

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

MAY 2, 2012

OAKHURST, NEW JERSEY

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

Present: Mayor Larkin
Deputy Mayor Siciliano
Councilmember(s) Evans, Garofalo, Schepiga

Others: Martin J. Arbus, Esq., Township Attorney
Andrew Brannen, Township Manager
Vincent Buttiglieri, Township Clerk

Statement of Compliance with the Open Public Meetings Act:

Mayor Larkin announced that the notice requirements of the Open Public Meetings Act for this meeting have been satisfied; a copy of the Annual 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 6, 2011 and revised on April 27, 2012.

Fire Exit Procedures:

There are two emergency exits on the wall to my right that will take you to the front of the building and another one to my left that will take you to the rear parking lot.

NOTICE:

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

Mayor's Statement: Public Portion to Ask Questions with Regard to Resolutions and Vouchers

The purpose of this public portion is solely to ask questions to understand Resolutions and Vouchers that appear on the 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 COMENTS:

Don Geiger inquired as follows:

- Resolution #12-071 – was there only one response to the proposal for services

Andrew Brannen, Township Manager, stated that Clarke Caton Hintz had been the Township's COAH Planner since the litigation began and they are familiar with the Township, therefore, it makes sense to continue the contract with them.

- Resolution #12-072 – were there any givebacks from the PBA/SOA

Mr. Brannen stated that there were quite a few including increasing the number of steps an officer needs to reach top pay which is a 4 step increase from the previous contract.

Brian Lefferson inquired if the payment for drug testing (\$4,131.50) was for the entire Township.

Mr. Brannen stated that the expenditure is for the purchase of drug kits, not the actual testing.

PUBLIC HEARING and ADOPTION – 2012 Municipal Budget

B1 Resolution – Authorizing the Budget to be read by title

WHEREAS, the 2012 Local Municipal Budget of the Township of Ocean was duly published in The Coaster on March 29, 2012 and the Public Hearing thereon was scheduled for May 2, 2012 at 7:00 p.m., or soon thereafter; and

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

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

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

**“LOCAL BUDGET OF THE TOWNSHIP OF OCEAN,
COUNTY OF MONMOUTH FOR THE FISCAL YEAR 2012”**

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

Public Hearing on the 2012 Municipal Budget

Motion to open the Public Hearing on the 2012 Municipal Budget:

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

Public Comments:

Brian Lefferson asked if there has been communication between the Township and the Township of Ocean Board of Education and if so, how much of an increase can taxpayers expect from the Board of Education.

Mr. Brannen said that there is always communication between the two entities but he had not been made aware of the increase from the Board of Education. Mr. Brannen

suggested that Mr. Lefferson contact the Board's Business Administrator, Ken Jannarone.

There were no additional comments on the 2012 Municipal Budget.

Motion to close the Public Hearing on the 2012 Municipal Budget:

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

Resolution to Adopt the 2012 Municipal Budget

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

CONSENT AGENDA:

MINUTES:

April 18, 2012 – Workshop, Public and Closed Meeting

RESOLUTIONS:

12-065 Authorize the receipt of bids for various items for the Public Works and the Police Departments

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

Public Works:

1. *Various Road Construction Materials*
2. *Asphalt F.A.B.C., Bituminous Concrete Mix (I-2, I-4 and I-5)*
3. *Public Works Uniforms (Three (3) Year Contract)*
4. *Recap Tires and Accessories and Road Service*
5. *Heating and HVAC Maintenance*

Police Department:

1. *Uniforms (Three (3) Year Contract)*

WHEREAS, specifications for the aforesaid items will be on file in the Department of Public Works, 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 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. Director of Finance
3. Public Works Department
4. Police Department

12-066 Authorize various appointments to the Zoning Board of Adjustment and Environmental Commission

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

BOARD OF ADJUSTMENT	Member	Starting	Ending
<i>4 year term</i>	Leon Pflaster (Mr. Pflaster is filling Tracey Berkowitz's unexpired term)	May 2, 2012	June 30, 2013
	Alternate		
<i>2 year term</i>	Sylvia Sylvia – Alternate #1 (Mrs. Sylvia is filling Mr. Pflaster's unexpired term)	May 2, 2012	June 30, 2013
	Eric Menell – Alternate #2 (Mr. Menell is filling the vacancy)	May 2, 2012	June 30, 2013
	James Worrell - Alternate #3 (Mr. Worrell is filling Mrs. Sylvia's unexpired term)	May 2, 2012	June 30, 2013
ENVIRONMENTAL COMMISSION	Members		
<i>3 year term</i>	Renee Amelio (Ms. Amelio is filling Dallas Grove's unexpired term)	May 2, 2012	June 30, 2013

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

1. Board/Committee or Department
2. Administrative Secretary
3. Public Agency Compliance Officer

12-067 Authorize the Release of Performance Guarantee(s) for:

a. Block 3, Lots 13, 14, & 15, 2105 Highway 35, 2105 Highway 35 Associates, 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 complete by the Township Engineer; and

WHEREAS, the Township Council did authorize and enter into a Developer's Agreement dated October 19, 2009 with 2105 Highway 35 Associates, LLC as the owner and L. Waldron, LLC as the applicant, were granted Preliminary and Final Site Plan Approval, Bulk Variance for Width of Parking Spaces, Bulk Variance and Use Variance to utilize a 4,102 square foot portion of the existing building for the purpose of an indoor play entertainment center for children eight (8) years of age and younger for property known as Block 3, Lots 13, 14 & 15 located at 2105 Highway 35; and

WHEREAS, 2105 Highway 35, LLC has heretofore deposited with the Township of Ocean performance guarantees totaling \$27,480.00 in the form of Performance Bond #70806535 issued by Western Surety Company in the amount of \$24,732.00 and cash in the amount of \$2,748.00 to guarantee the completion of all improvements on premises known as Block 3, Lots 13, 14 & 15 located at 2105 Highway 35; and

WHEREAS, the Township Clerk is in receipt of a letter from Eric Phillips, on behalf of 2105 Highway 35 Associates, LLC dated January 20, 2012 requesting the release of the performance guarantees; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer has advised the Township Manager by letter dated April 18, 2012, 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 completed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash and the performance guarantees in the amount of \$27,480.00 are hereby released, canceled and discharged subject to the following:

1. Receipt of a maintenance bond in the sum of \$3,435.00 said maintenance bond is to run for a period of two (2) years to cover the maintenance of all improvements constructed under the original performance guarantee
2. Payment of pending and future engineering inspection and administrative fees in an amount to be determined by the Township Engineer to cover the estimated inspection fees
3. All required certificates of insurance be properly filed with the Office of the Township Clerk

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. 2105 Highway 35, LLC
6. Western Surety Company

b. Block 8.02, Lot 21, 52 Larchwood Avenue, David & Ayelet Leventer

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 complete by the Township Engineer; and

WHEREAS, David and Ayelet Leventer has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$4,515.12 to guarantee the completion

of all improvements on premises known as Block 8.02, Lot 21 also known as 52 Larchwood Avenue; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated April 18, 2012, 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 completed and said representative of the Township Engineer recommends the release of the aforementioned cash performance guarantees and the waiver of the maintenance guarantees since the improvements were installed over nine years ago, subject to the payment of any outstanding engineering and administrative fees; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the performance guarantees totaling \$4,515.12 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. David and Ayelet Leventer

c. Block 10, Lot 18, 4 Saxony Drive, Maurice Zekaria

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 complete by the Township Engineer; and

WHEREAS, Maurice Zekaria has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$14,364.00 to guarantee the completion of all improvements on premises known as Block 10, Lot 18 also known as 4 Saxony Drive; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated April 18, 2012, 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 completed and said representative of the Township Engineer recommends the acceptance of same and the release of the aforementioned cash performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% (\$5,985.00) of the cost of the improvements and any outstanding engineering and administrative fees; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the performance guarantees totaling \$14,364.00 are hereby released, canceled and discharged.

BE IT FURTHER RESOLVED by the Township Council that this resolution shall not become effective unless and until the Township of Ocean is furnished with the posting of a maintenance guarantee in the amount of 15% (\$5,985.00) of the cost of the improvements and payment of any outstanding engineering and administrative fees; and

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. Maurice Zekaria

d. Block 25, Lot 33, 395 Deal Road, Congregation Magen David of West Deal, Inc.

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 complete by the Township Engineer; and

WHEREAS, the Township Council did authorize and enter into a Developer's Agreement dated January 10, 2011 with Congregation Magen David of West Deal, Inc. for Site Plan Approval with Variances for property located on Block 25, Lot 33, 395 Deal Road to construct a 2,019 square foot addition to the rear of the synagogue for the purpose of increasing the seating in the midrash by 136 seats to a total of 240 seats. In addition, some minor grade changes were made to accommodate ADA accessibility; and

WHEREAS, Congregation Magen David of West Deal, Inc. posted performance guarantees totaling \$29,640.00 by way of Cash; and

WHEREAS, the Township Council granted a reduction of the performance guarantees to \$8,892.00 by resolution dated January 25, 2012; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer has advised the Township Manager by letter dated April 18, 2012, 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 completed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash and the performance guarantees in the amount of \$8,892.00 are hereby released, canceled and discharged subject to the following:

1. Receipt of maintenance bond in the sum of \$3,705.00 said maintenance bond is to run for a period two (2) years to cover the maintenance of all improvements constructed under the original performance guarantee
2. Payment of pending and future engineering
3. All required certificates of insurance be properly filed with the Office of the Township Clerk

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. Congregation Magen David of West Deal, Inc.

e. Block 37.06, Lot 15, 21 Eaton Place, Edward & Annette Kubinec

WHEREAS, Louis J. Lobosco, P.E., P.P., representing the Township Engineer, requested the posting of \$250.00 for inspection fees for Block 37.06, Lot 15 also known as 21 Eaton Place; and

WHEREAS, the Township Council accepted the inspection fees posted by Edward and Annette Kubinec for Block 37.06, Lot 15 also known as 21 Eaton Place by way of resolution dated January 10, 2011; and

WHEREAS, Louis J. Lobosco, P.E., P.P., representing the Township Engineer has advised the Township Manager by letter dated April 12, 2012, that a permanent Certificate of Occupancy has been issued and all monies that were posted be released subject to the payment of all engineering inspection and administrative fees.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth that the inspection fees posted hereinbefore referred to be and the same are hereby released, canceled and discharged subject to the payment of all 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. Edward and Annette Kubinec

f. Block 37.07, Lot 5, 1 Jackson Circle, Eric Bosniak & M. Charli Bohm

WHEREAS, Louis J. Lobosco, P.E., P.P., representing the Township Engineer, requested the posting of \$200.00 for inspection fees for Block 37.07, Lot 5 also known as 1 Jackson Circle; and

WHEREAS, the Township Council accepted the inspection fees posted by Eric Bosniak and M. Charli Bohm for Block 37.07, Lot 5 also known as 1 Jackson Circle by way of resolution dated December 6, 2010; and

WHEREAS, Louis J. Lobosco, P.E., P.P., representing the Township Engineer has advised the Township Manager by letter dated April 12, 2012, that a permanent Certificate of Occupancy has been issued and all monies that were posted be released subject to the payment of all engineering inspection and administrative fees.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth that the inspection fees posted hereinbefore referred to be and the same are hereby released, canceled and discharged subject to the payment of all 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. Eric Bosniak and M. Charli Bohm

g. Block 37.08, Lot 5, 15 Jackson Circle, David Christopher & Catherine M. Mellina

WHEREAS, Louis J. Lobosco, P.E., P.P., representing the Township Engineer, requested the posting of \$500.00 for inspection fees for Block 37.08, Lot 5 also known as 15 Jackson Circle; and

WHEREAS, the Township Council accepted the inspection fees posted by David Christopher and Catherine M. Mellina for Block 37.08, Lot 5 also known as 15 Jackson Circle by way of resolution dated August 8, 2011; and

WHEREAS, Louis J. Lobosco, P.E., P.P., representing the Township Engineer has advised the Township Manager by letter dated April 12, 2012, that a permanent Certificate of Occupancy has been issued and all monies that were posted be released subject to the payment of all engineering inspection and administrative fees.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth that the inspection fees posted hereinbefore referred to be and the same are hereby released, canceled and discharged subject to the payment of all 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. David Christopher and Catherine M. Mellina

12-068 Authorizing Release of Maintenance Guarantee(s) for:**a. Block 10, Lot 21, 10 Saxony Drive, Eric Sasson**

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 complete by the Township Engineer; and

WHEREAS, Eric Sasson has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$2,797.13 for premises known as Block 10, Lot 21 also known as 10 Saxony Drive; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated April 18, 2012, a copy which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantee in the amount of \$2,797.13 is hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer subject to the payment of any outstanding engineering and administrative fees.

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

1. Township Engineer
2. Director of Finance

3. Director of Community Development
4. Construction Official
5. Eric Sasson

b. Block 35.02, Lot 10, 37 Brandywine Road, Rajeev & Shalini Gupta

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 complete by the Township Engineer; and

WHEREAS, Rajeev & Shalini Gupta have heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$220.50 on premises known as Block 35.02, Lot 10 also known as 37 Brandywine Road; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated April 18, 2012, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantees in the amount of \$220.50 are hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer subject to the payment of any outstanding engineering and administrative fees.

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

1. Township Engineer
2. Director of Finance
3. Construction Official
4. Director of Community Development
5. Rajeev & Shalini Gupta

c. Block 73, Lot 9.01, 517 Beechwood Avenue, Drake Estates/James Policastro

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 complete by the Township Engineer; and

WHEREAS, Drake Estates/James Policastro have heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$630.00 on premises known as Block 73, Lot 9.01 also known as 517 Beechwood Avenue; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated April 18, 2012, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantees in the amount of \$630.00 are hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer subject to the payment of any outstanding engineering and administrative fees.

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

1. Township Engineer
2. Director of Finance
3. Construction Official
4. Director of Community Development
5. Drake Estates/James Policastro

12-069 Authorize the Reduction in Performance Guarantee(s) for the following:

a. Block 34.03, Lots 2 & 2.01, 1025 Deal Road, Chabad House – Lubavitch/Congregation Sons of Israel

WHEREAS, Chabad House-Lubavitch, Inc./Congregation Sons of Israel received Approval of Conditional Use Variance, Approval of Site Plan, Approval of Bulk Variance(s) and Approval of Amended Final Site Plan by the Zoning Board of Adjustment of the Township of Ocean by way of resolutions dated October 12, 2006, November 2, 2006 and October 11, 2007 for property located on Block 34.03, Lots 2 and 2.01, 1025 Deal Road to construct a three level synagogue that will contain a basement with kitchen facilities and a meeting room, a first floor level that will contain an office and worship areas and a third floor level that will contain two classrooms. The building footprint will be approximately 5,000 square feet and located towards the eastern end of the Hillel School; and

WHEREAS, the Township Council did authorize and enter into a Developer's Agreement dated June 24, 2009 with Chabad House-Lubavitch, Inc./Congregation Sons of Israel for Approval of Conditional Use Variance, Approval of Site Plan, Approval of Bulk Variance(s) and Approval of Amended Final Site Plan for property located on Block 34.03, Lots 2 and 2.01, 1025 Deal Road to construct a three level synagogue that will contain a basement with kitchen facilities and a meeting room, a first floor level that will contain office and worship areas and a third floor level that will contain two classrooms; and

WHEREAS, Chabad House-Lubavitch, Inc./Congregation Sons of Israel posted performance guarantees totaling \$343,560.00 in the form of Cash; and

WHEREAS, the Township Clerk is in receipt of a letter from Donald Epstein representing Chabad House-Lubavitch, Inc./Congregation Sons of Israel dated April 16, 2012, requesting a reduction of the performance guarantee; and

WHEREAS, the Township Clerk is in receipt of a letter from the Township Engineer's representative, Gregory S. Blash, P.E., dated April 19, 2012 recommending the granting of a performance guarantee reduction; and

WHEREAS, the Township Council is willing to reduce the amount of the performance guarantee to 31% of the original performance guarantee estimate amount.

NOW, THEREFORE, BE IT RESOLVED by the Township Council 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 \$105,348.00, representing 31% of the original performance guarantee pursuant to N.J.S.A. 40:55D-52.3.(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 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. Chabad House-Lubavitch, Inc./Congregation Sons of Israel

12-070 Affirm the Township of Ocean's Civil Rights Policy

A RESOLUTION TO AFFIRM THE TOWNSHIP OF OCEAN'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Township of Ocean to treat employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964, as subsequently amended, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, and the Conscientious Employee Protection Act; and

WHEREAS, the governing body of the Township of Ocean has determined that certain procedures need to be established to accomplish this policy;

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

Section 1: No official, appointee or volunteer of the Township of Ocean by whatever title known, or any entity that is in any way a part of the Township of Ocean shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of Ocean's business or using the facilities or property of the Township of Ocean.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or private entity, that receives authorization or support in any way from the Township of Ocean to provide services that otherwise could be performed by the Township of Ocean.

Section 3: Discrimination, harassment and civil rights shall be defined for purpose of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Township Manager shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Township Manager shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of Ocean as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Township Manager shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Township Manager shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township of Ocean. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township of Ocean's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township of Ocean in order for the public to be made aware of this policy and the Township of ocean's commitment to the implementation and enforcement of this policy.

Vote on All Consent Items:

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

INDIVIDUAL ACTION:

VOUCHERS: \$ 4,123,721.29

**Township of Ocean
Department of Finance
Voucher List for May 2, 2012**

Vendor Name	Description	Amount	Contract
<u>Appropriation Reserves Payments</u>			
ATLANTIC PLUMBING SUPPLY CORP	Drain cleaner for Twp bldgs	385.08	
CAMPBELL SUPPLY CO. LLC	PD- NEW GENERATOR FOR MCU	13,492.84	
CONSTELLATION NEW ENERGY INC	Electric sustainable energy	4,029.70	
FLAGSHIP DENTAL PLANS	Flagship Dental Premiums-May	490.50	
MAIN ELECTRIC SUPPLY CO INC	Photo Cell Controller/Twp.	136.32	
<u>Total</u>		18,534.44	
<u>Total Appropriation Reserves Payments</u>		<u>18,534.44</u>	
<u>2012 Current Fund Appropriation Payments</u>			
ADP INC, CORPORATE COLLECTIONS	ADP Payroll Process-March	1,279.45	
AFLAC - NEW YORK - FLEX ONE	JAN/FEB 2012 MEDFLEX ADMIN FEE	100.00	
APMM	APMM/NJMMA MGR'S ANNUAL CONF	225.00	
ARBUS, MARTIN ESQ C1200005	TWP ATTORNEY MAR/APR 2012	6,086.66	
ATLANTIC IRRIGATION	March misc irrigation supplies	133.42	
ATLANTIC PLUMBING SUPPLY CORP	March misc plumbing supplies	102.15	
AURORA ENVIRONMENTAL INC.	NJDEP required annual testing	1,755.00	
BANISCH ASSOCIATES, INC.	PROFESSIONAL PLANNING SERVICES	3,193.75	

MEETING MINUTES

MAY 2, 2012

BARG'S LAWN & GARDEN SHOP INC	April misc lawn mower parts	78.48
BENDINER & SCHLESINGER INC	COMMUNITY SERVICE DRUG SCREENS	584.50
BOISE'S BUSINESS INTERIORS	PD- FILING RACK	61.55
CALABRO, PHIL	SUPERVISE ADULT BB MARCH 21	26.00
CAMPBELL SUPPLY CO. LLC	PD- ADD'L REPAIRS TO MOBCOM	2,400.00
CENTRAL TOWING & RECOVERY INC	TWP VEHICLE #28 TOW FROM I-195	145.50
CHOICE SIGNS	18x24 GOLF CART SIGN ADVISORY	45.00
CITY OF LONG BRANCH	1ST QTR ANIMAL CONTROL SERVICE	11,525.00
COMCAST SPOTLIGHT INC	ADVERTISING HSD MARCH	1,270.00
CONNEY SAFETY PRODUCTS	FIRST AID SUPPLIES POOL/CAMP	616.06
CONSTELLATION NEW ENERGY INC	Electric sustainable energy	3,774.82
DELTA DENTAL OF NJ INC	Delta Dental Insurance-May	10,049.29
DEPOSITORY TRUST COMPANY	5/1/2012 BOND INTEREST DUE	1,194,700.00
FIRE SECURITY TECH INC	REPLACE HEATING DUCT DETECTOR	519.50
FITZGERALD, WILLIAM	BOA Reviews and PB Meeting	945.00
FORT DEARBORN LIFE INS CO	Dearborn Life Ins - May	551.96
FYR FYTER SALES & SERVICE INC	ANNUAL INSP FIRE EXTINGUISHERS	755.30
GEESE CHASERS LLC C1200006	APRIL 2012 GEESE CONTROL CTGC	862.33
HANDI-LIFT SERVICE CO INC	Auto lube canister/Tax office	81.00
HOT/SHOT INFRARED INSPECTIONS	Helo Thermal Images of Twp	2,300.00
INTL ASSOC PROP & EVID INC	PD- ANNUAL MEMBERSHIP/FROMKIN	50.00
JERSEY CENTRAL POWER & LIGHT	March street lighting	17,239.73
JOHNNY ON THE SPOT INC	UNITS AT PALAIA PK & CTGC	159.70
JOSEPH FAZZIO WALL LLC	Flatbar needed for loader 50	414.75
JUNGLE LASER LLC	ROLLBASE APPLICATION-FEB 2012	3,265.00
LANGUAGE LINE SERVICES	MARCH TELEPHONE INTERPRETING	59.50
LANIGAN ASSOCIATES INC	PD- SAFETY SUPPLIES - MAR 2012	643.75
LEON S AVAKIAN INC	VARIOUS COPIES OF PLANS	75.50
LESCO - PROX	PAILS OF WHITE FIELD PAINT	616.00
LEXINGTON CORP	PD- COMM CHAIR REPLMNT PARTS	521.00
LINE SYSTEMS, INC.	MAR/APR 2012 PHONE SVC CHARGE	3,010.46
LOOSELEAF LAW PUBLICATIONS INC	PD- INTERNAL AFFAIRS MANUAL	24.95
LOWES INC	March misc building supplies	581.22
LYNN PEAVEY CO	PD- EVIDENCE SUPPLY	41.90
MC LAUGHLIN STAUFFER & SHAKLEE	LEGAL SERVICES 2/28-3/29/12	1,054.50
MC MAHON, WILLIAM	Cell Phone reimbursement	25.00
MON CTY REGIONAL HEALTH	MCRHC 2ND QUARTER 2012 BILLING	47,461.50
MONMOUTH BUILDING CENTER	6x6x16 Treated Post/Clubhouse	1,641.51
MONMOUTH COUNTY POLICE CHIEFS	PD- INITIATION FEE/DUES-PETERS	300.00
MUNICIPAL RECORD SERVICE	ATS/ACS Case File Jackets	148.00
NEXTEL-SPRINT PO MANAGEMENT	AIR CARD 1/27/12 - 2/26/12	49.99
NJ LEAGUE OF MUNICIPALITIES	2012 LOCAL GOV'T ETHICS LAW	12.00
NJ NATURAL GAS CO	March gas usage for Twp	7,330.37
NJ PLANNING OFFICIALS	NJPO Mandatory Training	72.00
NJ ST ASSOC CHIEFS OF POLICE	PD- ACCREDITATION PROGRAM FEE	500.00
NJAWC	March water usage for Twp	4,018.66
NJNEOA	PD- ANNUAL MEMBERSHIP	75.00
NORCIA CORP	March misc parts for Twp	1,372.20
OLD DOMINION BRUSH CO	LINER SETS/IMPELLERS LEAF VACS	4,732.00
PYSKATY BROTHERS TRUCKING INC.	Dark Harwood Mulch for beds	1,440.00
RESNICK DISTRIBUTORS	RETAIL SNACK ORDER CTGC	507.02
REVELL, MICHELE	REFUND FACILITY RENTAL FEE	55.00
SANITATION EQUIPMENT CORP	SANITATION TRUCK #3 CYLINDER	1,419.49
SANSONE FORD LINCOLN MERCURY	CROWN VIC INSTRUMENT CLUSTER	259.95
SCIDDURLO, TARA	REFUND RECREATION FEES	180.00
SNAP-ON INDUSTRIAL	SOFTWARE UPGRADE MODIS DIAG	690.00
STATE EXTERMINATING CO	ANNUAL INSPECTION - HUMAN SVCS	90.00
STAVOLA ASPHALT CO INC	April 1st half patch program	257.89
STEWART BUSINESS SYSTEMS	Equipment Repair Service	518.76
SUPPLY KING INC	Janitorial Supplies/Twp Bldg.	2,251.71
T.E.A.M. LIFE INC	PD- AED REPLACEMENT BATTERY	364.00
TAYLOR TECHNOLOGIES INC	POOL TESTING SUPPLIES	421.27
THE STAY WELL CO	LIFEGUARDING CLASS SUPPLIES	491.07
TRICITY NEWS	COLONIAL TERRACE GOLF ADS	400.00
VANTAGEPOINT TRANSFER AGENTS	RHS Payment - May	10,482.11
VERIZON	BROADBAND SERVICES 2/12	116.77

VERIZON WIRELESS	April Verizon Air Card for DPW	891.81
W B MASON CO INC	OFF. SUPPLIES AS PER ATTACHED	742.68
W E TIMMERMAN CO INC	Gasket for Sweeper 53 & 52	2,352.03
W H POTTER & SON INC	April misc lawn mower parts	103.96
WPCS INT'L INC - LAKEWOOD	PD- VEH SIDE WARNING LIGHTS	2,235.00
<u>Total</u>		1,365,933.43
<u>Non Budget Account Payments</u>		
TREASURER OF SCHOOL MONIES	APR 2012 SCHOOL TAXES PAYABLE	2,359,817.40
<u>Total Non Budget Account Payments</u>		2,359,817.40
<u>Total 2012 Current Fund Appropriations Payments</u>		
<u>General Capital Payments</u>		
AMERICAN POOL MANAGEMENT C1200009	COMMUNITY POOL RESURFACING	176,625.40
ATLANTIC PLUMBING SUPPLY CORP	Renovations Police Booking Rm	713.54
BELMAR WINDOW SHOP	PD/CAP- BLDG MAINT PROJ/BLINDS	375.00
CAMPBELL SUPPLY CO INC	Vision Kits for PD & Court	220.00
CANON BUSINESS SOLUTIONS	CANON IR5050N W/ FINISHER - PW	91.34
COOPER ELECTRIC SUPPLY CO	Renovation Police Booking Room	301.25
IDEAL LUMBER & SUPPLY CO	Renovation/Police Booking Room	626.64
INTEGRATED AQUATICS C1100025	REPLASTERING OF MAIN POOL	2,500.00
LOWE'S HOME CENTERS INC	Renovations for Booking Room	785.79
PREFERRED MECHANICAL, INC. C1200008	PAYMENT # 2 - HVAC REPLACEMENT	161,087.50
<u>Total</u>		343,326.46
<u>Total General Capital Payments</u>		
<u>Grants Payments</u>		
BENDINER & SCHLESINGER INC	DRUG TESTING FEBRUARY EST	4,131.50
DELTA DENTAL OF NJ INC	Delta Dental Insurance-May	171.57
<u>Total</u>		4,303.07
<u>Total Grants Payments</u>		
<u>TORTA Payments</u>		
BRAWER, GABRIELA	TORTA REFUND	70.00
HANDERHAN, TRACY	REFUND BABYSITTING CLINIC PROG	40.00
McCANN, MILISSA	TORTA REFUND-GOLF	55.00
SOTTILE, MARIA	REIMBURSE PROGRAM SUPPLIES	60.41
<u>Total</u>		225.41
<u>Total TORTA Payments</u>		
<u>Trust Other Payments</u>		
BROWN, SANFORD ESQ	PB Reviews	364.00
LEON S AVAKIAN INC	ENGINEERING SVC THRU 9/15/11	561.25
REDMOND, KEVIN II	Twp Share Workers'Comp-Scibal	6,480.00
<u>Total</u>		7,405.25
<u>Total Trust Other Payments</u>		
<u>State Unemployment Insurance Trust Payments</u>		
NJ DEPT OF LABOR & WORKFORCE	1ST QTR 2012 UNEMPLOYMENT CHGS	24,175.83
<u>Total</u>		24,175.83
<u>Total State Unemployment Insurance Trust Payments</u>		
<u>Total Bill List for May 2, 2012</u>		
Appropriation Reserve Total		18,534.44
Current Fund Total		3,725,750.83
General Capital Fund Total		343,326.46
State & Federal Grant Total		4,303.07

Law Enforcement Trust Total	
TORTA Total	<u>225.41</u>
Trust Other Total	<u>7,405.25</u>
Animal Control Total	
Bid Deposit Refund	
State Unemployment Trust	<u>24,175.83</u>
Trust Assessment Fund	
Total of All Funds	<u>4,123,721.29</u>

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

* Yes, except for those in which a conflict exists:
 Sanford Brown, Esq.
 Jungle Laser, LLC.

RESOLUTIONS:

12-071 Award a Professional services Contract with Clark Caton Hintz at a fee not to exceed \$25,000.00

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

WHEREAS, the Township of Ocean solicited a proposal from the firm of Clarke Caton Hintz, Trenton, NJ to provide said service to the Township at a cost not to exceed \$25,000.00; and

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

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

WHEREAS, the Director of Finance has certified that funds are available in the following line item appropriation: Legal, account #2-01-20-712-217; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Ocean, County of Monmouth that authorization is hereby given for the Mayor and Municipal Clerk to execute the Agreement with Clarke Caton Hintz to provide planning services to the

Township of Ocean relating to its affordable housing obligations at a cost not to exceed \$25,000.00; and

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

BE IT FURTHER RESOLVED, that the required Business Entity Disclosure Certification shall be filed with this Resolution and Contract; and

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

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

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

12-072 Ratify the Collective Bargaining Agreements with the PBA and SOA for the years 2012 through 2015

WHEREAS, the Township of Ocean desires to enter into a four (4) year agreement with both PBA Local #57 and the Superior Officers Association for the period January 1, 2012 through December 31, 2015; and

WHEREAS, said agreements shall be entitled as follows: “Agreement between Township of Ocean, County of Monmouth and the PBA Local #57 of the Ocean Township Police Department” and “Agreement between Township of Ocean, County of Monmouth and the Superior Officers Association of the Ocean Township Police Department” shall be incorporated herein by reference; and

WHEREAS, the Director of Finance has certified that funds are available in the 2012 Budget;

NOW THEREFORE, BE IT FURTHER RESOLVED, by the Township Council of the Township of Ocean that it does hereby approve the aforementioned labor agreement between the Township of Ocean and PBA Local #57 and the Superior Officers Association of the Police Department for the period January 1, 2012 through December 31, 2015, subject to the adoption of Ordinance #2185; and

BE IT FURTHER RESOLVED that authorization is hereby given for the Mayor and Municipal Clerk to execute the aforementioned Agreements; and

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

1. Township Manager
2. Director of Finance
3. Chief of Police
4. President, PBA Local #57
5. President, Superior Officers Association

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

ORDINANCES:

Adoption(s):

Ordinance #2183 – A bond ordinance providing for various improvements and appropriating \$2,579,689 therefor and authorizing the issuance of \$1,861,585 bonds or notes to furnish a portion of the costs thereof

The following vote was taken to open the Public Hearing on Ordinance #2183:

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

Don Geiger asked what the Township’s bond level is and were all items noted in this bond ordinance really needed by the Township

Mr. Brannen stated that most of the funds were for the Township’s 2012 road improvement program, as well as some equipment for Public Works.

Seeing that there were no additional comments on Ordinance #2183, the following vote was taken to close the Public Hearing:

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	Mayor Larkin
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 #2183 and advertise according to law:

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

Ordinance #2184 – Amend Chapter II of the “Revised General Ordinances of the Township of Ocean, 1965” entitled “Personnel Policies, Practices and Procedures”.

The following vote was taken to open the Public Hearing on Ordinance #2184:

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

Seeing that there were no comments on Ordinance #2184, the following vote was taken to close the Public Hearing:

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	Mayor Larkin
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 #2184 and advertise according to law:

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

Introduction(s):

Ordinance #2185 – An Ordinance amending Ordinance #2159, #2004 and #2120 entitled:
 “An Ordinance fixing salaries and compensation of certain offices,
 positions and employees in the Township of Ocean, County of Monmouth,
 State of New Jersey

AN ORDINANCE AMENDING ORDINANCE NO. 2159 ENTITLED "AN ORDINANCE FIXING SALARIES AND COMPENSATION OF CERTAIN OFFICES, POSITIONS, AND EMPLOYEES IN THE TOWNSHIP OF OCEAN, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY"

BE IT ORDAINED by the Township Council of the Township of Ocean in the County of Monmouth, State of New Jersey that Ordinance #2159 as amended entitled "An Ordinance Fixing Salaries and Compensation of Certain Offices, Positions and Employees in the Township of Ocean, County of Monmouth and State of New Jersey for the years 2012 and Thereafter" is hereby amended and supplemented in the following manner with all other sections not listed to remain the same:

SECTION I**A. FULL TIME EMPLOYEES**

The following compensation plan shall apply to all full time employees of the Township of Ocean who are not represented by collective bargaining agent:

- (i) The following titles of positions are hereby placed in the following salary range classifications:

<u>RANGE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>TITLE OF POSITION</u>
I	18,665	41,376	Clerk
II	19,691	43,652	Clerk-Typist
III	20,774	46,051	Violations Clerk
IV	21,918	48,585	Sr. Clerk Typist, Deputy Court Administrator II, Park Maintenance Coordinator, Qualified Purchasing Agent
V	23,122	51,257	Class I Special Police Officer Sr. Clerk Transcriber
VI	24,394	54,076	Class II Special Police Officer Deputy Court Administrator I Tax Assessing Clerk
VII	25,735	57,050	
VIII	27,150	60,188	Principal Clerk Typist, Control Person, Senior Clerk Cashier, Recreation Program Coordinator, Violations Inspector
IX	28,645	63,498	Dispatcher, Administrative Aide, Planning and Zoning Board Secretary
	30,220	66,989	Admin. Secretary, Sr. Housing

X			Inspector, Payroll Administrator Senior Dispatcher
XI	31,882	70,675	
XII	33,636	74,562	Administrative Assistant, Community Services Counselor II, Records Manager, Dep. Tax Collector, Dep. Tax Assessor, Dep. Township Clerk
XIII	35,486	78,663	Assistant Foreman, Building Inspector, Community Services Counselor I, Electrical Inspector, Plumbing Inspector, Zoning Officer, Code Enforcement Official
XIV	37,438	82,989	Human Services Program Coordinator
XV	39,496	84,893	Community Services Admin., MIS Director
XVI	41,669	89,563	Sub Code Officials, Municipal Court Administrator, Planning Administrator, Tax Collector, Foreman Recreation Administrator
XVII	43,959	94,488	
XVIII	46,377	99,687	General Foreman
XIX	48,928	105,170	Tax Assessor, Construction Official
XX	51,620	110,954	Asst. Dir. of DPW, Dep. Director of Finance
XXI	54,459	117,055	
XXII	57,455	123,493	
XXIII	60,614	130,285	Director of Community Development, Township Clerk
XXIV	63,947	137,450	
XXV	67,465	145,010	
XXVI	71,177	152,987	Police Captains
XXVII	75,091	161,399	
XXVIII	79,221	170,278	Chief Fin. Officer, Director of Public Works, Director of Human Services,
XXIX	83,581	179,643	Police Chief
XXX	88,175	189,524	
XXXI	93,024	192,250	Township Manager

The above salary ranges shall be effective January 1, 2012.

- (ii) New probationary employees shall begin their employment with the Township at the minimum of the appropriate salary range classification, unless the Township Manager determines that a higher level of classification range is necessary or appropriate.

- (iii) All employees shall be subject to at least an annual review of the work they have performed throughout the year, in the month preceding each yearly anniversary of their employment, in accordance with the Performance Evaluation Program. Upon satisfactory completion of their duties and recommendation of the Department Director an employee shall receive a salary increase within their salary classification range. This process shall continue during the subsequent years of service until completion of seven years of service for employees who begin work at a minimum salary within their range or for such lesser length of time as shall be determined by the Township Manager for employees who begin employment at a salary level above the minimum.
- (iv) Upon reaching the completion of up to seven years of service or the maximum in the assigned salary range, there will be no further movement.
- (v) Any further adjustment to salaries shall be made by a complete revision to the entire salary plan through an amendment to this ordinance.
- (vi) Employees promoted to a range more than three levels above their prior range shall be subject to the provisions noted above under (iii), (iv) and (v).
- (vii) Employees with starting salaries above the minimum in their range may have their number of steps reduced or eliminated at the discretion of the Township Manager.
- (viii) Supervisory employees promoted from a non-supervisory position will not be subject to (v) above.

SECTION II

B. MERITORIOUS SERVICE

Section I.B.(i) shall be amended in its entirety as follows:

- (i) Reserved

Section I.B.(ii) shall be amended in its entirety as follows:

- (ii) Seven (7) years of service in their current range, or no longer eligible for step adjustments.

SECTION III

C. PART-TIME EMPLOYEES

Section I.C.(i) shall be amended in its entirety as follows:

- (i) The following part-time positions and offices shall have maximum compensation rates as follows:

Title of Position	Maximum Salary/Wage	Time Unit
Assistant Pool Manager/Eve. Supervisor	\$8,482	Season
Bus / Van Driver	\$24.23	hour
Clean Communities Worker	\$14.09	hour

Clerk-Typist	\$16.96	hour
Code Enforcement Official	\$24.23	hour
Community Services Counselor	\$29.09	hour
Conflict Prosecutor	\$250.00	session
Conflict Public Defender	\$250.00	session
Control Person	\$28.82	hour
Camp Director	\$8,482	season
Program Supervisor	\$24.23	hour
Dispatcher/Class II Officer	\$27.33	hour
Electrical Inspector	\$38.55	hour
Manager of Pool & Tennis Facility	\$9,693	season
Mayor	\$5,950	year
Head Lifeguard/Captain	\$18.18	hour
Human Services Dept. Maintenance Worker	\$14.54	hour
Municipal Court Judge (ii)	\$53,287	year
Municipal Prosecutor (ii)	\$39,467	year
Parking Enforcement Officer	\$14.54	hour
Planning Administrator	\$200.00	applicant paid/ special meeting
Pool Aquatic Personnel	\$12.12	hour
Pool Desk Personnel	\$10.92	hour
Pool Recreation Worker	\$8.49	hour
Program Instructor	\$24.23	hour
Public Defender	\$18,176	year
Recreation Counselor / Aide	\$12.12	hour
School Crossing Guards	\$12.12	hour
Seasonal Maintenance Employee	\$12.12	hour
Seasonal Recreation Facility Mgmt Staff	\$23,414	year
Seasonal Recreation Worker	\$12.12	hour
Specialized Program Instructor	\$117.07	hour
Township Councilmember	\$5,400	year

The above hourly rates or annual salaries shall be effective January 1, 2012.

- (ii) For any special court session including DWI sessions approved by the Township Council, the Municipal Court Judge shall receive \$500.00 per session and the Municipal Prosecutor shall receive \$250.00 per session.

SECTION IV

C. POLICE BENEVOLENT ASSOCIATION

Section I.D.(i) shall be amended in its entirety as follows:

- (i) The following titles or positions shall be paid an annual salary in accordance with the following schedules:

CLASSIFICATION – PATROL OFFICER

SALARY SCHEDULE FOR EMPLOYEES HIRED PRIOR TO JANUARY 1, 2012*

<u>Months of Service</u>	<u>STEPS</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
0-6 months	Probationary A**	\$31,057	\$31,057	\$31,057	\$31,057
7-12 months	Probationary B	\$38,678	\$38,678	\$38,678	\$38,678
13-24 months	I	\$49,745	\$49,745	\$49,745	\$49,745
25-36 months	II	\$60,815	\$60,815	\$60,815	\$60,815
37-48 months	III	\$71,883	\$71,883	\$71,883	\$71,883
49-60 months	IV	\$82,951	\$82,951	\$82,951	\$82,951
61+ months	V	\$97,982	\$99,942	\$102,441	\$105,002

SALARY SCHEDULE FOR EMPLOYEES HIRED AFTER DECEMBER 31, 2011*

<u>Months of Service</u>	<u>STEPS</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
0-6 months	Probationary A**	\$31,057	\$31,057	\$31,057	\$31,057
7-12 months	Probationary B	\$38,678	\$38,678	\$38,678	\$38,678
13-24 months	I	\$44,212	\$44,212	\$44,212	\$44,212
25-36 months	II	\$49,746	\$49,746	\$49,746	\$49,746
37-48 months	III	\$55,280	\$55,280	\$55,280	\$55,280
49-60 months	IV	\$60,814	\$60,814	\$60,814	\$60,814
61-72 months	V	\$66,348	\$66,348	\$66,348	\$66,348
73-84 months	VI	\$71,882	\$71,882	\$71,882	\$71,882
85-96 months	VII	\$77,416	\$77,416	\$77,416	\$77,416
97-108 months	VIII	\$82,950	\$82,950	\$82,950	\$82,950
109-120 months	IX	\$88,484	\$88,484	\$88,484	\$88,484
121+ months	X	\$97,982	\$99,942	\$102,441	\$105,002

* The Township reserves the right to start newly hired experienced officers at a salary level up to the level commensurate with their experience

** Employees possessing a Class A NJ Police Certificate upon hire will bypass the Probationary A step and serve their full one year probationary period in the Probationary B step salary classification. Employees possessing a Class II Certificate at hire will be in the Probationary A salary step no longer than three months before serving out the remainder of their one year probationary period in the Probationary B salary step.

Section I.D.(iii) shall be amended in its entirety as follows:

Section I.D.(iii) shall be amended in its entirety as follows:

(iii) Baccalaureate Degree Program

A full time member of the Police Benevolent Association shall be eligible for additional pay for a degree compensation program under the following guidelines:

1. An employee shall receive one hundred dollars (\$100) annually if said employee has obtained an Associates Degree, and shall receive two hundred dollars (\$200) annually for a Bachelors Degree from an accredited college or university.
2. Said degree is granted with a major and/or minor course of study in Criminal Justice, Business Administration, Psychology, Sociology or Social Sciences;
3. Proof of said degree is presented to the Chief of Police;
4. Following authorization by the Chief of Police a single payment as stated above will be granted to eligible employees in accordance with the provisions of the collective bargaining agreement.

SECTION V**E. SUPERIOR OFFICERS ASSOCIATION**

The following titles or positions shall be paid an annual salary in accordance with the following schedules:

<u>Position</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Sergeant	\$107,780	\$109,936	\$112,685	\$115,502
Lieutenant	\$117,578	\$119,930	\$122,929	\$126,002

Section I.E.(v) shall be amended in its entirety as follows:

(iv) Baccalaureate Degree Program

A full time member of the Superior Officers Association shall be eligible for additional pay for a degree compensation program under the following guidelines:

1. An employee shall receive two hundred fifty hundred dollars (\$250) annually if said employee has obtained an Associate's Degree, and shall receive five hundred dollars (\$500) annually for a Bachelor's Degree from an accredited college or university.
2. Said degree is granted with a major and/or minor course of study in Criminal Justice, Business Administration, Psychology, Sociology or Social Sciences;
3. Proof of said degree is presented to the Chief of Police;
4. Following authorization by the Chief of Police a single payment as stated above will be granted to eligible employees in accordance with the provisions of the collective bargaining agreement.

SECTION VI**J. LONGEVITY**

There shall be longevity schedules as follows:

(i) Longevity General:

1. Each employee will be paid, in addition to his/her regular annual wage or salary, a longevity increment based upon years of continuous service.
2. Each employee shall qualify for the longevity increment during the next regular pay period following said employee's anniversary of employment. Each increment shall be paid at the time and thereafter.

(ii) Longevity Schedules:**1. Clerical and Technical****(Employees Hired prior to January 1, 2012)**

Upon Completion of Years of Service		2012	2013	2014	2015
4	\$	1,250	1,400	1,435	1,471
9	\$	1,800	1,950	1,999	2,049
14	\$	2,350	2,500	2,563	2,627
19	\$	2,900	3,050	3,126	3,204
24	\$	3,450	3,600	3,690	3,782
29	\$	4,000	4,150	4,254	4,360

(Employees Hired after December 31, 2011)

Upon Completion of Years of Service		2012	2013	2014	2015
9	\$	1,250	1,400	1,435	1,471
13	\$	1,800	1,950	1,999	2,049
17	\$	2,350	2,500	2,563	2,627
21	\$	2,900	3,050	3,126	3,204
25	\$	3,450	3,600	3,690	3,782
29	\$	4,000	4,150	4,254	4,360

2. PBA, SOA and Supervisory Personnel**(Employees hired prior to January 1, 2012)**

Upon Completion of Years of Service		2012	2013	2014	2015
6	\$	1,960	2,998	3,073	3,150
9	\$	2,939	3,998	4,098	4,200
12	\$	3,919	4,997	5,122	5,250
15	\$	4,899	5,997	6,146	6,300
18	\$	5,879	6,996	7,171	7,350
21	\$	6,859	7,995	8,195	8,400
24	\$	7,839	8,995	9,220	9,450

(Employees hired after to December 31, 2011)

Upon Completion of Years of Service		2012	2013	2014	2015
11	\$	1,960	2,998	3,073	3,150

14	\$	2,939	3,998	4,098	4,200
17	\$	3,919	4,997	5,122	5,250
20	\$	4,899	5,997	6,146	6,300
23	\$	5,879	6,996	7,171	7,350
26	\$	6,859	7,995	8,195	8,400
29	\$	7,839	8,995	9,220	9,450

SECTION VII

All other ordinances or parts of ordinances thereof enacted prior to the adoption of this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION VIII

If any section, paragraph, subparagraph, clause or provision of this ordinance shall be adjudged invalid such adjudicate 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.

SECTION IX

This ordinance shall take effect after final passage and publication in accordance with the law.

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

Ordinance #2186 – Amend Chapter XII of the “Revised General Ordinances of the Township of Ocean, 1965” prohibiting parking along portions of Fairmount Avenue

AN ORDINANCE TO AMEND CHAPTER XII OF AN ORDINANCE ENTITLED “REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF OCEAN, 1965” PROHIBITING PARKING ALONG PORTIONS OF FAIRMOUNT AVENUE

BE IT ORDAINED by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey, that Chapter XII, Section 12-2.2 Schedule I of an ordinance entitled “Revised General Ordinances of the Township of Ocean, 1965”, be and the same is hereby amended and supplemented in the following manner:

Section I

Section 12-2.2, Schedule I is hereby amended and supplemented by adding the following:

NAME OF STREET SIDE	LOCATION
Fairmont Avenue	North Starting at the westerly curb line of Allen Avenue running thence in a westerly direction for a distance of 130 feet.

Section II

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section III

This ordinance shall take effect upon its final passage and publication as required by law.

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

Ordinance #2187 – Amend Chapter XII of the “Revised General Ordinances of the Township of Ocean, 1965” regulating parking along Fairmount Avenue

BE IT ORDAINED by the Township Council of the Township of Ocean in the County of Monmouth, State of New Jersey that Chapter XII, Section 12-2.5 and Schedule IV of an Ordinance entitled “REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF OCEAN, 1965” be amended in the following manner:

Section I

Schedule IV is hereby amended by adding the following:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>TIME LIMIT</u>	<u>LOCATION</u>
Fairmont Avenue	North	15 minutes	Starting from a point 130 feet west of the intersection of Allen Avenue running in a westerly direction to State Highway 35 North.

Section II

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section III

This ordinance shall take effect upon its final passage and publication as provided by law.

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

Council Reports:

Deputy Mayor Siciliano stated that revenue increased at Colonial Terrace Golf Course for April 2012 compared to April 2011.

Councilmember Evans said that he recently observed the active duty drill at the High School and was very impressed with entire operation.

The following Councilmember(s) offered no report:

Councilmember Garofalo and Schepiga
Martin Arbus, Esq., Township Attorney
Andrew Brannen, Township Manager

PUBLIC COMMENTS:

Don Geiger complimented Chief Peters for his quick action regarding the signs around the Asbury Circle. Mr. Geiger suggested that the directional signs may be a bit close and should be moved back to accommodate those drivers who are not familiar with the area.

Brian Lefferson stated that Chief Peters and the entire Police Department are doing a great job.

Mr. Lefferson commented that he liked the improvements that were recently done at the intersection of West Park Avenue and Monmouth Road and at the intersection of Deal Road and Monmouth Road.

Mr. Lefferson also suggested that the Police Department increase its presence in certain areas throughout the Township.

Camilla Morales asked the Governing Body to support the Clean Ocean Project.

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

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

Respectfully submitted,

William F. Larkin
Mayor

Vincent Buttiglieri, RMC/CMC/MMC
Municipal Clerk