

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

OCTOBER 3, 2013

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 Larkin
Deputy Mayor Siciliano
Councilmember(s) Evans and Schepiga

Absent: Councilmember Garofalo

Others: Martin 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 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 12, 2012 and revised on October 1, 2013.

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 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 Questions on Resolutions and Vouchers:

There were no other questions from the public at this time.

CONSENT:

RESOLUTIONS:

13-194 Authorize the receipt of bids for the following:

a. Leasing of Space for Cellular Antenna Array on Township Communication Tower

WHEREAS, the Township Council is desirous of receiving Bid(s) for the following:

Leasing of Space for Cellular Antenna Array on Township Communication Tower

WHEREAS, specifications for the aforesaid items will be on file in the Office of the Township Manager 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 item(s) as per the specifications on file and will be received by the Township Manager in the Township Manager's Conference Room, Third 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 Attorney

b. Private Collection of Municipal Court Debt

WHEREAS, the Township Council is desirous of receiving Bid(s) for the following:

Private Collection of Municipal Court Debt

WHEREAS, specifications for the aforesaid items will be on file in the Office of the Township Manager 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 item(s) as per the specifications on file and will be received by the Township Manager in the Township Manager's Conference Room, Third 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 Attorney

13-195 Approve the placement of one storage containers at Kelly's Hallmark for a period not to extend beyond December 31, 2013

WHEREAS, the Chapter 5, Section 5-3 prohibits the placement of any storage container on private property for a period of more than 21 consecutive days; and

WHEREAS, Kelly's Hallmark is requesting approval to place one storage container on their property located on Block 182, Lot 75 (Route 35 and Deal Road) for a period ending December 31, 2013; and

WHEREAS, Kelly's Hallmark wishes to utilize said container for the storage of seasonal/holiday merchandise;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that approval is hereby granted to allow Kelly's Hallmark to place one (1) storage container on Block 172, Lot 75 (Route 35 and Deal Road) for a period not to extend past December 31, 2013; and

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

1. Kelly's Hallmark
2. Director of Community Development
3. Zoning Official
4. Code Enforcement Official

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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

INDIVIDUAL ACTION:**VOUCHERS: \$ 1,109,666.48**

**Township of Ocean
Department of Finance
Voucher List for October 3, 2013**

Vendor Name	Description	Amount	Contract
<u>Appropriation Reserves Payments</u>			
GANNETT NJ NEWSPAPERS	LEGAL ADVERTISING AUG/SEP 2013	22.00	
SUPLEE, CLOONEY & COMPANY	2012 ANNUAL AUDIT/2ND MARKET	33,500.00	C1200004
<u>Total</u>		33,522.00	
<u>Total Appropriation Reserves Payments</u>			
		33,522.00	
<u>2013 Current Fund Appropriation Payments</u>			
33 EAST CAR WASH OF OCEAN	PD- CAR WASHES - AUGUST 2013	305.00	
AMBASSADOR MEDICAL SERVICE INC	Random drug/alcohol test	294.00	
AMERICAN HOSE & HYDRAULICS CO	Cylinder repair/Loader #50	720.00	
ARMSTRONG TREE SERVICE LLC	Storm Damage-902 Grasmere Ave	600.00	
ATLANTIC PLUMBING SUPPLY CORP	August misc plumbing supplies	179.28	
BANISCH ASSOCIATES, INC.	PROFESSIONAL PLANNING SERVICES	192.50	
BERGEY'S INC	September misc parts for Twp	798.02	
BOARD OF FIRE COMMISSIONERS	3RD QTR 2013 SUBCODE INSP SVCS	6,250.00	
BROWN, SANFORD ESQ	PB General	70.00	
BULLET LOCK & SAFE CO INC	August misc keys etc., for Twp	44.50	
BULLET LOCK & SAFE CO INC	September misc keys etc.	155.15	
CALABRO, PHIL	SUPERVISE ADULT BASKETBALL	130.00	
CCC HEAVY DUTY TRUCK PARTS CO	Pivot Wiper/Truck #5 broken	57.51	
CCC HEAVY DUTY TRUCK PARTS CO	Wiper arms/Truck #5 Sanitation	238.48	
CDW GOVERNMENT LLC	PD- AVL PHOTO EL	440.00	
CLARKE CATON HINTZ	PROFESSIONAL SVCS THRU 8/30/13	2,689.55	C1300010
CLEARVIEW SPRING WATER	September bottled water/Twp	157.50	
COUNTRY CLEAN INC	BLANKET ORDER FOR DHS	72.75	
COUNTY OF MONMOUTH	Vehicle Wash-8/1/13 to 8/31/13	795.00	
CRAFT OIL CORP	Hand Crank Pump for DEF Fluid	142.00	
DEARBORN NATIONAL LIFE INS CO	Dearborn National Prem-October	542.83	
DELTA DENTAL OF NJ INC	Delta Dental Premium-October	9,576.01	
EAST COAST EMERGENCY LIGHTING	PD- NEW TAHOE EQUIPMENT	153.36	
EDMUNDS & ASSOCIATES INC	PERVASIVE PSQL 11.2 UPGRADE	820.00	
EDWARDS TIRE CO INC	August recap & service tires	5,130.43	
EDWARDS TIRE CO INC	August tires for Twp vehicles	5,652.50	
FEDEX	Mailing Costs	236.94	
FERRARI, MELISSA	REFUND PROJECT EXTEND TUITION	415.00	
FIorentino, RICHARD	Reimburse Fingerprinting Cost	26.00	
FLAGSHIP DENTAL PLANS	Dental Flagship Prem-October	368.39	
FOWLER, MARK	Reimburse fo Fingerprint	26.00	
GANNETT NJ NEWSPAPERS	FALL FEST ADS 8/23-9/6/2013	93.50	
GANNETT NJ NEWSPAPERS	LEGAL ADVERTISING AUG/SEP 2013	1,167.70	
GEESE CHASERS LLC	SEPT 2013 GEESE CONTROL - CTGC	862.33	C1300004
GROUNDWATER & ENV SERVICES INC	OCEAN GLADES CONDO	817.03	C1300017
GROUNDWATER & ENV SERVICES INC	BEECROFT/LARKIN - DPW FACILITY	8,732.45	C1300016
HESS CORPORATION	Gas sustainable energy	156.08	
IDEAL LUMBER & SUPPLY CO	September misc lumber/support	12.00	
IVEY, KATHY	PD-PUBLIC NOTARY RENEWAL(5YR)	40.00	
JAMES HIGGINS ASSOCIATES	BOA Special Meeting Attendance	200.00	

JERSEY CENTRAL POWER & LIGHT	July electric general usage	25,551.85	
JERSEY CENTRAL POWER & LIGHT	August electric general usage	20,478.22	
JERSEY CENTRAL POWER & LIGHT	August street lighting	17,718.43	
JOHNNY ON THE SPOT INC	October ADA Units	171.70	
JOHNSON, JUDI	Reimbursement for PE Supplies	59.74	
KAY PRINTING	UCC FORMS	526.00	
KELLY WINTHROP, LLC.	Deer Carcass Removal	118.50	
KEPWEL SPRING WATER CO	BOTTLED WATER; CTGC	45.00	
KEPWEL SPRING WATER CO	SEPTEMBER WATER DHS ESTIMATE	49.20	
L3 COM MOBILE-VISION INC	PD- SERVICE CALLS - AUG 2013	225.00	
L3 COM MOBILE-VISION INC	NEW POLICE VEHICLE EQUIPMENT	913.15	
LANIGAN ASSOCIATES INC	PD- SAFETY SUPPLIES - AUG 2013	39.90	
LANIGAN ASSOCIATES INC	PD- CIB EQUIPMENT	453.96	
LEON S AVAKIAN INC	VARIOUS - COPIES OF PLANS	165.00	
LESCO - PROX	White field paint/fields	762.20	
LESCO - PROX	5 gal pails paint/fields	762.20	
LYNN MAGNER	FALL FEST CLOWN, ETC. 9/21/13	1,550.00	
MC MAHON, WILLIAM	Cell phone reimbursement	25.00	
McHEFFEY, DR DINA A	MEDICAL CONSULTING SERVICES	300.00	
NEXTEL-SPRINT PO MANAGEMENT	AIR CARDS 07/27/13-08/26/13	49.99	
NJ LEAGUE OF MUNICIPALITIES	Public Works Dir. Job Advert	155.00	
NJ LEAGUE OF MUNICIPALITIES	Affordable Health Care Seminar	165.00	
NJ NATURAL GAS CO	August gas usage for Twp	1,293.00	
NJAWC	August water usage for Twp	7,586.87	
OSBOURNE, CHELSEA	REFUND FACILITY RENTAL FEE	155.00	
PARTY PERFECT RENTALS	FALL FEST RENTAL - 9/21/2013	1,647.80	
PERRY'S TROPHY CO INC	PLAQUE FOR GINA ALBANO COVERT	12.00	
QUALITY AUTO GLASS INC	Windshield for Cat loader #68	395.00	
QUALITY COMMUNICATIONS	PD- SERV/MAINT - JULY 2013	730.50	
ROBERT A. VERRY	PD- TRAINING SEMINAR 222/229	80.00	
RUTGERS YOUTH SPORTS RESEARCH	Rutgers Clinic Packets	915.00	
SANITARY SOLUTIONS INC.	FALL FEST RESTROOMS - 9/21/13	426.00	
SANITATION EQUIPMENT CORP	August misc truck parts	820.32	
SEA BREEZE FORD INC	August misc parts for Twp	1,139.09	
SEA BREEZE FORD INC	September misc parts for Twp	2,129.78	
SEABOARD FIRE & SAFETY	PD- CO2 REFILLS - AUGUST 2013	117.25	
SOFFE, IRENE	REFUND PROJECT EXTEND TUITION	390.00	
SPRINT PO MANAGEMENT	Air Card Service 07/27-08/26	49.99	
STATE EXTERMINATING CO	Remove two (2) hornets nest	260.00	
STAVOLA ASPHALT CO INC	September 1st half patch prog.	281.45	
STEINBERG, MARK A ESQ	BOA Resolutions and Meeting	700.00	
STEWART BUSINESS SYSTEMS	RPR. SAVIN 9945DPE	150.00	
STORR TRACTOR CO	Spindle Assembly/580 Mower	1,188.12	
SUPERIOR OFFICE SYSTEMS INC	GPR-24 Black Toner	180.00	
TAYLOR FENCE CO INC	Split rail fence/Parks in town	1,350.00	
TAYLOR'S TOWING	Tow SL-1, broken rear axle	801.25	
THE NEW COASTER LLC	FALL FEST ADVERTISING SEPT-13	200.00	
THE NEW COASTER LLC	LEGAL ADVERTISING 8/29-9/26/13	322.80	
TOWNE HARDWARE	September misc maint supplies	269.23	
TREASURER COUNTY OF MONMOUTH	September dumping fees	51,069.88	
TREASURER STATE OF NJ	Annual elevator inspection	368.00	
TRUGREEN COMMERCIAL	FERTILIZATION PROG PARKS & REC	3,764.00	C1300014
TWP OF OCEAN PAYROLL ACCOUNT	TWP SHARE SS/FICA P/R 9/20/13	21,151.16	
TWP OF OCEAN PAYROLL ACCOUNT	Twp PERS Contribution for W/C	765.65	
ULINE	PD- BOLLARD SLEEVE COVERS	168.32	
UP TITE FASTENERS INC	September misc maint. supplies	24.00	
US 1 AUTO PARTS	September misc parts for Twp	267.72	
VANTAGEPOINT TRANSFER AGENTS	RHS Reimbursement - October	9,441.90	
VEHICLE TRACKING SOLUTIONS	September monthly service	799.60	
VERIZON WIRELESS	PD-AIRCARD SERV PLAN- SEPT 13	574.29	
VERIZON WIRELESS	PD-AIRCARD SERV PLAN- AUG 2013	570.37	
VERIZON WIRELESS	PD-AIRCARD SERV PLAN- SEP 2013	570.19	
VERIZON WIRELESS	September Verizon Air Card/DPW	130.05	
VILANOVA, CLAIRE	MEDICAL REIMBURSEMENT	750.00	
VISUAL COMPUTER SOLUTIONS INC	PD- SOFTWARE	4,121.00	
W B MASON CO INC	OFF. SUPPLIES AS PER ATTACHED	1,090.56	
W B MASON CO INC	OFF. SUPPLIES AS PER ATTACHED	978.95	
WILENSKY, MARIANNE	Cell Phone Reimbursement	125.00	
WITTEK GOLF SUPPLY CO INC	MISC. RETAIL ITEMS FOR CTGC	449.47	
Total		240,415.39	
<u>Non Budget Account Payments</u>			
BERCOVICZ, ALON	STATE TAX APPEAL BL140.18 LOT1	880.37	
BOARD OF FIRE COMMISSIONERS	3RD QTR 2013 FIRE DIST 2 TAXES	323,864.50	

BOARD OF FIRE COMMISSIONERS	3RD QTR 2013 FIRE DIST 1 TAXES	382,907.75	
FRANCESCHY, ROSEY	REFUND FACILITY RENTAL FEE	190.00	
MIANO, DAMIEN & NICHOLAS,	STATE TAX APPEAL BL 113 LOT 44	4,927.10	
SHER HERTER REALTY CO., LLC	STATE TAX APPEAL BL176 LOT 3&4	28,020.37	
TREASURER ST OF NJ	2013 MARRIAGE/CIVIL UNIONS	1,925.00	
<u>Total Non Budget Account Payments</u>		742,715.09	
<u>Total 2013 Current Fund Appropriations Payments</u>		983,130.48	
<u>General Capital Payments</u>			
GRANICUS, INC.	Automated Mtg Agenda Software	15,450.00	
MECO, INC.	2011 ROADWAY IMPR PROG CERT #6	110,111.65	C1100023
MSA SYSTEMS INTEGRATION	PD/CAP- MUN BLDG CCTV PROJECT	1,320.00	
<u>Total</u>		126,881.65	
<u>Total General Capital Payments</u>		126,881.65	
<u>Grants Payments</u>			
ALLGOR, CAROLE	Coloring Contest Winner/CCAC	271.06	
DELTA DENTAL OF NJ INC	Delta Dental Premium-October	171.57	
DRAEGER SAFETY DIAGNOSTIC INC	PD ALCOTEST RECERTIFICATION	155.00	
TWP OF OCEAN PAYROLL ACCOUNT	TWP SHARE SS/FICA P/R 9/20/13	122.77	
<u>Total</u>		720.40	
<u>Total Grants Payments</u>		720.40	
<u>Law Enforcement Trust Payments</u>			
CABLEVISION	PD/LETF-INTERNET SERV-2013 SEP	84.90	
<u>Total</u>		84.90	
<u>Total Law Enforcement Trust Payments</u>		84.90	
<u>TORTA Payments</u>			
CALABRO, PHIL	SUPERVISE ADULT BASKETBALL	26.00	
STECKHAHN, RICHARD	Paym't for Kindergarten Soccer	400.00	
TWP OF OCEAN PAYROLL ACCOUNT	Torta Programs	1,114.49	
TWP OF OCEAN PAYROLL ACCOUNT	Torta Programs	1,340.49	
<u>Total</u>		2,880.98	
<u>Total TORTA Payments</u>		2,880.98	
<u>Trust Other Payments</u>			
ARCADIS US, INC	Off Duty Escrow Reimbursement	135.00	
BROWN, SANFORD ESQ	PB Reviews	588.00	
FITZGERALD, WILLIAM	PB & BOA Reviews	1,316.25	
JAMES HIGGINS ASSOCIATES	GRUBERG OFFICE 1806 BELLMORE	187.50	
JAMES HIGGINS ASSOCIATES	Landscape Inspection	62.50	
JAMES HIGGINS ASSOCIATES	PB & BOA Reviews	1,531.25	
LEON S AVAKIAN INC	GRUBERG OFFICE 1806 BELLMORE	2,015.00	
MASER CONSULTING, P.A.	CEDAR VILL PH 2 THRU 9/8/13	550.00	
ORBACH, JESSE	Qual-Lynx W/C Check#52454	1,143.16	
ORBACH, JESSE	Qual-lynx Check#52454 Twp Shar	272.84	
STEINBERG, MARK A ESQ	BOA Reviews	140.00	
TWP OF OCEAN CURRENT FUND	Special Duty Admin & Car Fees	2,062.50	
TWP OF OCEAN CURRENT FUND	Special Duty Admin & Car Fees	3,125.00	
TWP OF OCEAN PAYROLL ACCOUNT	Special Duty Payroll Details	8,430.00	
TWP OF OCEAN PAYROLL ACCOUNT	Special Duty Payroll Details	8,505.00	
US BANK CUST/PRO CAPITAL I LLC	redemption bl 104 l 16	926.80	
US BANK CUST/PRO CAPITAL I LLC	REDEMPTION BL 104 L 16	100.00	
<u>Total</u>		31,090.80	
<u>Total Trust Other Payments</u>		31,090.80	
<u>Animal Control Trust Payments</u>			
NJ STATE DEPT OF HEALTH	AUGUST DOG LICENSE REPORT	59.40	
<u>Total</u>		59.40	
<u>Total Animal Control Trust Payments</u>		59.40	

Appropriation Reserve Total	<u>33,522.00</u>
Current Fund Total	<u>983,130.48</u>
General Capital Fund Total	<u>126,881.65</u>
State & Federal Grant Total	<u>720.40</u>
Law Enforcement Trust Total	<u>84.90</u>
TORTA Total	<u>2,880.98</u>
Trust Other Total	<u>31,090.80</u>
Animal Control Total	<u>59.40</u>
Bid Deposit Refund	
State Unemployment Trust	
Trust Assessment Fund	
Total of All Funds	<u>1,178,370.61</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 *
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

* Yes, except for those in which a conflict exists:
 Sanford Brown, Esq.
 James Higgins Associates
 Kepwel Spring Water Co.

RESOLUTIONS:

13-196 Authorize the Township to make application to the Local Finance Board with regard to the issuance of refunding bonds

RESOLUTION OF THE TOWNSHIP OF OCEAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51

WHEREAS, the TOWNSHIP OF OCEAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY (the "Township") desires to make application to the Local Finance Board for its review and/or approval of the issuance of refunding bonds in the Township (the "Project") to be funded through a Bond Ordinance; and

WHEREAS, the Township desires the Local Finance Board to consider our request for refunding bonds to fund State and County Tax Appeals pursuant to N.J.S.A. 40A:2-51; and

WHEREAS, the Township believes:

- (a) it is in the public interest to accomplish such purposes;
- (b) will lessen the tax impact to the residents of the Township of Ocean;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing the funding necessary to satisfy tax appeal judgments of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

NOW, THEREFORE, BE IT RESOLVED by the TOWNSHIP COUNCIL OF THE TOWNSHIP OF OCEAN IN THE COUNTY OF MONMOUTH, NEW JERSEY as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Auditor, Township Attorney, Bond Counsel, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

Section 2. The Clerk of the Township is hereby directed to prepare and file a copy of the proposed Bond Ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

13-197 Approve Change Order No. 1 for the 2011 Roadway Improvement Program decreasing the total contract amount by \$109.97

WHEREAS, on September 2, 2011, the Township Council of the Township of Ocean awarded a contract to Meco, Inc. for the 2011 Roadway Improvement Program; and

WHEREAS, subsequent to that award, various revisions to said as-built quantities, and additional work was identified resulting in a \$109.97 decrease in the total contract amount from \$1,248,000.00 to \$1,247,890.03; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean in the County of Monmouth, that it does hereby approve Change Order No. 1 decreasing the overall contract amount by \$109.97, from \$1,248,000.00 to \$1,247,890.03 for the 2011 Roadway Improvement Program that was awarded to Meco, Inc. and

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

1. Director of Finance
2. Township Engineer
3. Director of Public Works
4. Meco, Inc.

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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

13-198 Authorize the Tax Collector to issue a refund to property owner(s) who have received a favorable State Tax Appeal judgments

RESOLUTION AUTHORIZING THE CANCELATION OF YEAR 2010, 2011, 2012 and 2013 TAXES AND REFUNDING OR CREDITING THE TAX OVERPAYMENTS RESULTING FROM NEW JERSEY STATE TAX COURT JUDGMENT TO THE TAXPAYER

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

WHEREAS, the property had the assessment reduced by the State of New Jersey Tax Court resulting in a reduction in the total taxes to be paid to the Township of Ocean for the years 2010, 2011, 2013 and 2013,

WHEREAS, proper procedures require that the tax assessments for the years 2010, 2011, 2012 and 2013 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 2010, 2011, 2012 and 2013 tax assessments based on the State Tax Board Judgment and refund the tax overpayments or credit 4th quarter taxes for those years’ taxes as listed in the attached list.

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

13-199 Authorize a Professional Services contract for groundwater remediation with Groundwater & Environmental Services, Inc at a cost not to exceed \$64,513.00

WHEREAS, the Township of Ocean is in need of the services of a licensed site remediation firm to oversee the continued environmental investigation activities for groundwater at the Department of Public Works Facility located at Beecroft Place site; and

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

WHEREAS, Groundwater & Environmental Services, Inc., Neptune, NJ, is an experienced firm in this field who is available to provide the necessary services per their proposal for the Township of Ocean at a cost not to exceed \$64,513.00; and,

WHEREAS, the Township Manager has determined that the value of the services Groundwater & Environmental Services, Inc., Neptune, NJ will exceed \$17,500.00 for the calendar year 2013; and

WHEREAS, the Director of Finance has certified that there are available sufficient funds for the purpose of the award of this contract in the Public Works Budget – Contract Services (Buildings and Grounds), account #3-01-26-772-247; and

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey hereby authorizes the Township Manager to enter into a contract with Groundwater & Environmental Services, Inc., Neptune, NJ, as described herein with a not to exceed provision of \$64,513.00; and

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

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

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

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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

13-200 Authorize the Mayor, Manager and Township Clerk to execute all loan/grant documents and the use of said funds received from the NJ DCA, Neighborhood Preservation Balanced Housing Program for the Whalepond Village Development

WHEREAS, the Township Council of the Township of Ocean previously passed Resolution #13-061 authorizing the application for and the execution of a contract for the receipt of funds from the New Jersey Department of Community Affairs (“DCA”), Neighborhood Preservation Balanced Housing Program (“Program”) for the purpose of providing for a portion of the funds necessary for the acquisition of a 96 (ninety-six) unit senior affordable housing project known as “Whalepond Village Development” (“Project”); and

WHEREAS, the Township is in receipt of a commitment letter dated September 27, 2013 from the Commissioner of DCA committing \$1,300,000 for the Project (“Balanced Housing Funds”), subject to among other things execution of grant/loan documents related to the Program; and

WHEREAS, the Township has entered into a [purchase and sale agreement, dated 2013] with Heritage Village at Ocean, LLC (the “Housing Sponsor”), whereby the Housing Sponsor will acquire the Project from the Township with, among other moneys, the Balanced Housing Funds; and

WHEREAS, the Township has further committed, pursuant to a developer agreement dated May 2, 2013 with Community Investment Strategies, Inc. (“CIS”), to loan \$500,000 to CIS or an entity created by it (i.e. the Housing Sponsor) in furtherance of the Project (the “Township Loan”); and

WHEREAS, the Township of Ocean now wishes to authorize the execution of all loan/grant documents for the receipt of funds from the New Jersey Department of Community Affairs, Neighborhood Preservation Balanced Housing Program and in connection with the Township Loan; and

WHEREAS, the Township of Ocean also authorizes the use of said funds received by the New Jersey Department of Community Affairs, Neighborhood Preservation Balanced Housing Program for said purpose mentioned above;

BE IT THEREFORE RESOLVED that the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey does hereby authorize the execution of all loan/grant documents and the use of said funds received from the New Jersey Department of Community Affairs, Neighborhood Preservation Balanced Housing Program and the execution of all documents necessary in connection with the Township Loan for said purposes as mentioned above;

BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to execute such documents and any documents necessary in connection therewith and are hereby further authorized to take such action as is necessary to effectuate the purposes of this resolution:

SIGNED _____
 William F. Larkin
 Mayor

SIGNED _____
 Andrew G. Brannen
 Manager

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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

ORDINANCES:

Introduction(s):

Ordinance #2203 - (P.H. 10/17/13 Coaster)

An Ordinance providing for the street vacation of a portion of Drift Road a/k/a Truax Avenue in the Township of Ocean, County of Monmouth, State of New Jersey

AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF DRIFT ROAD a/k/a TRAUX LANE IN THE TOWNSHIP OF OCEAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

WHEREAS, it appears that there has been a dedication of certain lands as a public street or highway and the same has not been improved by the municipality; and

WHEREAS, the Township Council of the Township of Ocean have determined that the public interest would be better served by releasing said parts thereof from such dedication; pursuant to the provision of the Revised Statutes 40:67-19 et seq. and the amendments and supplements thereto;

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

Section I

The following described parts or portions of land heretofore dedicated as a public street or highway, now commonly known or designated as that portion of Drift Road a/k/a Traux Lane off of Asbury Avenue be and the same is hereby released and extinguished to the end that the land and premises in question shall effectually discharged therefrom as though the dedication has not taken place

Section II

This vacation is subject to and conditioned upon the following:

- A. All rights and privileges now possessed by the public utilities as defined in the "Cable Television Act", P.L. 1972,c. 186 (C. 48:5A-1 et seq.), and any public entity with facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated are expressly reserved and expected, and subject to any easement for access and/or drainage as required by the Township of Ocean.

Section III

This ordinance shall take effect after its final passage and advertisement 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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

Ordinance #2213 – (P.H. 10/17/13 Coaster)

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

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 2184 AS AMENDED ENTITLED: “AN ORDINANCE AMENDING THE REVISED ORDINANCES OF THE TOWNSHIP OF OCEAN, 1965” RELATING TO PERSONNEL POLICIES, PRACTICES AND PROCEDURES AND ESTABLISHING AN ORDINANCE ENTITLED “TOWNSHIP OF OCEAN PERSONNEL POLICIES, PRACTICES AND PROCEDURES”

WHEREAS, it is deemed necessary to upgrade, revise and coordinate personnel policies and procedures so that same shall relate to all Township employees and be referenced in a single document;

NOW, THEREFORE, BE IT ORDAINED by the Township of Ocean, County of Monmouth, State of New Jersey that Chapter II, Section 9 entitled “Personnel Policies, Practices and Procedures”, of the Revised General Ordinances of the Township of Ocean, 1965” be hereby amended and supplemented:

SECTION I

Ordinance No. 2184 as amended entitled “An Ordinance amending the Revised General Ordinances of the Township of Ocean, 1965” relating to Personnel Policies, Practices and Procedures is hereby amended and supplemented as follows:

Article III Employment

III-3 Employment Definitions

- F. Full-time Employee: An employee who regularly works at least 35 hours per week.
- G. Part-time Hourly Employee: An employee whose regular hours are less than the regular normal workweek for a full-time employee.
 - (1): **Category I**: Individuals working an average of 29 or less hours per week in a calendar year and does not exceed 1560 hours annually.
 - (2): **Category II**: Individuals working an average of 30 or more hours per week in a calendar year.
- H. Variable Employee: A part-time employee who does not work a regular schedule (year round) and does not exceed 1560 hours annually. Variable employees are not eligible for benefits.
- I. Temporary Employee: An employee appointed to the Township service on a short-term basis which may not exceed one (1) year of service. Typically a temporary employee is

appointed to fill a position in an acting capacity until an employee on leave of absence returns or an appointee for regular employment has been selected. After one year of employment a temporary employee will be transferred to part-time or full-time status.

- J. Seasonal Employee: An employee temporarily appointed to Township service, commonly for a seasonal or emergency need, not to exceed four (4) months or 120 days. Seasonal employees are not eligible for benefits.

Article IV Benefits

IV-6 Wellness Incentive/Health Saving Account

Employees selecting the High Deductible 4000 Health Care Plan through the New Jersey State Health Benefits Program (SHBP) will be eligible for a Wellness Incentive. The Wellness Incentive for 2014 will equal the IRS maximum amount for the Health Saving Account contributions. The Wellness Incentive in future years will consist of an amount equal to the value of the Employee's required premium contribution for the HD4000 Plan and up to one-half (1/2) of the difference between the NJDirect15 premium (less the employee contribution) and the HD4000 premium. The Township will issue Wellness Incentive payments by January 15 of each calendar year based on an employee's coverage option selected during the most recent open enrollment period. If an employee changes coverage options (e.g. from single to member/spouse) during the calendar year, then an adjustment to the Wellness Incentive will be calculated to reflect the change in coverage. Employees selecting the High Deductible 4000 Health Care Plan and receiving the Wellness Incentive must establish a Health Savings Account (HSA). Employee contributions to their HSA account are subject to the annual IRS Limit.

Clerical/Technical employees hired after January 1, 2011 will only be eligible for the full Wellness Incentive when selecting the Single and Parent/Child coverage options.

IV-9 Defined Contribution Retirement Program (DCRP)

The Defined Contribution Retirement Program (DCRP) provides eligible employees with a defined contribution retirement benefit, along with Life Insurance and Disability Coverage. Employees not meeting minimum salary or hours required for PERS enrollment, but who earn a salary of at least \$5,000 annually, are required to enroll in DCRP. Employees enrolled in PERS/PFRS with an annual salary that exceeds the maximum compensation limit permitted under PERS/PFRS have the option to waive participation in DCRP.

Schedule of Benefits

Schedule F - Clerical/Technical Employees

Article III

IV-4 Sick Leave

- C. Payment for Sick Leave Credit

- 1) General

- (b) For employees hired after November 1, 2013, payment for accumulated sick leave is capped at \$15,000 in accordance with the schedule outlined in Section IV-4.C.2.

IV-5 Health Benefits

- B. Health Care

- 1) Full-time employees may elect to be covered by the New Jersey State Health Benefits Program or any other health care plan offered by the Township. The commencement of coverage shall begin on the sixtieth (60) day of employment in accordance with the health insurance plan. The employee's monthly required premium contribution will be deducted from the first two paychecks each month.
- 2) *As of January 1, 2011*, newly hired employees, or those promoted to full-time status, may only select Single or Parent/Child coverage. Employees may select

- Member/Spouse or Family coverage; however, the employee will be required to pay the difference between the premiums in addition to the required employee premium contribution.
- 3) *As of January 1, 2014*, employees will have as their base level of coverage NJDirect15 through the State Health Benefits Program (SHBP). If an employee selects a higher premium plan, then the employee will be required to pay the difference between the premiums in addition to the required employee premium contribution.
 - 4) The Wellness Incentive for the HD4000 Plan for Single and Parent/Child Coverage is calculated as outlined in Section IV-6 on page 33. The Wellness Incentive for Family and Member/Spouse Coverage will only equal the amount of the employee's required premium contribution.

Schedule G - Supervisory Employees

Article IV Benefits

IV-3 Vacation

B. Vacation Leave General

- 7) Supervisory employees will be allowed to accumulate up to five (5) unused vacation days per year. At least ninety (90) days prior to December 31st of the current year, supervisory employees must notify (via a Personnel Change Form) either their department head, or in the case of the department heads the Township Manager, of their intention to carry forward their vacation days and the number of vacation days to be carried forward. Upon electing to carry forward unused vacation days; supervisory employees will have the option of either receiving payment for the unused days in the next budget year or using them to satisfy the requirements of Section IV-5.B.5.g and h. Days accumulated under this provision after January 1, 2014 will have no cash value upon termination of employment beyond that described above and will not be available to be used as vacation days in a subsequent year.

IV-4 Sick Leave

C. Payment for Sick Leave Credit

1) General

- (b) For employees hired after November 1, 2013, payment for accumulated sick leave is capped at \$15,000 in accordance with the schedule outlined in Section IV-4.C.2.

IV-5 Health Benefits

B. Health Care

- 1) Full-time employees may elect to be covered by the New Jersey State Health Benefits Program or any other health care plan offered by the Township. The commencement of coverage shall begin on the sixtieth (60) day of employment in accordance with the health insurance plan.
- 2) Full-time employees may elect to have their dependents covered by any health care program by the Township.
- 3) *As of January 1, 2014*, employees will have as their base level of coverage NJDirect15 through the State Health Benefits Program (SHBP). If an employee selects a higher premium plan, then the employee will be required to pay the difference between the premiums in addition to the required employee premium contribution.

SCHEDULE H- PART TIME EMPLOYEES

Article IV Benefits

IV-1 General Provisions

- A. Whenever the term "day" is used in this schedule, it shall refer to the number of hours a part-time employee is regularly scheduled in a customary two-week period divided by

10. For example, if a part-time employee is customarily scheduled to work 60 hours over a two-week period, a "day" will equal 6.0 hours (60 hours /10 days). It is recognized that part-time employees will occasionally work for a greater or lesser number of hours dependent on the needs of the employer or employee, but the customary weekly schedule will refer to the number of hours upon which the employment relationship is based.

- B. Variable, Temporary and Seasonal employees as defined in the definition section of this policy shall not be entitled to any benefit provided for in this Section (Section H) unless said benefits are defined and outlined at the outset of the employment relationship. An example of such an exception would be the hiring of a temporary employee under a grant where the terms and provisions of the grant provide for said employee receiving certain defined benefits.

IV-2 **Holidays**

- B. Holidays General
- 1) Category I Part-time employees are not eligible for holiday pay.
 - 2) Category II Part-time employees shall be granted holiday pay by the accrual schedule found in Section (A) above.

IV-3 **Vacation**

- B. Vacation Leave General
- 1) Category I Part-time employees are not eligible for vacation leave.
 - 2) Category II Part-time employees shall be granted vacation leave by the accrual schedule found in Section (A) above.

IV-5 **Health Benefits**

- B. Health Care
1. Category I part-time employees are not eligible for Health Care Benefits.
 2. Category II part-time employees may elect to be covered by the New Jersey State Health Benefits Program or any other health care plan offered by the Township. The commencement of coverage shall begin on the sixtieth (60) day of employment in accordance with the health insurance plan.
 3. Dependent health care coverage is not available to any part-time employees.
 4. *As of January 1, 2014*, employees will have their base level of coverage as NJDirect15 through the State Health Benefits Program. If employee selects a higher premium plan, then the employee will pay the difference between the premiums in addition to the required employee premium contribution.
- C. Dental Care
1. Category I part-time employees are not eligible for dental plan benefits.
 2. Category II part-time employees may elect to be covered under the Township's contract for dental insurance with Delta Dental Plan or an equivalent plan. The commencement of coverage shall begin on the first of the month after sixty (60) days of employment in accordance with the dental insurance plan.
 3. Dependent dental care coverage is not available to any part time employee.

SECTION II

The following shall constitute the Township of Ocean Personnel Policies, Practices and Procedures Manual:

TEXT: **MANUAL (Full Text)**
Schedule of Benefits – A, B, C, D, E, F, G, H

SECTION III

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.

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

SECTION IV

This ordinance shall take effect after its final passage and advertisement 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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

Ordinance #2214 – (P.H. 10/17/13 Coaster)

Amend Chapter X, Section 6.1 of the “Revised General Ordinances of the Township of Ocean, 1965” to establish the requirements for mandatory recycling of E-Waste

AN ORDINANCE AMENDING CHAPTER X, OF THE “REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF OCEAN, 1965” ENTITLED REGULATIONS FOR HANDLING GARBAGE, RECYCLABLES, VEGETATIVE WASTE, AND BULK TRASH

BE IT ORDAINED by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey, that Chapter X be amended and supplemented in the following manner:

10-6 Mandatory Recycling - Residential

Section 10-6.1 Mandatory Separation

It shall be mandatory for all persons who are owners or their agent, lessees, tenants or other occupant of any residential private dwelling or apartments of four (4) units or less and occupants of residential property within the Township to separate cardboard, chipboard, newspapers, glass bottles and jars, aluminum cans, tin (steel) cans, used motor oil, mixed paper, plastics bottles, grass, brush, leaves, rechargeable and button batteries, light metal, electronic devices including, but not limited to, personal computers, laptops, game consoles, printers, fax machines, copiers, televisions, monitors, DVD players, VCR's, as well as individual electronic parts such as motherboards and hard drives, construction and demolition material and white goods, as herein defined, from all other garbage as produced by such residents for the purpose of recycling.

Section 10-6.12 Household E-waste

Electronic devices including, but not limited to, personal computers, laptops, game consoles, printers, fax machines, copiers, televisions, monitors, DVD players, VCR's, as well as individual electronic parts such as motherboards and hard drives, are prohibited from being placed with other solid waste for disposal. These and other electronic devices shall be kept separate and brought to Township Recycling Drop-Off Center as stated in Section 10-14 of the Revised General Ordinance of the Township of Ocean, 1965.

10-8 Mandatory Recycling – Non Residential

Section 10-8.1 Mandatory Separation of Recyclable Materials

It shall be mandatory for all owners or their agent, lessees and occupants of businesses, apartment houses of more than four (4) units and industrial property and of private, public and governmental institutions and buildings to separate cardboard, chipboard, newspapers, glass bottles and jars, aluminum cans, tin (steel) cans, used motor oil, mixed paper, plastics bottles, grass, brush, leaves, rechargeable and button batteries, light metal, electronic devices including, but not limited to,

personal computers, laptops, game consoles, printers, fax machines, copiers, televisions, monitors, DVD players, VCR's, as well as individual electronic parts such as motherboards and hard drives, construction and demolition material and white goods, as herein defined, from all other garbage as produced by said nonresidential establishments for the purpose of recycling.

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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

Council Reports:

The following offered no Report:

Councilmember(s) Evans, Garofalo, and Schepiga
 Deputy Mayor Siciliano
 Martin Arbus, Esq., Township Attorney
 Andrew Brannen, Township Manager

PUBLIC COMMENTS:

There were no Public Comments at this time.

Seeing that there were no Public Comments at this time, 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
Opposed					
Not Voting/Recuse					
Absent/Excused			X		

Respectfully submitted,

William F. Larkin
 Mayor

Vincent Buttiglieri, RMC/CMC/MMC
 Municipal Clerk

