn & Garden Shop, Inc., Beyer Ford, Bill Wilson Photography, Brian Penta, CDW Government, LLC, Central Towing & Recovery, Inc., CI Technologies, Inc., Georgian Court University, Grainger, JCM Associates, LLC, John E. Reid & Associates, Inc., Lanigan Associates, Inc., Lester Glenn Ford, Maaco Collision Repair, Mid Jersey Municipal Joint Insurance Fund, Monmouth Wire & Computer, NJAWC, Ocean Township Auto Body, Quality Auto Glass, Inc., Reliance Graphics, Renegade Armor, Seacoast Welding, Seacoast Chevrolet, Sockler Realty Services Group, Supply King, Trident Abstract, USDA-APHIS, Van Sant Contractors and Zone Striping, Inc.

Mr. Geiger also inquired about the following resolutions:

16-136 Asked what is going to happen to the existing kiddie pool?

Mayor Siciliano stated it was being replaced by a new activity pool

16-137 – Is there any change in the price due to the change in materials used?

Mr. Brannen said there was no change in price.

16-140 – Why is this contract necessary?

Mr. Brannen said the Township is now the owner and an investigation needs to occur to see what, if any, environmental issues exist on the property.

Brian Lefferson asked about the cause of the increase in the dumping fees during the summer months.

Paul Mayerowitz stated that in his experience with purchasing items off of State Contract, you may not always receive the best price, especially for computer equipment. He went on to discuss the various options for purchasing these items.

Mr. Mayerowitz also inquired about the increase in the amount paid to Seacoast Chevrolet in June versus May.

There were no additional comments at this time.

CEREMONY:

State of the Township Address (done at the end of the meeting due to technical difficulties)

Mayor Siciliano, with the assistance of Stephen Gallagher, Director of Finance, gave his first-ever State of the Township Address. Mayor Siciliano discussed the positive changes that have occurred over the past twelve months, including improving the public's access to government, budget and finance accomplishments and quality of life enhancements. Mayor Siciliano also discussed additional improvements/enhancements he would like to accomplish over the next year.

CONSENT AGENDA:

MINUTES:

June 23, 2016 - Workshop and Public Meetings

RESOLUTIONS:

16-132 Approve the Closed Session Minutes from June 23, 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:

June 23, 2016

16-133 Approve the replacement of the Township's Group Life Insurance Policy from Dearborn National to The Standard Life Insurance Company effective August 1, 2016

WHEREAS, the Township of Ocean presently provides life insurance to its employees through Dearborn National; and

WHEREAS, due to increased cost, the Township of Ocean chose to cancel said insurance policy with Dearborn National and solicit proposals for a new provider; and

WHEREAS, The Standard Life Insurance Company has provided a proposal to the Township of Ocean to provide said life insurance to the Township of Ocean employees at a rate that was less than that submitted by the previous provider; and

WHEREAS, the new policy will become effective on August 1, 2016; and

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Ocean, County of Monmouth that authorization is hereby given to enter into a contract with The Standard Life Insurance Company to provide life insurance to the Township of Ocean employees effective August 1, 2016; and

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

1. Tax Collector
2. Payroll Administrator
3. Township Auditor

16-134 Authorize the appointments to the following Boards: Zoning Board of Adjustment, Environmental Commission, Planning Board, Multiple Dwelling Emergency Board, Monmouth County Office on Aging, Municipal Alliance to Prevent Drug and Alcohol Abuse, and Clean Communities Advisory Committee

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:

MEETING MINUTES

July 14, 2016

BOARD OF ADJUSTMENT	Member	Starting	Ending
4 year term	Maureen Bonney	July 1, 2016	June 30, 2020
	Russell Malta	July 1, 2016	June 30, 2020
2 year term	John Napolitani – Alt. #1	July 1, 2016	June 30, 2017
	Peter Siano, Jr. – Alt. #2	July 1, 2016	June 30, 2017
	John Fuller – Alt. #3	July 1, 2016	June 30, 2017
ENVIRONMENTAL COMMISSION	Members		
3 year term	Renee Amelio	July 1, 2016	June 30, 2019
	Fred Brody	July 1, 2016	June 30, 2019
	Kenneth Lutz	July 1, 2016	June 30, 2019
2 year term	Mary Johnson	July 1, 2016	June 30, 2018
PLANNING BOARD RGO:2-6.3a	Members		
3 year term	Fred Brody, Class II	July 1, 2016	June 30, 2017
1 year term	Robert Acerra, Sr., Class III	July 1, 2016	June 30, 2017
4 year term	J. Thomas Means, Class IV	July 1, 2016	June 30, 2020
	Anthony Andrisano, Class IV	July 1, 2016	June 30, 2020
	Alternate		
2 year term	Joseph DiBenedetto – Alt. #1	July 1, 2016	June 30, 2018
	John Duthie – Alt. #2	July 1, 2016	June 30, 2018
MULTIPLE DWELLING EMERGENCY BOARD RGO:7-3.1	Member		
1 year term	William Garofalo, Councilmember	July 1, 2016	June 30, 2017
MONMOUTH COUNTY OFFICE ON AGING	Member		
1 year term	Judith Johnson, Delegate	July 1, 2016	June 30, 2017
MUNICIPAL ALLIANCE TO PREVENT ALCOHOL AND DRUG ABUSE	Member	Starting	Ending
1 year terms	Denise Parlamas	July 1, 2016	June 30, 2017
	Judi Johnson	July 1, 2016	June 30, 2017
	Jay Boyd	July 1, 2016	June 30, 2017
	Linda Hopkins	July 1, 2016	June 30, 2017
	Marie Curtis	July 1, 2016	June 30, 2017
	Peggy Morgan	July 1, 2016	June 30, 2017
	Barbara LePosa	July 1, 2016	June 30, 2017
	Larry Kostula	July 1, 2016	June 30, 2017
	Richard Long	July 1, 2016	June 30, 2017
	Kathy Reiser	July 1, 2016	June 30, 2017
	Linda Kotch	July 1, 2016	June 30, 2017
	Sharon Moleski	July 1, 2016	June 30, 2017

MEETING MINUTES

July 14, 2016

Cathy Brown	July 1, 2016	June 30, 2017
Rose Acerra	July 1, 2016	June 30, 2017
Danielle Pfeiffer	July 1, 2016	June 30, 2017
William Garofalo	July 1, 2016	June 30, 2017
Steven R. Peters, Police Chief	July 1, 2016	June 30, 2017
Christopher Siciliano, Mayor	July 1, 2016	June 30, 2017
Theresa Gilvary	July 1, 2016	June 30, 2017
Superintendent of Schools	July 1, 2016	June 30, 2017
MaryAnn Ruane	July 1, 2016	June 30, 2017
Angela Yost	July 1, 2016	June 30, 2017
Jay McManigal	July 1, 2016	June 30, 2017
Diane Novobilsky	July 1, 2016	June 30, 2017
TOGS Youth Representative	July 1, 2016	June 30, 2017
Kelly Weldon	July 1, 2016	June 30, 2017
Judy Petersen	July 1, 2016	June 30, 2017
Dr. Marwin Meller	July 1, 2016	June 30, 2017
Elaine Slocum	July 1, 2016	June 30, 2017
Sylvia Sylvia	July 1, 2016	June 30, 2017

**CLEAN
COMMUNITIES
ADVISORY COMMITTEE**

Members

1 year terms	Carole Allgor	July 1, 2016	June 30, 2017
	Evelyn Hampton	July 1, 2016	June 30, 2017
	Donna Schepiga, Council Liaison	July 1, 2016	June 30, 2017
	Stephanie Wynne	July 1, 2016	June 30, 2017
	Brian Lefferson	July 1, 2016	June 30, 2017
	Tom Crochet, DPW Director	July 1, 2016	June 30, 2017
	Melissa Laing	July 1, 2016	June 30, 2017
	Tom Caruso, Code Enforcement	July 1, 2016	June 30, 2017

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

16-142 Accept the Performance Guarantee(s) for the following:

a. Block 182, Lot 2 - 1414 Roller Road - Roller Road, LLC

WHEREAS, Roller Road, LLC (hereinafter "Developer") is the owner of certain property known as Block 182, Lot 2, as shown on the official tax map of the Township of Ocean, which property is located at 1414 Roller Road in the I-1 (Light Industrial) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

WHEREAS, the Developer has received Site Plan and Variance Approvals from the Township of Ocean Planning Board by way of Resolution dated March 1, 2016 to modify an existing office/warehouse building by constructing two (2) additions and removing a small portion of the front of the building to accommodate a modified loading area. The floor area of the building will be increased by 1,795 square feet, from 24,721 square feet to 26,516 square feet. Additional parking and landscaping will be added to the site; and

WHEREAS, this Agreement relates to a Site Plan Map entitled Preliminary and Final Site Plan for Roller Road, LLC, Tax Block 182, Tax Lot 2, Township of Ocean, Monmouth County, New Jersey by Robert A. Nelson, P.E. of Nelson Engineering Associates, Inc. consisting of ten (10) sheets dated October 9, 2015 and last updated May 3, 2016; the Architectural Rendering entitled Proposed Renovation for Roller Road, LLC, 1414 Roller Road, Ocean Township, NJ 07712, by Wayne Lerman, AIA of W. Lerman Architecture consisting of one (1) sheet dated October 14, 2015

and the Architectural Drawings entitled Proposed Building for Nationwide Campus, 1414 Roller Road, Ocean Township, NJ by Wayne Lerman, AIA of W. Lerman Architecture consisting of nine (9) sheets dated August 8, 2015 and last updated May 4, 2015; and

WHEREAS, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated June 20, 2016 prepared by the Township of Ocean Engineer Louis J. Lobosco, P.E., P.P. of Leon S. Avakian, Inc.

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

1. It hereby authorizes the Mayor to execute and the Township Clerk to attest to a Developer's Agreement between the Township of Ocean and Roller Road, LLC, subject to the following conditions first being met:
 - a. All required certificates of insurance be properly filed with the Office of the Township Clerk
 - b. Posting of Performance Guarantees in the total amount of \$302,640.00 and Inspection Fees in the amount of \$14,110.00

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided by the Township Clerk to each of the following:

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Roller Road, LLC
5. Jeffrey A. Donner, Esq.

16-143 Authorize the Release of Maintenance Guarantee(s) for the following:

a. Block 207, Lots 1 & 8 - 1200 Roseld Avenue - Ilan High School

WHEREAS, the Township Council did authorize and enter into a Developer's Agreement dated September 12, 2011 with Ilan High School Building Associates for Conditional Use, Bulk Variances and Preliminary and Final Site Plan Approvals for property located at Block 207, Lots 1 & 8, 1200 Roseld Avenue to utilize an existing synagogue for the purposes of a parochial school and synagogue; and

WHEREAS, Ilan High School Building Associates posted performance guarantees totaling \$137,400.00 in the form of Cash, which was reduced to a total of \$72,696.00 by Resolution dated December 5, 2011 to guarantee the completion of all improvements on premises known as Block 207, Lots 1 & 8 located at 1200 Roseld Avenue; and

WHEREAS, the Township Council did authorize the release of performance guarantees and acceptance of a \$17,175.00 maintenance bond by way of Resolution dated March 20, 2014; and

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) provides for the posting of maintenance guarantees with the governing body after final acceptance of improvements when said improvements have been certified as completed by the Township Engineer; and

WHEREAS, Ilan High School Building Associates has heretofore deposited with the Township of Ocean a maintenance guarantee in the amount of \$17,175.00 for Block 207, Lots 1 & 8 also known as 1200 Roseld Avenue; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manger by letter dated April 18, 2016, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned maintenance guarantee.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the maintenance guarantee in the amount of \$17,175.00 is hereby released, canceled and discharged subject to the payment of any outstanding engineering inspection and administrative fees.

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

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Ilan High School Building Associates

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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

INDIVIDUAL ACTION:

VOUCHERS: \$1,653,158.46

See next page for complete 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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

RESOLUTIONS:

16-135 Accept the following Grant(s)

a. COPS in SHOPS Summer Shore Initiative 2016

WHEREAS, the Township of Ocean has been selected as a recipient for the **COPS IN SHOPS Summer Shore Initiative 2016 (AL-45-05-02) Grant** program; and

WHEREAS, the program utilizes the National Highway Traffic Safety Administration Funds through the New Jersey Division of Highway Traffic Safety; and

WHEREAS, \$2,400.00 has been made available to the Township of Ocean to cover overtime wages for the Township of Ocean Police Officers to perform alcohol incentive programs; and

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

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 appropriate officials are hereby authorized to execute and sign any and all documents in order to effectuate the receipt of Grant Funds for the **COPS IN SHOPS Summer Shore Initiative (AL-45-05-02) 2016 Grant** administered by the State of New Jersey Division of Alcoholic Beverage Control, and the Division of Highway Traffic Safety; 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

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					
Absent/Excused			X		

16-136 Authorize a contract with Integrated Aquatics Engineering, Inc., Doylestown, PA to perform design and bid drawings for the demolition of the existing wading pool and the construction of a new Activity Pool

WHEREAS, the Township of Ocean wishes to hire a professional engineer who can provide the design and bid drawings for the demolition of the existing wading pool and the construction of a new Activity Pool at the Community Pool and Tennis Facility; and

WHEREAS, the Township Council of the Township of Ocean has elected to make this appointment pursuant to the provisions of N.J.S.A. 16:44A-20 et seq. for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Pay-to-Play Law; and

WHEREAS, Integrated Aquatics Engineering, Inc., Doylestown, PA, is an experienced firm in this field who is available to provide the necessary engineering services for the Township of Ocean at a cost not to exceed \$19,950.00 for engineering services associated with the design and bid drawings for the demolition of the existing wading pool and the construction of a new Activity Pool at the Community Pool and Tennis Facility; and,

WHEREAS, the Township Manager has determined that the value of the services Integrated Aquatics Engineering, Inc., Doylestown, PA, will provide to the Township will exceed \$17,500.00 for the calendar year 2016; and

WHEREAS, the Director of Finance has certified that there are available sufficient funds for the purpose of the award of this contract in Ordinance No. 2273; and

WHEREAS, Integrated Aquatics Engineering, Inc., Doylestown, PA will be required to submit a Business Entity Disclosure Certification and the C. 271 Political Contribution Disclosure Form certifying that Integrated Aquatics Engineering, Inc. has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous one year, and that the contract will prohibit Integrated Aquatics Engineering, Inc. from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey hereby authorizes the Township Manager to enter into a contract with Integrated Aquatics Engineering, Inc., Doylestown, PA, as described herein with a not to exceed provision of \$19,950.00; and

BE IT FURTHER RESOLVED that a notice of this action shall be published according to law; and

BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to:

1. Director of Finance
2. Township Manager
3. Integrated Aquatics Engineering, 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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

16-137 Approve Change Order No. 2 of the 2015 Roadway Improvement Program awarded to Fernandes Construction, Inc. changing the installation of traffic loop detectors with traffic cameras

WHEREAS, on September 16, 2015, the Township Council of the Township of Ocean awarded a contract to Fernandes Construction, Inc. for the 2015 Roadway Improvement Program; and

WHEREAS, subsequent to that award, it was necessary to replace the request for the installation of Traffic Loop Detectors with Traffic Cameras; and

WHEREAS, this change did not result in any change to the approved contract amount;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean in the County of Monmouth, that it does hereby approve Change Order No. 2 revising the use of Traffic Loop Detectors with Traffic Cameras which resulted in no additional cost to the 2015 Roadway Improvement Program that was awarded to Fernandes Construction, Inc. and

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

1. Director of Finance
2. Township Engineer
3. Director of Public Works
4. Fernandes Construction, 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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

16-138 Authorize a Professional Services Contract for the period July 1, 2016 through June 30, 2017 with the following:

a. Dilworth Paxson, LLP - Bond Counsel

WHEREAS, Chapter II of the “Revised General Ordinances of the Township of Ocean, 1965” provides for the appointment of Bond Counsel and further defines their powers and duties which are incorporated herein by reference as though set forth in length; and

WHEREAS, the Township Council desires to enter into a contract for said services within the dollar limits as provided in the Municipal Budget and/or in those bond ordinances containing appropriations for legal services; and

WHEREAS, Dilworth Paxson, LLP has submitted a proposal to perform said services for the year commencing July 1, 2016 through June 30, 2017; and

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

WHEREAS, as required by law, Dilworth Paxson, LLP has completed and submitted a Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form which certifies that Dilworth Paxson, LLP has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous twelve months and that the contract will prohibit Dilworth Paxson, LLP from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract; and

WHEREAS, the Director of Finance has certified that there are adequate funds available for the purpose of this award, specifically under the aforementioned appropriations of Legal Services & Costs – O/E and Various General Capital Ordinances and shall not exceed \$7,500.00; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that the Resolution authorizing the award of a contract for professional services without competitive bids, as well as the contract itself, must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey that authorization is hereby given to appoint Dilworth Paxson, LLP as Bond Counsel for the Township of Ocean for the one year term commencing July 1, 2016 through June 30, 2017 at a cost not to exceed \$7,500.00; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be published according to law; and

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form shall be filed with this Resolution and Contract; and

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

1. Dilworth Paxson, LLP
2. Director of Finance
3. 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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

b. Leon S. Avakian, Inc., Township Engineer

WHEREAS, the State of New Jersey requires that every municipality appoint an individual to serve as both Township Engineer and as a licensed land surveyor; and

WHEREAS, the Township of Ocean solicited proposals for said engineering services and received responses from the following Firms: Hatch Mott McDonald, Freehold, NJ, CME Associates, Parlin, NJ, and Leon S. Avakian, Inc., Neptune, NJ; and

WHEREAS, it is the recommendation of the Township Manager that Gregory Blash, P.E., P.P., and the firm Leon S. Avakian, Inc., be appointed as the Township Engineer for a term of July 1, 2016 through June 30, 2017; and

WHEREAS, Gregory Blash, on behalf of the firm Leon S. Avakian, Inc., is fully qualified to serve as both the Township Engineer and as Township Land Surveyor since he is a licensed Professional Engineer, and a Professional Planner; and

WHEREAS, the Township Council of the Township of Ocean has elected to make this appointment pursuant to the provisions of N.J.S.A. 16:44A-20 et seq. for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Pay-to-Play Law; and

WHEREAS, Gregory Blash, on behalf of the firm Leon S. Avakian, Inc. has completed and submitted the required Business Entity Disclosure Certification and C.271 Political Contribution Disclosure Form, which certifies that Gregory Blash and the firm of Leon S. Avakian, Inc. has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous year, and that the contract will prohibit Gregory Blash and the firm Leon S. Avakian, Inc. from making any reportable contributions to a political or candidate committee in the Township of Ocean through the term of the contract; and

WHEREAS, the Director of Finance has certified that there are funds available for this purpose specifically under Engineering Services and Costs, O.E., Trust Other Fund - Reserve for Inspection Fees, General Capital Fund - various ordinances subject to adequate funds under 40A:2-20, which account will be properly charged and which funds shall not be available for more than one purpose; and

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

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with Leon S. Avakian, Inc., Consulting Engineers for the provision of engineering services of Gregory Blash as the Township of Ocean Engineer and his staff for the period July 1, 2016 through June 30, 2017 in accordance with the attached Schedule of Billable Hourly Rates which is made a part of this resolution with the total estimated payments not to exceed \$350,000.00 exclusive of any independent professional service contracts that may be authorized.
2. It is further understood that there will be a rate freeze for the duration of the appointment with annual contracts setting forth the total estimated payments for the subsequent twelve months.
3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because engineering service is professional in nature and performed by persons authorized by law to practice a recognized profession.
4. A notice of this action shall be published as required by law.
5. A copy of this resolution shall be forwarded to the following:
 1. Gregory Blash, P.E., P.P., of the firm Leon S. Avakian, Inc.
 2. Director of Finance
 3. 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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

16-139 Request approval from the Director of the Division of Local Government Services to establish a Dedicated Trust by Rider for the Township Celebration donations pursuant to N.J.S.A. 40A:5-29

REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR TOWNSHIP CELEBRATION DONATIONS PURSUANT TO N.J.S.A. 40A:5-29

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:5-29 allows municipalities to receive amounts for donations, and the Township of Ocean receives donations from various individuals from time to time to offset the cost of various Township celebrations, and

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 Township celebrations pursuant to 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
Opposed					
Not Voting/Recues					
Absent/Excused			X		

16-140 Authorize a contract with Groundwater & Environmental Services, Inc. for collection and sampling at Ocean Glades Condominium Complex at a cost not to exceed \$2,990.00

WHEREAS, the Township of Ocean is in need of the services of a licensed site remediation firm to perform sediment collection and surface water and groundwater sample collection at Ocean Glades Condominium Development; and

WHEREAS, the Township Council of the Township of Ocean has elected to make this appointment pursuant to the provisions of N.J.S.A. 16:44A-20 et seq. for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Pay-to-Play Law; and

WHEREAS, the Township of Ocean received a proposal from Groundwater & Environmental Services, Inc., Neptune, NJ ; and

WHEREAS, Groundwater & Environmental Services, Inc., Neptune, NJ, is an experienced firm in this field who is available to provide the necessary services per their proposal for the Township of Ocean at a cost not to exceed \$2,990.00; and,

WHEREAS, the Township Manager has determined that the value of the services Groundwater & Environmental Services, Inc., Neptune, NJ will not exceed \$17,500.00 for the calendar year 2016; and

WHEREAS, the Director of Finance has certified that there are available sufficient funds for the purpose of the award of this contract in the Engineering Budget, account #6-01-20-703-201; and

WHEREAS, Groundwater & Environmental Services, Inc., Neptune, NJ, Neptune, NJ will be required to submit a Business Entity Disclosure Certification and the C. 271 Political Contribution Disclosure Form certifying that Groundwater & Environmental Services, Inc., Neptune, NJ has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous one year, and that the contract will prohibit Groundwater & Environmental Services, Inc., Neptune, NJ from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey hereby authorizes the Township Manager to enter into a contract with Groundwater & Environmental Services, Inc., Neptune, NJ, as described herein with a not to exceed provision of \$2,990.00; and

BE IT FURTHER RESOLVED that a notice of this action shall be published according to law; and

BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to:

1. Director of Finance
2. Township Manager
3. Groundwater & Environmental Services, Inc., Neptune, NJ

16-141 Authorize the award of a contract with MTB, LLC for the construction of a raised walk platform at the Recycling Center on Sunset Avenue at a cost not to exceed \$23,700.00

WHEREAS, the Township of Ocean wishes to construct a second raised walk platform at the Township of Ocean Recycling Center on Sunset Avenue; and

WHEREAS, the Township of Ocean solicited proposals for said construction and received the following three (3) responses:

MTB, LLC, Neptune City, NJ	\$23,700.00
Helios Construction, Inc., Ocean, NJ	\$26,250.00
Precise Construction Inc., Freehold, NJ	\$33,251.00

WHEREAS, it was determined that the lowest responsible proposal received was from MTB, LLC, Neptune City, NJ at a cost of \$23,700.00; and

WHEREAS, the Township Manager and the Township Engineer have recommended that a contract be awarded to MTB, LLC, Neptune City, NJ as per their submission for the construction of a second raised walkway at the Township of Ocean Recycling Center located on Sunset Avenue at a cost not to exceed \$23,700.00; and

WHEREAS, the Director of Finance has certified to the Township Manager that there are adequate funds available for the purpose of award of this contract in the following accounts: 2015 Monmouth County Recycling Incentive Award – account #G-02-41-906-301 (\$7,403.00) and the 2011 Recycling Tonnage Grant – account #G-02-41-889-304 (\$16,297.00);

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby award a contract to MTB, LLC, Neptune City, NJ as per their submission for the construction of a second raised walkway at the Township of Ocean Recycling Center located on Sunset Avenue at a cost not to exceed \$23,700.00; and

BE IT FURTHER RESOLVED that this award of contract is conditioned upon the delivery and execution thereof within ten (10) days from the date of the within resolution accompanied by such appropriate insurance certificate, Affirmative Action certificate and performance bonds as may be required by the specifications; and

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

1. Township Engineer
2. Director of Finance
3. MTB, LLC

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

16-144 Authorize a contract with Report It to provide third party anonymous and confidential reporting services at a cost not to exceed \$3,000.00 per year

WHEREAS, the Township of Ocean wishes to provide residents another method to be able to report any matter of concern; and

WHEREAS, Report It provides third party anonymous and confidential reporting services by making available an online anonymous reporting platform via the reportit.com website as well as a mobile app available for download onto a users mobile device; and

WHEREAS, Report It will provide two conduits for the receipt of anonymous submissions by the Purchaser:

1. Online Anonymous Service – Report It will provide anonymous online mobile platform available 24 hours per day. 7 days per week for users to create and submit confidential and anonymous reports to the Township of Ocean via an online anonymous reporting mechanism.
2. App for Mobile Devices – Report It will provide an anonymous reporting app for mobile devices available 24 hours per day, 7 days per week for users to create and submit confidential and anonymous reports to Purchaser via an app interface and anonymous reporting mechanism.

WHEREAS, Report It will provide the above services at a cost not to exceed \$250.00 per Month, with a total not to exceed amount of \$3,000.00 per year; and

WHEREAS, the Director of Finance has certified that there are available sufficient funds in following Budget line item: Computer Program Support – account #6-01-20-707-335;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey hereby authorizes the Township Manager to enter into a contract with Report It, LLC, Lancaster, PA, as described herein with a not to exceed provision of \$250.00 per month, with a total not to exceed amount of \$3,000.00 per year; and

BE IT FURTHER RESOLVED that a notice of this action shall be published according to law; and

BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to:

1. Director of Finance
2. Township Manager
3. Report It

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					
Absent/Excused			X		

16-145 Authorize the Tax Collector to cancel real estate taxes for the period May 23 to December 31, 2016 and refund the portion of the 2016 taxes already paid by the property owner who has been declared a 100% totally disabled veteran

AUTHORIZING CANCELLATION AND REFUND OF REAL ESTATE TAXES PAID FOR TOTALLY DISABLED VETERANS

WHEREAS, the following individual filed an application with the Assessor for a Total Disabled Veteran and was given approval effective May 23, 2016:

Owner Name	Block	Lot	Qual.	Address
Karp-Giorgio, Helaine	34	64		15 Kenneth Drive

WHEREAS, the 2016 preliminary taxes assessed of \$4,002.65 and the prorated exempt amount is \$416.72 and the balance of the 2016 tax levy should be canceled and payments made on canceled taxes be refunded:

Owner Name	1 st Quarter 2015	2 nd Quarter 2015	3 rd Quarter 2015	4 th Quarter 2015	Total Refund
Karp-Giorgio, Helaine	0	982.64	0	0	982.64

WHEREAS, total taxes for 2016 levied on this property for 2016 are 7,708.38 of which 4,002.65 had been paid and the taxable amount to May 23, 2016 is 3,020.01 and the balance is considered exempt and the owner is now entitled to a refund of the 2016 taxes paid in excess and taxes assessed from May 23, 2016 to 12/31/2016 should be canceled.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth, that the Tax Collector is hereby authorized to cancel the Real Estate Taxes from May 23, 2016 to 12/31/2016 and refund the portion of 2016 taxes already paid that are now exempt by the individual listed above.

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

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

Record of Vote	Deputy Mayor 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/Recues					
Absent/Excused			X		

ORDINANCES:

Adoption(s):

Ord #2274 – (Coaster)

A Bond Ordinance providing for various capital improvements, appropriating \$450,000 and authorizing the issuance of \$427,500 bonds or notes to furnish a portion of the costs and directing the Special Assessment of the cost

The following vote was taken to open the Public Hearing on Ordinance #2274

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					
Absent/Excused			X		

Public Comments:

Frank Farrell asked why his sidewalks are being replaced while his neighbors are not included?

Mr. Brannen said some properties will be done this year and others will be done in the subsequent year. The interest rate associated with being part of the assessment district is less than 1%.

There were no additional comments at this time.

The following vote was taken to close the Public Hearing on Ordinance #2274

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

The following vote was taken to adopt Ordinance #2274 and advertise 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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

Ord #2274A – (Coaster)

An Ordinance authorizing the private sale of non-conforming real property known as Block 9, Lot 53, Howard Avenue, to a contiguous property owner

The following vote was taken to open the Public Hearing on Ordinance #2274A

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					
Absent/Excused			X		

MEETING MINUTES

July 14, 2016

Public Comments:

There were no comments at this time.

The following vote was taken to close the Public Hearing on Ordinance #2274A

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

The following vote was taken to adopt Ordinance #2274A and advertise 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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

Ord #2276 - (Coaster)

An Ordinance amending and supplementing Chapter 21 of the Comprehensive Land Development Ordinance of the Township of Ocean

The following vote was taken to open the Public Hearing on Ordinance #2276

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					
Absent/Excused			X		

Public Comments:

There were no comments at this time.

The following vote was taken to close the Public Hearing on Ordinance #2276

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

The following vote was taken to adopt Ordinance #2276 and advertise 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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

Introduction(s):

Ord #2277 – (P.H. 8/4 Coaster)

An Ordinance amending and supplementing Chapter 21 of the Comprehensive Land Development Ordinance of the Township of Ocean amending fees for Special Meetings of the Planning Board and Zoning Board of Adjustment

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

Chapter 21, The Comprehensive Land Development Ordinance of the Township of Ocean is hereby amended and supplemented to read as follows:

1. **Article III Subsection 21-9 Fees** shall be amended in its entirety as follows:

k. Special Meetings for Planning Board or Board of Adjustment

If the Board of Adjustment or Planning Board is requested to, and decides to hear an application at one or more special meetings, the applicant(s) shall pay an additional two thousand five hundred (\$2,500.00) dollars for each special meeting at which the matter is heard.

Should a requested special meeting be held at any location other than in the Public Meeting Room at Town Hall, the applicant(s) shall be responsible for any and all additional expenses incurred by the Township of Ocean as a result of having to re-locate said meeting. The amount of such costs shall be provided to the applicant and shall be paid, in escrow, prior to the scheduling of said special meeting.

2. All other ordinances or parts of ordinances inconsistent thereof are hereby repealed to the extent of such inconsistencies.

3. If any section, paragraph, subparagraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subparagraph, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

4. This ordinance shall take effect following the final adoption and publication pursuant to the law subject to the filing of a copy of same with the Monmouth County Planning Board.

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					
Absent/Excused			X		

PUBLIC COMMENTS:

Brian Lefferson felt the Township should pass an ordinance prohibiting valet parking at the Recreation Center or at least make it a requirement to get a permit to provide said service.

Mr. Lefferson discussed at length the issues he has with the influx of the summer population, including their unsafe driving habits.

Mr. Lefferson inquired about the rationale of putting bike lanes on Logan Road and Sunset Avenue

Mr. Brannen said a study was done and these two roads were identified as having the ability to accommodate them without negatively impacting the homeowners/drivers.

Marwin Meller inquired how the proposed Combat Wounded Reserved Parking Spaces will be enforced.

Mayor Siciliano said it will need to be an honor system.

Don Geiger inquired about the following items:

1. The impact of the GAP Decision on COAH?

Mr. Arbus reviewed the decision and he needs to discuss this with the Township's COAH Council but it appears to positively impact the Township.

2. Update on the West Park Avenue jug-handle improvements

Mr. Brannen said the State filled in many of the potholes along Route 35, however, West Park Avenue still needs to be done.

3. Some residents along Logan Road do not understand where they are to park their vehicles. Can anything be done?

Mr. Brannen said letters will be going out on July 15 to remind residents about proper protocol.

4. When will the repaving of Allaire Avenue take place?

Mr. Brannen said the contractor will be back in the Township within the next week. They will then go on to repave Allaire Avenue.

Barbara Hudson read a statement concerning what action the Township should take concerning the Zoning Board of Adjustment litigation.

Paul Mayerowitz stated that it appears that many of the shopping centers put their handicapped parking spaces too far from the entrance of their establishment. He realizes that the Planning Board does not address the number of handicapped spaces required by any potential developer. Even where he lives, Cedar Village, is in dire need of more handicapped spaces.

F.K. Hudson inquired about the following items:

1. Resolution 16-136 – what is happening to the existing pool?

Mayor Siciliano said it is being replaced with a new activity pool which will be a great improvement over what currently exists.

2. The status of the West Park Avenue Traffic Study

Mr. Brannen said it should be completed within the next week. At that point, the Township and Monmouth County Representatives will meet with NJDOT Representatives to discuss.

3. Any update with the changes in the Township’s COAH obligation?

Mr. Arbus said that nothing has been finalized.

4. Stop & Shop Update

Mr. Arbus stated that there was nothing new to report.

Ray Sobieski discussed Report It and explained the need for the user to have a mobile phone to utilize the system.

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
Opposed					
Not Voting/Recuse					
Absent/Excused	X				

Respectfully submitted,

Christopher P. Siciliano
Mayor

Vincent Buttiglieri, RMC/CMC/MMC
Township Clerk