

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

AUGUST 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 and revised on August 2, 2016.

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 thanked Wegman's for hosting the National Night Out with the proceeds going to the volunteer services in the Township.

Councilmember Schepiga announced that the Italian American Festival will be held from Wednesday through Sunday, August 10-14, 2016. The fireworks will be held on Friday night.

Councilmember Long reported that Monmouth County Freeholder Serena DiMaso attended the July Chamber of Commerce meeting to discuss emergency preparedness, especially electrical outages. It was very informative and he thanks Freeholder DiMaso for attending.

Councilmember Long said he viewed the July 14, 2016 Council Meeting since he was unable to attend due to a prior commitment. He heard Mayor Siciliano's State of the Township Address. Councilmember Long was impressed with all the great initiatives spear-headed by Mayor Siciliano and is excited about his future initiatives.

Mayor Siciliano thanked Councilmember Long for those kind words but reiterated that those accomplishments would not have been possible alone and he thanked the Council for their hard work.

Councilmember Acerra stated that at the August Chamber of Commerce meeting, Assemblyman Houghtaling and Assemblywoman Downey discussed the ongoing minimum wage issue.

Councilmember Acerra reported that Verizon Wireless appeared before the Planning Board because they were installing a node at the intersection of West Park Avenue and Monmouth Road which should improve the service in that area.

Councilmember Acerra discussed the Property Tax Program presentation that was held on August 2, 2016 at Town Hall. It was very well attended and very informative. Additional information can be obtained at Town Hall or at the Division of Taxation Building located on West Lake Avenue in Neptune.

Andrew Brannen, Township Manager, said that Fernandes Construction is back in town to continue the road repaving. Also, New Jersey Natural Gas is also in the Township doing some repairs and paving.

MEETING MINUTES**AUGUST 9, 2016**

The following did not offer any report:

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: Adpro Imprints/Budget Banners, Asbury Park Press, Beretta USA Corp., Constellation New Energy, Inc., Country Clean, Inc., Direct Energy Business, Garden State Highway Products, Inc., Grainger, Groff Tractor New Jersey, LLC, Hunter Technologies, Jungle Lasers, LLC, Major Police Supply, Monmouth Wire & Computer, Motorola Solutions, NJRPA, Inc., Northern Tool & Equipment Co., State Exterminating Co., Superior Office Systems, Inc. and Wireless Communications and Electronics.

With reference to Resolution No. 16-158, Mr. Geiger asked how much of the amount collected is maintained by the Township and the vendor, respectively.

Mr. Brannen said that the vendor places a surcharge on the uncollected amount.

Paul Mayerowitz inquired as follows:

- Which employees are subject to random drug testing?

Mr. Brannen stated employees from Public Works and the Police Department are subject.

- With regard to cell phone reimbursement, are employees required to submit for reimbursement monthly or yearly?

Mr. Brannen said either is acceptable.

There were no additional comments at this time.

Mayor Siciliano announced that Resolution 16-147b will be pulled from this Agenda and not voted upon at this time.

CONSENT AGENDA:**MINUTES:**

July 14, 2016 - Workshop and Public Meetings

July 26, 2016 - Workshop Meeting

RESOLUTIONS:

16-146 Authorize the Reduction of the Performance Guarantee(s) for the following:

- a. Block 140, Lots 65.01 & 67.02 - Dorset Road (Phase I) - VB Ocean Ave., LLC/Wanamassa Woods Estates**

WHEREAS, the Township Council did authorize and enter into a Developer's Agreement dated April 17, 2014 with VB Ocean Ave, LLC to construct a previously approved twelve (12) lot subdivision in two (2) Phases for property known as Block 140, Lots 65.01 and 67.02 located at Dorset Road; and

WHEREAS, this Agreement relates to Phase I only and will consist of nine (9) lots; and

WHEREAS, VB Ocean Ave, LLC posted performance guarantees totaling \$424,800.00 by way of Irrevocable Standby Letter of Credit Number 1260 issued by Ocean First Bank in the total amount of \$382,320.00 together with cash in the amount of \$42,480 to guarantee the completion of all improvements on premises known as Block 140, Lots 65.01 & 67.02 located at Dorset Road; and

WHEREAS, the Township Clerk is in receipt of a letter from Krista Richter representing VB Ocean Ave, LLC dated June 22, 2016, requesting a reduction of the performance guarantees; and

WHEREAS, the Township Council is willing to reduce the amount of the performance bond and cash guarantee to 30% of the original performance guarantee estimate amount.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of the Township of Ocean, County of Monmouth, State of New Jersey, that it does hereby authorize and approve a reduction of the performance guarantee to the sum of \$149,682.00 in the form of a performance bond in the amount of \$137,713.80 and cash in the amount of \$14,968.20, representing 30% of the original performance guarantee pursuant to N.J.S.A. 40:55D-52.e(1) expressly subject to the following conditions:

1. All required certificates of insurance be properly filed with the Office of the Township Clerk
2. Payment of any outstanding engineering inspection fees

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

1. Township Engineer
2. Director of Finance
3. Construction Official
4. VB Ocean Ave, LLC
5. Ocean First Bank

16-147 Authorize the Release of Performance Guarantee(s) for the following:

a. Block 1.05, Lots 8 & 9 - Cindy Lane - R & S Realties, LLC

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Township of Ocean to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as completed by the Township Engineer; and

WHEREAS, the Township Council did authorize and enter into a Developer's Agreement dated January 11, 2010 with R & S Realties, LLC for subdivision, minor site plan and conditional use approvals for property described as Block 1.05, Lots 8 & 9 located at Cindy Lane; and

WHEREAS, R & S Realties, LLC has heretofore deposited with the Township of Ocean performance guarantees totaling \$3,120.00 by way of cash to guarantee the completion of all improvements on premises known as Block 1.05, Lots 8 & 9 located at Cindy Lane; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated July 18, 2016, a copy of which is on file in the Office of the Township Clerk and made a part hereof, recommending the release of the aforementioned performance guarantees and the waiver of the maintenance guarantees since the improvements were installed over six (6) years ago; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the performance guarantees hereinbefore referred to be and the same are hereby released, canceled and discharged as per the aforesaid memorandum from Gregory S. Blash, P.E. subject to the payment of any outstanding engineering and administrative fees.

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

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. R & S Realties, LLC

16-148 Authorize the Release of Maintenance Guarantee(s) for the following:

a. Block 141, Lots 1 & 23 - Retail H (Applebee's) - Seaview Square, LLC

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, the Township Council did authorize and enter into an Assignment of Developer's Agreement dated April 6, 2009 with Seaview Square, LLC to maintain the premises known as Block 141, Lots 1 & 23, Retail Phase "H" – Applebee's and Retail Building; and

WHEREAS, Seaview Square, LLC has heretofore deposited with the Township of Ocean maintenance guarantees in the amount of \$110,276.40 in the form of Maintenance Surety Bond No. HOIFSU0413136 issued by Fidelity Insurance Co. to guarantee all the improvements will be maintained on premises known as Block 141, Lots 1 & 23, Retail Phase "H" – Applebee's and Retail Building; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated July 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 guarantees.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the maintenance guarantees in the amount of \$110,276.40 are hereby released, canceled and discharged subject to the payment of any outstanding engineering and administrative fees.

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

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Seaview Square, LLC
6. Fidelity Insurance Co.

16-149 Authorize a Developer's Agreement with the following:

a. Block 3, Lots 7, 8, & 9 - 2121-2123 Highway 35 North - Gold Coast Cadillac

WHEREAS, Gold Coast Cadillac (hereinafter "Developer") is the owner of certain property known as Block 3, Lot 7.01, as shown on the official tax map of the Township of Ocean, which

property is located at 2121-2123 Highway 35 North in the C-2 (Highway Commercial) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

WHEREAS, the Developer was granted Preliminary and Final Site Plan Approval by the Zoning Board of Adjustment of the Township of Ocean on May 14, 2009 and memorialized by Resolution dated June 11, 2010 to expand an existing building to be used for automotive sales and service and realign parking and vehicle storage/display area in conjunction with the existing car dealership; and

WHEREAS, the Developer was granted Amended Site Plan Approval by the Zoning Board of Adjustment of the Township of Ocean by way of Resolution dated January 13, 2011 to have the uncompleted improvements from Phase I now categorized as Phase II; and

WHEREAS, this Agreement relates to Site Plan Maps entitled Preliminary and Final Site Plans for a Proposed Gold Coast Cadillac, Tax Map No. 6, Tax Map Lots 7, 8 & 9, Block 3 (now Lot 7.01), Township of Ocean, Monmouth County, New Jersey by Stephen P. Atkins, P.E. of Maser Consulting, P.A. consisting of fourteen (14) sheets dated April 25, 2008 and last updated August 1, 2012; and

WHEREAS, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated May 18, 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 Gold Coast Cadillac, 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 \$28,440.00 and Inspection Fees in the amount of \$2,685.00

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Peter S. Falvo, Jr., Esq.
5. Gold Coast Cadillac

16-150 Approve the release of Closed Session minutes from July 14, 2016 and July 26, 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:

July 14, 2016

July 26, 2016

16-151 Authorize the Receipt of Bids/Request for Proposals for the following:

a. Unarmed security Officers for the Municipal Court

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

Unarmed Security Officers for the Municipal Court

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. Court Administrator
3. Police Chief

b. Re-construction of the Wading/Activity Pool at the Ocean Township Community Pool & Tennis Facility

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

Re-construction of Wading/Activity Pool at the Ocean Township Pool & Tennis Facility

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. Recreation Director

c. 2016 Roadway Improvement Program

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

2016 Roadway Improvement Program

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. Township Engineer

d. Structural Analysis of Buildings located at Joe Palaia Park

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

Structural Analysis of Buildings located in and around Joe Palala 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 Request for Proposals for the aforesaid items as per the specifications on file and will be received by the Township Manager in the Township Council Conference Room, Second Floor, Township Hall, 399 Monmouth Road, Oakhurst, New Jersey on a date to be determined.

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

1. Township Manager
2. Township Engineer

16-152 Approve the re-scheduling of fireworks for Deal Golf and Country Club to August 21, 2016

WHEREAS, the Deal Golf and Country Club 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 have approved said application; and

WHEREAS, due to inclement weather, on the previously approved dates, said fireworks were not held and a request has been received to hold the fireworks on August 21, 2016;

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 Deal Golf and Country Club on August 21, 2016 at the 16th hole; and

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

1. Chief of Police
2. Fire Marshall
3. Deal Golf and Country Club

16-157 Authorize the following appointment(s):

a. Zoning Board of Adjustment - Alternate No. 4

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:

BOARD OF ADJUSTMENT	Member	Starting	Ending
2 year term	Paul Mayerowitz – Alt. #4	August 9, 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

b. Alternate Prosecutor

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:

PROSECUTOR	Member	Starting	Ending
1 year term	Eric Brophy <i>Alternate Prosecutor</i>	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
4. Municipal Court

16-159 Authorize a Stormwater Management and Escrow Fund Agreement with the following:

a. Block 209, Lot 14 - 1115 Highway 35 - Manasquan Bank

WHEREAS, the Township of Ocean Planning Board as part of a site plan approval for lands designated as **Block 209, Lot 14** located at **1115 Highway 35 (Manasquan Bank)**, required the applicant to enter into a Stormwater Management Easement and Escrow Fund Agreement; and

WHEREAS, the Township professionals in conjunction with the property owners' representatives prepared a Stormwater Management Easement and Escrow Fund Agreement, a copy of which is attached hereto; and

WHEREAS, this Stormwater Management Easement and Escrow Fund Agreement is subject to review and approval by the Township Attorney.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Ocean, County of Monmouth, State of New Jersey, that the Mayor and Township Clerk are hereby authorized to sign this Agreement on behalf of the Township of Ocean so that said Agreement can be recorded in the County of Monmouth.

BE IT FURTHER RESOLVED that a condition of the approval of this Agreement shall be that the metes and bounds description for the entire property be included as an attachment to the Agreement and the attached recorded in the County of Monmouth.

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

1. Manasquan Bank
2. Martin J. Arbus, Esq., Township Attorney
3. Marianne Wilensky, Director of Community Development

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: \$5,819,200.29

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	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

RESOLUTIONS:

16-153 Approve a Ch. 159 Budget Amendment for the following:

a. Community Hope Fund Grant - Project Extend

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 from the Community Hope Fund a total award of \$3,000.00 for Project Extend, a copy of which is attached, and

WHEREAS, the 2016 budget needs to be amended to include the \$3,000.00 awarded to the Township of Ocean from the Community Hope Fund,

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 \$3,000.00 which is now available as revenue from the Community Hope Fund.

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

Community Hope Fund Grant – Project Extend
 Other Expenses.....\$: 3,000.00

BE IT FURTHER RESOLVED that two copies of this resolution be forwarded to the Director, Division of Local Government Services, PO Box 803, Trenton NJ 08625-0803 and one copy to the following:

1. Director of Finance
2. Township Auditor
3. Director of Human Services Department

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. Community Hope Fund Grant - L.E.A.D. Program

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 from the Community Hope Fund a total award of \$2,600.00 for the Police Department L.E.A.D. Program, a copy of which is attached, and

WHEREAS, the 2016 budget needs to be amended to include the \$2,600.00 awarded to the Township of Ocean from the Community Hope Fund,

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 \$2,600.00 which is now available as revenue from the Community Hope Fund.

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

Community Hope Fund Grant – L.E.A.D. Program
 Other Expenses.....\$: 2,600.00

BE IT FURTHER RESOLVED that two copies of this resolution be forwarded to the Director, Division of Local Government Services, PO Box 803, Trenton NJ 08625-0803 and one copy to the following:

1. Director of Finance
2. Township Auditor
3. 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	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

c. Community Hope Fund Grant - Project Extend - Girls Circle/Boys Council

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 from the Community Hope Fund a total award of \$1,360.00 for the Human Services Department Project Extend Program – Girls Circle/Boys Council, a copy of which is attached, and

WHEREAS, the 2016 budget needs to be amended to include the \$1,360.00 awarded to the Township of Ocean from the Community Hope Fund,

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 2015 the sum \$1,360.00 which is now available as revenue from the Community Hope Fund.

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

Community Hope Fund Grant – Project Extend Program Girls Circle/Boys Council
 Other Expenses.....\$: 1,360.00

BE IT FURTHER RESOLVED that two copies of this resolution be forwarded to the Director, Division of Local Government Services, PO Box 803, Trenton NJ 08625-0803 and one copy to the following:

1. Director of Finance
2. Township Auditor
3. Director of Human Services Department

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					

16-154 Authorize the cancellation of taxes for years 2012-2014 and refund/credit tax overpayments for those taxpayers who received a favorable State Tax Appeal judgment

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 years 2012, 2013 & 2014 and,

WHEREAS, proper procedures require that the tax assessments for the years 2012, 2013 & 2014 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 years 2012, 2013 & 2014 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

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					

Block/Lot	Property Owner/Address	2012	2013	2014	Refund
141 3	WARFIELD SHELL PROP % MADISON LEASE ASBURY AVE	6,083.00	6,215.72	6,403.74	18,702.46
Totals		6,083.00	6,215.72	6,403.74	18,702.46

16-155 Authorize the Tax Collector to cancel the taxes for 2016 and 2017 tax year(s) and issue a refund for the homestead credit applied to the 2nd quarter 2016 taxes to the property owner of Block 34.03, Lot 8, Qual.C3204 who has been declared a 100% totally disabled veteran

WHEREAS, The following individual filed an application with the Assessor for a Total Disabled Veteran and was given approval effective January 1, 2015:

Owner Name	Block	Lot	Qual.	Address
Liebeskind, Kalman & Arlyne	34.03	8	C3204	141 Old Orchard Lane

WHEREAS, the 2015 taxes assessed of \$5,912.72 were canceled and payments made on canceled taxes be refunded:

WHEREAS, taxes for 2016 of 5,992.46 and estimated 1st & 2nd quarter taxes for 2017 of 2,996.23 were levied in error on this property, of which there is a homestead credit of \$533.48 for 2016 and the owner is now entitled to a refund of the homestead credit applied and taxes assessed for 2016 and 2017 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 for the 2016 and 2017 tax year and refund the homestead credit applied to 2nd quarter taxes be refunded to 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	X
Opposed					
Not Voting/Recues					
Absent/Excused					

16-156 Authorize the Tax Collector to issue a refund to CitiMortgage, Inc. due to an overpayment of 3rd quarter 2016 property taxes for Block 60.01, Lot 4

WHEREAS, a duplicate payment was made by Burt Frank, homeowner, and CitiMortgage, Inc. for the 3rd quarter 2016 property taxes in the amount of \$1,525.65 for Block 60.01, Lot 4; and

WHEREAS, the tax overpayment should be refunded to CitiMortgage, Inc., P.O. Box 23689, Rochester, NY 14692;

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.

MEETING MINUTES

AUGUST 9, 2016

Block	Lot	Owner/Payer Name	Amount	Reason
60.01	4	CitiMortgage, Inc.	\$1,525.65	Duplicate Payment made by Burt Frank, homeowner, and CitiMortgage, Inc. for 3 rd Quarter 2016 taxes.
Total Taxes Overpaid			\$1,525.65	

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					

16-158 Authorize the two-year extension of the agreement with Gila, LLC d/b/a MSB Government Services for the private collection of Municipal Court Debt

WHEREAS, the Township of Ocean requested to use the competitive contracting process, pursuant to N.J.S.A. 40A:11-4.1k, to secure proposals for the private collection of municipal court debt; and

WHEREAS, the Township of Ocean authorized the receipt of proposals for the Private Collection of outstanding Municipal Court Debt on October 3, 2013; and

WHEREAS, in connection therewith two (2) proposals were received by the Township of Ocean on November 8, 2013: Gila, LLC d/b/a MSB Government Services, Austin, TX and Sallie Mae Collection Services, Arcade, NY; and

WHEREAS, the Township Manager and the Municipal Court Administrator recommended that a contract be awarded to Gila, LLC d/b/a MSB Government Services, Austin, TX as per their bid proposal for the private collection of municipal court debt; and

WHEREAS, as per the original agreement, the Township of ocean and Gila, LLC d/b/a MSB Government Services wishes to extend said agreement for the two year period expiring August 30, 2018;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the extension of the Agreement with Gila, LLC d/b/a MSB Government Services, Austin, TX , for the private collection of municipal court debt for the two-year period expiring August 30, 2018; and

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

1. Municipal Court Administrator
2. Director of Finance
3. Gila, LLC d/b/a MSB Government Services

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

ORDINANCES:

Adoption(s):

Ord #2277 – (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

The following vote was taken to open the Public Hearing on Ordinance #2277

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 #2277

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					

The following vote was taken to adopt Ordinance #2277 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	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

PUBLIC COMMENTS:

Mayor Siciliano announced that the Township is looking to honor the Township Super Seniors, anyone over 90 years old. A luncheon will be held in the Fall. Further information will be forthcoming.

Marwin Meller thanked Mayor Siciliano for his presentation at Cedar Village.

Mr. Meller also announced the following programs at Cedar Village:

- July Blood Drive – 21 units collected
- Stuff the Bus – collecting backpacks and school supplies - will be held in August

Mr. Meller also suggested that the next batch of No Knock stickers have the sticky side on the front so as to be able to stick on the inside of the glass.

Michael Zemo expressed his concern with the speed motorists travel on Roseld Avenue between Logan Road and Wickapecko Drive. He would like the Township to step up enforcement as the only action he's seen was the placement of the speed sign on Roseld Avenue.

Mr. Zemo was wondering about the placement of speed bumps along Roseld Avenue

Mayor Siciliano said he would ask the Police to step up patrol in the area.

Don Geiger inquired about the following items:

1. Suggested the installation of rumble strips on Roseld Avenue.
2. Update on the Yeshiva litigation

Mr. Arbus discussed the status including the pending application made by the Plaintiff to make all interior renovations and occupy.

Mr. Arbus also explained that the Judge had made it very clear that the use was beneficial and had basically knocked down all the arguments made by the Township.

3. Is the Township still paving Allaire Avenue?

Mr. Brannen said it will be paved shortly as the work on the road program has commenced.

4. Are there any plans to repave West Park Avenue?

Mr. Brannen said that Monmouth County has committed to finishing the repaving of Monmouth Road from Roseld Avenue to the Ocean Township border.

Barbara Hudson inquired if there was an agreement between the parties in the Yeshiva litigation to meet after the Judge denied the Townships arguments to try and settle the case?

Mr. Arbus stated the Judge has reserved her decision.

Paul Mayerowitz inquired about the following matters:

1. Spoke previously about posting legal announcements on the website even though it is still required to place the legal notices in the newspaper. He would like the Township to start posting notices on its website.
2. The problem exists that many municipalities do not find out about lawsuit settlements until after the fact.
3. How is Report It working out

Mayor Siciliano reported he received 47 calls during the month of July.

4. He spoke about the need for additional handicapped parking at both shopping centers and developments such as Cedar Village. He requested future developments be required to adhere to expanded handicapped parking requirements.

F.K. Hudson inquired about the following items:

1. Workshop Discussion Item No. 1 – Bicycle/Pedestrian Plan Update

Mr. Brannen reported that discussion was held regarding the installation of bike lanes on Monmouth Road. Since it is a county road, Monmouth County has a requirement that it connect with another road that has bicycle lanes such as Deal Road. Further discussion will be had.

Mr. Hudson feels it is important to have sidewalks running both east and west on the main arteries in the Township in order to promote safe walking.

2. Any update with the changes in the Township's COAH obligation?

Mr. Arbus said that nothing new has come up.

3. Stop & Shop Update

Mr. Arbus stated both the complaint and answer have been filed.

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