

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

**OCTOBER 17, 2013**

**OAKHURST, NEW JERSEY**

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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, Garofalo and Schepiga

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

**Statement of Compliance with the Open Public Meetings Act:**

Mayor 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.

**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.

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**PRESENTATION OF CERTIFICATES:**

Clean Communities Coloring and Poetry Contest Winners

Clean Communities Representative Stefanie Wynne and Coordinator Nancy Peak joined the Governing Body in presenting the following with Certificates of Accomplishment:

**Coloring Contest**

***Pre-Kindergarten***

Wayside School	Johnny Manganiello
Wanamassa School	Angelina Sarbello
Ocean Township Elementary School	Louis Vitale

***Kindergarten***

Wayside School	Priyasha Sinha
Wanamassa School	Matteo Burgos
Ocean Township Elementary School	Jameson MacAllister

***First Grade***

Wayside School	Lana Rudolph
Wanamassa School	Olivia Palutis
Ocean Township Elementary School	Ben Robinson

***Second Grade***

Wayside School	Amere Zhang
Wanamassa School	Mallory Brannen
Ocean Township Elementary School	Elizabeth Vitale

**Poster Contest*****Third Grade***

Wayside School	Alexandra Haege
Wanamassa School	Samantha Brannen
Ocean Township Elementary School	Jane Alto

***Fourth Grade***

Wayside School	MaKenzie Katz
Ocean Township Elementary School	Rosemarie Critelli

**Adopt A Spot Award**

First Place	Jane Alto
Second Place	Kayla Klinger
Third Place	Julienne Walsh

**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:**

**Merwin Meller** asked about the payments made to the Monmouth County Regional Health Commission and to Valleycrest Golf Course Maintenance

**F.K. Hudson** inquired about the following Resolutions:

#13-209 – Why was the services of a Hearing Officer needed?

Andrew Brannen, Township Manager, said that it was for two matters of discipline associated with the Police Department.

#13-210 – How are the cases settled by the Township?

Mr. Brannen said that these settlements can be reached through negotiations or litigation.

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

**CONSENT:****MINUTES:**

September 17, 2013 – Workshop, Public and Closed Meeting  
October 3, 2013 – Workshop, Special Public and Closed Meeting

**RESOLUTIONS:**

**13-201 Accept the Performance Guarantees for the following:**

**a. Block 23, lot 20 – 312 Sherman Avenue – AS Builders**

**WHEREAS**, the Township has approved a development project on Block 23, Lot 20, also known as 312 Sherman Avenue; and

**WHEREAS**, the performance guarantees for this project total less than \$20,000.00; and

**WHEREAS**, AS Builders has posted cash performance guarantees totaling \$10,476.00 along with engineering inspection fees totaling \$2,255.00 and the required certificate of insurance; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Ocean, County of Monmouth, that all requirements for entering into a developer's agreement are hereby waived; and

**BE IT FURTHER RESOLVED** that the performance guarantees are hereby accepted.

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. AS Builders

**13-202 Authorize the Acceptance of a Developers Agreement with the following:**

**a. Block 8, Lots 20 & 27 – 45 Monmouth Road – The White House in Oakhurst, LLC**

**WHEREAS**, The White House in Oakhurst, LLC (hereinafter "Developer") is the owner of certain property known as Block 8, Lots 20 and 27 on the official tax map of the Township of Ocean which property is located at 45 Monmouth Road in the C-1 (Neighborhood Commercial) Zone and the R-1 (Low Density Single Family Residential) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

**WHEREAS**, the Developer was granted Site Plan Approval, Approval of Use Variance, Minor Subdivision Approval and Approval of Bulk Variances from the Zoning Board of Adjustment of the Township of Ocean by way of Resolutions dated May 9, 2013 to convert an existing office building located on Lot 20 to a commercial use of a tearoom, which will also sell teas and related supplies, as well as supporting office space; and

**WHEREAS**, this Agreement relates to a Site Plan Map of the property entitled Preliminary and Final Site Plans, The White House in Oakhurst, Tax Block 8, Tax Lots 20 and 27, Township of Ocean, Monmouth County, New Jersey by Robert A. Nelson, P.E. of Nelson Engineering Associates, Inc. consisting of seven (7) sheets dated September 2, 2011 and last updated August 2, 2013; and

**WHEREAS**, the Agreement requires the Developer to install certain improvements in accordance with the Revised Performance Guarantee Estimate dated September 30, 2013 prepared by the Township of Ocean Engineer, Louis J. Lobosoco, P.E., P.P. of Leon S. Avakian, Inc.

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

1. It hereby authorizes the Mayor to execute and the Township Clerk to attest to a Developer's Agreement between the Township of Ocean and The White House in Oakhurst, LLC, subject to the following conditions first being met:
  - a. All required certificates of insurance be properly filed with the Office of the Township Clerk
  - b. Posting of Performance Guarantees in the total amount of \$70,320.00 and Inspection Fees in the amount of \$2,930.00

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded by the Township Clerk to each of the following:

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Jennifer S. Krimko, Esq.
5. The White House in Oakhurst, LLC

**b. Block 137, Lots 30 & 31 – 909 Highway 35 – MNC Properties, LLC**

**WHEREAS**, MNC Properties, LLC (hereinafter “Developer”) is the owner of certain property known as Block 137, Lots 30 and 31 , as shown on the official tax map of the Township of Ocean which property is located at 909 Highway 35 North in the C-3 General Commercial) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

**WHEREAS**, the Developer has received Preliminary and Final Site Plan Approval, Approval of Conditional Use and Approval of Bulk Variances by the Zoning Board of Adjustment of the Township of Ocean by way of Resolutions dated February 14, 2013 to expand a vehicle parking and display area, which currently exists as part of a new/used car dealership; and

**WHEREAS**, this Agreement relates to Site Plan Maps entitled Preliminary and Final Site Plans for a Proposed Acura of Ocean Parking Expansion Lots 30 & 31, Block 137, Tax Map Sheet 54, Township of Ocean, Monmouth County, New Jersey by Stephen P. Atkins, P.E. of KZA Engineering, P.A., consisting of fourteen (14) sheets dated November 17, 2011 and last updated June 7, 2013; and

**WHEREAS**, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated July 15, 2013 prepared by the Township of Ocean Engineer Louis J. Lobosco, P.E., P.P. of Leon S. Avakian, Inc.

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

1. It hereby authorizes the Mayor to execute and the Township Clerk to attest to a Developer’s Agreement between the Township of Ocean and MNC Properties, LLC, subject to the following conditions first being met:
  - a. All required certificates of insurance be properly filed with the Office of the Township Clerk
  - b. Posting of Performance Guarantees in the total amount of \$615,240.00 and Inspection Fees in the amount of \$27,135.00.

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. MNC Properties, LLC
5. Peter S. Falvo, Jr., Esq.

**c. Block 137, Lots 28 & 29 – 911-919 Highway 35 – Ocean Sunset 35, LLC**

**WHEREAS**, Ocean Sunset 35, LLC (hereinafter “Developer”) is the owner of certain property known as Block 137, Lots 28 and 29 as shown on the official tax map of the Township of Ocean, which property is located at 911-919 Highway 35 in the C-3 (General Commercial) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

**WHEREAS**, the Developer has received Site Plan Approval with Variances by the Township of Ocean Planning Board by way of Resolution dated April 22, 2013 to remove four (4) existing buildings and completely redevelop the site with a 14,658 square foot CVS Pharmacy with sixty-one (61) parking spaces. The development will have access drives to both Sunset Avenue and Route 35; and

**WHEREAS**, this Agreement relates to a Site Plan Map entitled Preliminary and Final Site Plan for Ocean Sunset 35, LLC, Proposed CVS Pharmacy, Block 137, Lots 28 & 29, Tax Map Sheet #54, NJSH Route 35 & Sunset Avenue, Township of Ocean, Monmouth County, New Jersey by J.D. Spalt, P.E. of Dynamic Engineering Consultants, P.C., consisting of twenty-one (21) sheets dated September 28, 2012 and last updated September 25, 2013; and

**WHEREAS**, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated September 10, 2013 prepared by the Township of Ocean Engineer, Louis J. Lobosco, P.E. of Leon S. Avakian, Inc.

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

1. It hereby authorizes the Mayor to execute and the Township Clerk to attest to a Developer's Agreement between the Township of Ocean and Ocean Sunset 35, LLC, subject to the following conditions first being met:
  - a. All required certificates of insurance be properly filed with the Office of the Township Clerk
  - b. Posting of Performance Guarantees in the total amount of \$502,680.00 and Inspection Fees in the amount of \$22,445.00

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Stephen R. Nehmad, Esq.
5. Ocean Sunset 35, LLC

**d. Block 182, Lots 79 & 80 – 1100 Eagle Avenue – Eagle Advanced Holdings, LLC**

**WHEREAS**, Eagle Advanced Holdings, LLC (hereinafter "Developer") is the owner of certain property known as Block 182, Lots 79 and 80, as shown on the official tax map of the Township of Ocean, which property is located at 1100 Eagle Avenue in the O-1/20 (Office/Limited Commercial) Zone in the Township of Ocean, County of Monmouth and State of New Jersey; and

**WHEREAS**, the Developer has received Preliminary and Final Site Plan and Bulk Variance Approvals by the Township of Ocean Planning Board by way of Resolution dated November 28, 2011 to remove an existing building and construct a two-story, 5,726 square foot office building with 2,863 square feet of medical offices on the first floor and 2,937 square feet of professional offices on the second floor; construct a thirty-three (33) car parking lot with underground drainage; provide other site improvements including landscaping, fencing and retaining walls; and

**WHEREAS**, this Agreement relates to a Site Plan Map entitled Preliminary & Final Site Plan, New Office Building for Eagle Advanced Holdings, LLC, 1100 Eagle Avenue, Township of Ocean, Monmouth County, New Jersey by Charles Surmonte, P.E. & P.L.S., consisting of thirteen (13) sheets dated March 10, 2011 and last updated May 24, 2013; and

**WHEREAS**, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated August 30, 2013 prepared by the Township of Ocean Engineer Louis J. Lobosco, P.E., P.P. of Leon S. Avakian, Inc.

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

1. It hereby authorizes the Mayor to execute and the Township Clerk to attest to a Developer's Agreement between the Township of Ocean and Eagle Advanced Holdings, LLC, subject to the following conditions first being met:

- a. All required certificates of insurance be properly filed with the Office of the Township Clerk
- b. Posting of Performance Guarantees in the total amount of \$387,360.00 and Inspection Fees in the amount of \$17,640.00

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Eagle Advanced Holdings, LLC
5. Todd A. Cohen, Esq.

### **13-203 Approve the release of 2013 Closed Session Minutes**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Ch. 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstance; and

**WHEREAS**, the public shall be excluded from discussions of and actions upon specified subject matters including:

1. Personnel
2. Pending litigation matters involving the Township, its employees and/or agents
3. Pending or future land acquisitions
4. Pending or future contract negotiations

**WHEREAS**, the Township of Ocean adopted procedures to make closed session minutes available for public inspection; and

**WHEREAS**, the Municipal Clerk, on a periodic basis shall review the minutes of the closed sessions of the Township of Ocean and make a recommendation to the Township Council which minutes should be made available for public inspection. The minutes which are made public shall not thereafter be treated as confidential but may be viewed by and copies issued to any person so requesting them; and

**WHEREAS**, the release of the below noted closed session minutes are subject to certain item(s) being redacted prior to the release due to the fact that the matter has not been concluded, and therefore, are not subject to release;

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Township of Ocean, County of Monmouth that authorization is hereby given to release the following closed session minutes, subject to any appropriate redaction:

September 17, 2013  
October 3, 2013

### **13-204 Authorize the submission of the following grant(s):**

#### **a. FY2014 NJ Department of Transportation Trust Fund Municipal Aid Program**

**WHEREAS**, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for Fiscal Year 2014; and

**WHEREAS**, the Township of Ocean is desirous of submitting an application under this program for the following purpose:

- Improvements to Allaire Road from Logan Road to New Jersey State Highway Route 35

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

**BE IT FURTHER RESOLVED**, that the Township Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Ocean Township-00634 to the New Jersey Department of Transportation on behalf of the Township of Ocean; and

**BE IT FURTHER RESOLVED**, that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Ocean and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

### **13-205 Amend Resolution #13-032a extending our current Alliance Grant**

**WHEREAS**, alcoholism and drug abuse are important public health and law enforcement problems in our community; and

**WHEREAS**, the Township of Ocean is desirous of working with the Governor's Council on Alcoholism and Drug Abuse and the Monmouth County Board of Chosen Freeholders in preventing and resolving these problems; and

**WHEREAS**, the governing body of the Township of Ocean has created a Municipal Alliance in accordance with statutory requirement of P.L. 1989, CH. 51, to provide continuing advice to it and the citizens of this community; and

**WHEREAS**, funding is available to municipalities through the Governor's Council on Alcoholism and Drug Abuse to use in efforts of drug abuse prevention and intervention.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth that the Township of Ocean Alliance to Prevent Alcoholism and Drug Abuse is authorized to prepare the application to amend previously-approved Resolution #13-032a regarding Funding the Municipal Alliance Program in cooperation with the staff of the Department of Human Services; and

**BE IT FURTHER RESOLVED**, that the Township Manager or his designee is authorized to provide any additional information or take any additional steps which may be lawful and necessary to execute the application for funding.

**BE IT FURTHER RESOLVED**, that the Mayor affix his signature to the 2013 application for funding to be forwarded with a certified true copy of this resolution to the Alliance Committee of the Monmouth County Board of Alcoholism and Drug Abuse Services.

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

1. Monmouth County Division of Mental Health and Addiction Services
2. Township of Ocean Alliance to Prevent Drug and Alcohol Abuse
3. Sharon Moleski, Human Services

### **13-206 Authorize the transfer of the following liquor license(s):**

- a. #1337-33-006-013, issued to Tommy's Ocean, LLC to 2105 Highway 35, LLC effective October 17, 2013**

**WHEREAS**, 2105 Liquors, LLC, 2105 Highway 35, Oakhurst, NJ made application on July 18, 2013 for a Person-to-Person Transfer of Plenary Retail Consumption Liquor License, Number 1337-33-006-013; and

**WHEREAS**, the submitted transfer application is complete in all respects, all appropriate State and Township fees have been paid, and the license has been renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed in accordance with all standards established by Title 33 of the New Jersey Statutes, regulations promulgated hereunder, as well as pertinent local ordinances pertaining to same; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that it does hereby approve, effective October 17, 2013, the Person-to-Person Transfer of the aforesaid Plenary Retail Consumption License to 2105 Liquors, LLC and does hereby direct the Municipal Clerk to endorse the license as follows: ***"This license, subject to all its terms and conditions, is hereby transferred to 2105 Liquors, LLC, 2105 Highway 35, Oakhurst, NJ 07755 effective October 17, 2013;*** and

**FURTHER BE IT RESOLVED** that the Municipal Clerk of the Township of Ocean is hereby authorized to change the number of the license to #1337-33-006-014 reflecting this transfer and to so advise the State of New Jersey, Division of Alcoholic Beverage Control

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

1. Jason C. Mandia, Esq., attorney for 2105 Highway 35, LLC
2. Chief of Police
3. State of New Jersey, Division of Alcoholic Beverage Control

**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					

\* Yes, except for those in which a conflict exists:  
Resolution #13-202c

**INDIVIDUAL ACTION:**

**VOUCHERS: \$ 5,277,929.37**

**Township of Ocean  
Department of Finance  
Voucher List for October 17, 2013**

Vendor Name	Description	Amount	Contract
<b><u>Appropriation Reserves Payments</u></b>			
SUPERIOR OFFICE SYSTEMS INC	REPAIR IR8070 COPIER 7/17/12	168.00	
SUPERIOR OFFICE SYSTEMS INC	REPAIRS TO CANON IR8070 COPIER	226.99	
<b><u>Total</u></b>		<b>394.99</b>	
<b><u>Total Appropriation Reserves Payments</u></b>		<b><u>394.99</u></b>	
<b><u>2013 Current Fund Appropriation Payments</u></b>			

## MEETING MINUTES

OCTOBER 17, 2013

A&J MANAGEMENT CO	PD-PRISONER FOOD-JUL-SEPT '13	12.47	
ACCURINT FOR LAW ENFORCEMENT	PD-BACKGROUND SEARCHES- SEP 13	33.00	
ADP INC, CORPORATE COLLECTIONS	ADP Payroll Process - Sept	1,428.14	
AIR SYSTEMS MAINTENANCE INC	Boiler and drain loop/PD	2,841.00	
AMBASSADOR MEDICAL SERVICE INC	Random drug test	54.00	
AMERICAN WEAR INC	September uniform rentals	605.74	
AMERICAN WEAR INC	September rags for Shop use	52.00	
ARBUS, MAYBRUCH & GOODE LLC	TAX APPEALS - SEPTEMBER 2013	810.00	C1300011
ARBUS, MAYBRUCH & GOODE LLC	TOWNSHIP ATTORNEY-SEP/OCT	5,754.00	C1300019
ATLANTIC PLUMBING SUPPLY CORP	September misc plumbing supply	185.70	
BRYANT, MONIQUE	REFUND PROJECT EXTEND TUITION	125.60	
BSN SPORTS	Soccer/Vball/Bball Equipment	530.87	
BUTTIGLIERI, VINCENT CMC	October 2013 Petty Cash	326.12	
BUTTIGLIERI, VINCENT CMC	Seminar and Supplies	307.43	
CABLEVISION	PD-INTERNET SERVICES- SEP 2013	133.20	
CABLEVISION	Townhall Acc#7866-186654	159.80	
CABLEVISION	Beecroft #7866-193927-2	79.90	
CABLEVISION	South Roller Rd# 66-197238-1	84.90	
CAMPBELL FOLEY DELANO & ADAMS	MUNI PROSECUTOR JUL-DEC 2013	2,517.48	
CAMPBELL FOLEY DELANO & ADAMS	9/26 SPECIAL SESS - PROSECUTOR	250.00	
CASO, SHERRY	Boys Instructional Supervison	195.50	
CENTRAL TOWING & RECOVERY INC	Tow/Rutgers to Sunset Garage	224.00	
CLAYTON BLOCK COMPANY, INC.	Solid Concrete/Drainage repair	209.52	
COUNTY TAX ADMINISTRATOR	2013 Mod4 Computer Processing	3,465.05	
CRAFT OIL CORP	55 Gal Drum Mobil Trans HD 30	651.63	
DANNY AIKEN	SOCCER SUPERVISON PAYMTS	281.25	
EDWARDS TIRE CO INC	September recap & service	1,889.75	
EDWARDS TIRE CO INC	September tires for Twp	325.04	
FEDEX	PD- ALCOTEST PARTS RECERT	105.86	
FEDEX	added assessments delivery	29.89	
FINCH FUEL OIL CO. INC.	September unleaded/diesel fuel	30,492.99	
GANNETT NJ NEWSPAPERS	VAR ADVERTISING THRU 10/3/13	42.50	
GEESE CHASERS LLC	Egg Addling at GTGC	255.00	
ICE KING	ESTIMATE SEPT. ICE SUPPLIES	150.00	
JEFFREY R SURENIAN & ASSOC LLC	SEPT 2013 MT LAUREL MATTERS	424.75	C1300008
JIM CURLEY PONTIAC GMC TRUCK	September misc parts for Twp	345.74	
L3 COM MOBILE-VISION INC	PD- SERVICE CALLS - SEPT 2013	225.00	
LANIGAN ASSOCIATES INC	PD- SAFETY SUPPLIES - SEP 2013	150.00	
LAWSON PRODUCTS INC	Asst shop supplies/all depts.	654.48	
LEE BATTERY SERVICE INC	September misc batteries/Twp	287.25	
LEON S AVAKIAN INC	OT 09-100: COPIES OF PLANS	15.00	
LERTCH RECYCLING CO	September recycle brush	3,197.90	
LEVY, SANDRA	REFUND LANDLORD REGISTRATION	75.00	
LINE SYSTEMS, INC.	SEPT/OCT 2013 PHONE SVC CHARGE	3,013.41	
LL ENTERPRISES LLC	PD- CELL CAR/HOME CHARGERS	75.96	
LOWES - GE CONSUMER FINANCE	September misc building supply	222.54	
MAZZA & SONS INC	September dump fees for Bulk	5,974.40	
MILMOE, ALEXANDER	Supervise Teen Wrestling	26.00	
MON CTY POLICE ACADEMY	PD- 3RD QUARTER TRAINING	60.00	
MON CTY REGIONAL HEALTH	4QT 13 PUBLIC SERVICE FEES	50,822.25	
MONMOUTH COUNTY TREASURER	SCAT TRANSPORTATION	2,700.00	
NEPTUNE AUTO SUPPLY	September misc parts for Twp	2,613.57	
NEPTUNE AUTO SUPPLY	Tire pressure Monitoring Sys.	689.00	
NJ DIV OF PENSION & BENEFITS	DCRP Life Ins/LTD 3rd Quarter	14.22	
NJ ST LEAGUE OF MUNICIPALITIES	NJLM 2013 Conference Reg.	715.00	
NJ STATE HEALTH BENEFITS FUND	SHBP Premium - October	177,553.74	
NJAWC	September water usage.	5,907.88	
NJRPA INC	NJRPA FALL WORKSHOP	100.00	
ORIENTAL TRADING CO INC	Project Extent Crafts Supplies	65.15	
PUBLIC WORKS ASSOC OF NJ	2013 Membership/McMahon	50.00	
QUALITY COMMUNICATIONS	PD-4th QRT CONSOLE MAINTENANCE	4,500.00	
QUIKIE PRINT & COPY SHOPS	Envelopes & Letterhead	167.00	
R.R. DONNELLEY	Certified Copy Paper	312.50	
REALTY APPRAISAL CO	2013 ADDED ASSESSMENTS-APPRAIS	7,500.00	
REISER, KATHY	Reimburse CTCG Supplies	65.38	
RUDERMAN & GLICKMAN PC	SEPT 2013 LABOR RELATIONS ATTY	1,184.00	C1300007
SANITATION EQUIPMENT CORP	September misc truck parts	271.56	
SEABOARD WELDING SUPPLY INC	PD- OXYGEN REFILLS - AUG 2013	156.00	
SEABOARD WELDING SUPPLY INC	PD- OXYGEN REFILLS - SEP 2013	182.00	

## MEETING MINUTES

OCTOBER 17, 2013

SEABOARD WELDING SUPPLY INC	September propane for patch	307.30	
SEACOAST CHEVROLET OLDSMOBILE	September misc parts for Twp	61.31	
SEACOAST CHEVROLET OLDSMOBILE	September vehicle repairs	1,261.38	
SHI INTERNATIONAL CORP.	PowerConnect 2808/Firepro 2270	1,248.14	
SHORE CUSTOMS	PD- SECURITY REMOTE START SYS	375.00	
SPRINT PO MANAGEMENT	PD- NEXTEL SERV PLAN- SEPT 13	781.91	
STAVOLA ASPHALT CO INC	September 2nd half patch prog.	349.70	
STEWART BUSINESS SYSTEMS	Printing Services	284.79	
STEWART BUSINESS SYSTEMS	Printing Services	636.82	
STORR TRACTOR CO	August misc parts for Toro	375.77	
STORR TRACTOR CO	September misc parts for Toro	797.57	
SUNSET FARM MARKET	PUMPKINS & MUMS - FALL FEST	550.00	
SUPERIOR OFFICE SYSTEMS INC	REPAIRS TO CANON IR8070 COPIER	403.96	
TAX COLLECTOR/TREA ASSOC OF NJ	Saul Wittes Foundation Seminar	105.00	
TF MEDIA GROUP, INC.	Payment October Advertising	300.00	
THATCHER, LINDA	Biddy Soccer Supervision Paymt	252.00	
THE NEW COASTER LLC	PD- ANNUAL SUBSCRIPTION	24.00	
THE NEW COASTER LLC	October Advertsing CTGC	200.00	
TONKS'S USED OIL FILTER DISP	55 gal used filters removed	100.00	
TRONOLONE, JOHN	Supervise Adult Volleyball	36.00	
TRUMP PLAZA	2014 Education Conference	1,980.00	
TWP OF OCEAN PAYROLL ACCOUNT	TWP SHARE SS/FICA P/R 10/4/13	20,958.62	
TWP OF OCEAN PAYROLL ACCOUNT	TWP SHARE SS/FICA P/R 10/18/13	20,800.78	
TWP OF OCEAN SEWERAGE AUTH	4th qtr 2013 Sewer payment	3,704.82	
VAIDYA, KUNJARIKA	REFUND FACILITY RENTAL FEE	15.00	
VALLEYCREST GOLF COURSE MAINT	OCTOBER 2013 CTGC MAINTENANCE	23,893.33	C1300012
VERIZON	BROADBAND SERVICES 10/13	149.17	
VERIZON BUSINESS FIOS	Library FIOS #7325314664647	153.72	
VIRTUAL F/X	PD- VEH # CHANGEOVER	75.00	
WAGE WORKS	JUL-DEC/13 FSA PLAN ADMIN FEE	50.00	
WHITE, RYAN G.	Reimburse Fingerprint Fees	26.00	
<b>Total</b>		<b>405,183.10</b>	
<b><u>Non Budget Account Payments</u></b>			
TREASURER OF SCHOOL MONIES	SCHOOL TAXES PAYABLE - 2H 2013	4,636,845.21	
TREASURER STATE OF NJ	3RD QTR STATE FEES JULY-SEPT13	8,645.00	
<b><u>Total Non Budget Account Payments</u></b>		<b>4,645,490.21</b>	
<b><u>Total 2013 Current Fund Appropriations Payments</u></b>		<b>5,050,673.31</b>	
<b><u>General Capital Payments</u></b>			
ARBUS, MAYBRUCH & GOODE LLC	TWP ATTORNEY SEPT-13	969.00	
EPOXY FLOORING LLC	REC POOL FLOORING	11,800.00	
KALDOR	Light bar for Truck #88	1,183.80	
LANIGAN ASSOCIATES INC	PD/CAP: NEW BATONS/CARRIERS	8,463.00	
LANIGAN ASSOCIATES INC	PD/CAP- NEW RIFLE EQUIPMENT	1,263.60	
METRO IMAGING SERVICES, INC.	PD/CAP- MICROFILM EQUIPMENT	16,623.00	
MPH INDUSTRIES INC	PD/CAP- RADAR UNIT	1,703.00	
PRECISE CONSTRUCTION, INC.	DPW RECYCLING FACILITY-CERT #1	65,096.50	C1300027
SETTEMBRINO ARCHITECTS	WEST WING INTERIOR RENOVATIONS	2,500.00	C1300021
SHI INTERNATIONAL CORP.	Laptop/Monitor/scanner	3,140.26	
SHI INTERNATIONAL CORP.	HP Proliant Servers	11,021.98	
<b>Total</b>			<b>123,764.14</b>
<b><u>Total General Capital Payments</u></b>		<b>123,764.14</b>	
<b><u>Grants Payments</u></b>			
BUTTIGLIERI, VINCENT CMC	October 2013 Petty Cash	14.76	
LANIGAN ASSOCIATES INC	PD- BODY ARMOR REPLACEMENTS	3,837.90	
MON CTY REGIONAL HEALTH	TWP ANNUAL EMPLOYEE FLU	898.00	
NJ STATE HEALTH BENEFITS FUND	SHBP Premium - October	3,549.00	
TWP OF OCEAN PAYROLL ACCOUNT	TWP SHARE SS/FICA P/R 10/18/13	576.54	
<b>Total</b>		<b>8,876.20</b>	
<b><u>Total Grants Payments</u></b>		<b>8,876.20</b>	
<b><u>TORTA Payments</u></b>			

**MEETING MINUTES**

**OCTOBER 17, 2013**

CORRAO, VINCENT	Terner Gallery Perf. Pymt.	250.00
HENRY, BRYAN	Payment for Piano Tuning	80.00
IRELAND, STEVE	CTGC End of Season Event Funds	623.21
MAZZAROPPI, GARY	Terner Gallery Perform. Pymt	250.00
NASCO	Supplies for Painting Classes	657.65
SAVAGE, JAMES & DENISE	Refund Program Fees BOKWA	55.00
TRONOLONE, JOHN	JV Gym Supervision	26.00
TWP OF OCEAN PAYROLL ACCOUNT	Torta Programs	1,596.99
VACHE, WARREN	Terner Gallery Perf. Pymt.	250.00
<b>Total</b>		<b>3,788.85</b>
<b><u>Total TORTA Payments</u></b>		<b><u>3,788.85</u></b>

**Trust Other Payments**

CELLI, MICHAEL G JR ESQUIRE	PUBLIC DEFENDER - SEPT 2013	500.00
FNA JERSEY LIEN SERVICES LLC	REDEMPTION BL 9 L 33	13,346.52
FNA JERSEY LIEN SERVICES LLC	REDEMPTION BL 9 L 33	13,100.00
FNA JERSEY LIEN SERVICES LLC	REDEMPTION B 18 L 16	29,036.14
FNA JERSEY LIEN SERVICES LLC	REDEMPTION BL 18 L 16	7,400.00
HV AT OCEAN DBA WHALEPOND	SECURITY DEPOSIT	1,201.25
JAMES HIGGINS ASSOCIATES	TOLL BROTHERS REZONING	1,437.50
LEON S AVAKIAN INC	ENGINEERING SVC - VARIOUS PROJ	1,722.50
MID JERSEY MUN JOINT INS FUND	CLAIMS PAID 1/1 - 6/30/13	966.33
TWP OF OCEAN CURRENT FUND	Special Duty Admin & Car Fees	3,740.00
TWP OF OCEAN PAYROLL ACCOUNT	Speical Duty Payroll Details	9,885.00
<b>Total</b>		<b>82,335.24</b>
<b><u>Total Trust Other Payments</u></b>		<b><u>82,335.24</u></b>

**State Unemployment Insurance Trust Payments**

NJ DEPT OF LABOR & WORKFORCE	3RD QTR 2013 UNEMPLOYMENT CHGS	8,096.64
<b>Total</b>		<b>8,096.64</b>
<b><u>Total State Unemployment Insurance Trust Payments</u></b>		<b><u>8,096.64</u></b>

**Total Bill List for October 17, 2013**

Appropriation Reserve Total	394.99
Current Fund Total	5,050,673.31
General Capital Fund Total	123,764.14
State & Federal Grant Total	8,876.20
Law Enforcement Trust Total	
TORTA Total	3,788.85
Trust Other Total	82,335.24
Animal Control Total	
Bid Deposit Refund	
State Unemployment Trust	8,096.64
Trust Assessment Fund	
<b>Total of All Funds</b>	<b>5,277,929.37</b>

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:  
James Higgins Associates

**RESOLUTIONS:**

**13-207 Authorize the refund of successful County Tax Appeal(s)**

**AUTHORIZING ADJUSTMENTS TO 4<sup>TH</sup> QUARTER TAX LEVY RESULTING FROM MONMOUTH COUNTY TAX APPEAL JUDGMENTS**

**WHEREAS**, the County of Monmouth has rendered judgment on appeals made by tax payers regarding the property assessment of certain properties and,

**WHEREAS**, Block 34 Lot 29 Qualifier C3.08 had the property assessment reduced by the County of Monmouth in 2012 resulting in a reduction in the total taxes to be paid to the Township of Ocean for the year 2012 and N.J.S.A. 54:3-26 known as the Freeze Act is binding on the Township for two assessment years succeeding the year covered by the judgment, and,

**WHEREAS**, the 2013 property assessment in the Assessor’s Field Book lists the property assessment for Block 34 Lot 29 Qualifier C3.08 at Its pre appeal valuation,

**WHEREAS**, proper procedures require that an adjustment to the tax levy be made to the fourth quarter 2013 taxes and if necessary, third quarter taxes for reductions in property assessments which lower total taxes and do not result in the overpayment of taxes for the year, and tax refunds if tax levy reductions result in an overpayment of total taxes due for the year

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Tax Collector and the Director of Finance to apply said tax reductions to the 4<sup>th</sup> quarter taxes as per the following.

BL	LT/ Qual	Name	Property Address	Adjustment of 2013Taxes
34	29 / C3.08	Visco, Frank	88 Cotswold Circle	1,284.38
Totals				1,284.38

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

1. Tax Collector
2. Director of Finance
3. 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	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**13-208 Authorize consideration of the following receipt of bids:****a. Motor Oils and Lubricants**

**WHEREAS**, the Township Council of the Township of Ocean did duly authorize the Township Clerk to advertise for bids for motor oil and lubricants for 2014 and 2015 on August 15, 2013; and

**WHEREAS**, the Township Clerk did duly advertise said bid on September 28, 2013 for motor oil and lubricants for 2014 and 2015; and

**WHEREAS**, in connection therewith, bids were received by the Township of Ocean from Craft Oil Corporation, Lakewood, NJ; and

**WHEREAS**, the bid, as submitted by Craft Oil Corporation represents an increase of 5.5% from 2013 to 2014 and a 5% increase for 2014 to 2015; and

**WHEREAS**, the Director of Public Works and the Township Manager have recommended that contracts be awarded to Craft Oil Corporation at a total cost of \$96,315.00 for 2014 and \$101,118.00 for 2015, and broken down as follows:

	<u>ITEM</u>	<u>QUANTITY</u>	<u>COST</u>	
			<u>2014</u>	<u>2015</u>
<b>1</b>	<b>Motor Oil</b> <b>(55 Gal Drum – Delivered)</b>			
A	FL Select SAE 15W-40W	20	\$9,180.00	\$9,580.00
B	Super Duty 5W-20	10	\$4,420.00	\$4,680.00
C	5W-30 Motor Oil	10	\$5,440.00	\$5,680.00
<b>2</b>	<b>Hydraulic Fluid</b> <b>(55 Gal Drum – Delivered)</b>			
A	AW-32	20	\$6,920.00	\$7,320.00
B	Hyken 052 10W-20	10	\$4,280.00	\$4,550.00
C	AW 46	10	\$1,730.00	\$1,830.00
D	AW 68	3	\$1,038.00	\$1,098.00
E	#46 Biodegradable	10	\$10,950.00	\$11,290.00
F.	HD 10 T04	10	\$5,790.00	\$6,100.00
G.	HD 30 T04	10	\$5,700.00	\$6,000.00
<b>3</b>	<b>Supply Gear Lubricants</b> <b>(120 lbs – Delivered)</b>			
A	Citgo SAE 85W-140	6	\$1,038.00	\$1,080.00
B	New Synthetic 80-140	2	\$ 800.00	\$ 830.00
C	Shell Spirax 75W-90; 80W-140	6	\$2,400.00	\$2,490.00
<b>4</b>	<b>Supply Automatic Transmission Fluid</b> <b>(55 Gal Drum – Delivered)</b>			
A	Synthetic Blend AFT	10	\$5,990.00	\$6,390.00
B	Allison blend TES-295	10	\$14,900.00	\$15,450.00
<b>5</b>	<b>Supply Antifreeze</b> <b>(55 Gal Drum – Delivered)</b>			
A	Fleet charge 50/50 premix antifreeze	10	\$3,250.00	\$3,500.00
B	Peak Global extended life antifreeze	10	\$5,850.00	\$6,200.00



**WHEREAS**, in connection therewith, bids for said service was received by Edwards Tire Co., Inc., Farmingdale, NJ; and

**WHEREAS**, the Director of Public Works has reviewed said bid and has recommended to the Township Manager that a contract be awarded to the lowest responsible bidder, Edwards Tire Co., Inc., Farmingdale, NJ as per their bid proposal for the recapping of tires, accessories and road service at a cost not to exceed \$56,118.75; and

**WHEREAS**, the Director of Finance has certified that sufficient funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2014 Municipal Budget for the purpose of award of this contract in the Public Works Budget – Maintenance of Equipment – Other Expenses, account #4-01-26-767-249;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the award of a contract to Edwards Tire Co., Inc., Farmingdale, NJ for the recapping of tires, accessories and road service at a cost not to exceed \$56,118.75; and

**BE IT FURTHER RESOLVED** that the award of this contract is conditioned upon the delivery and execution of the appropriate insurance certificate, Affirmative Action Certificate and performance bonds as may be required by said specifications; and

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

1. Director of Finance
2. Director of Public Works
3. Edwards Tire Co., 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	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**13-209 Amend the contract with Joseph Verruni to serve as the Townships Hearing Officer**

**WHEREAS**, the Township of Ocean previously awarded a contract to Joseph Verruni to serve as a hearing officer for the Township of Ocean; and

**WHEREAS**, there is a need to amend the contract with Joseph Verruni with a not to exceed provision of \$442.50, bringing the total contract amount to \$3,942.50; and

**WHEREAS**, the Township Manager has recommended that an amendment to the contract awarded to Joseph Verruni be and is hereby authorized at a cost not to exceed \$442.50, bringing the total contract amount to \$3,942.50; and

**WHEREAS**, the Director of Finance has certified that funds are available in the following line item appropriation: Legal – Litigation, account #3-01-20-712-217; and

**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 amend the contract with Joseph Verruni to provide services as a hearing officer for the Township of Ocean at a cost not to exceed \$442.50, bringing the total contract amount to \$3,942.50; and

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

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

1. Joseph Verruni
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	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**13-210 Authorize a contract with Michael R. DuPont, Esq., and the Firm McKenna, DuPont, Higgins and Stone to finalize open tax appeals at a cost not to exceed \$20,000.00**

**WHEREAS**, the Township of Ocean previously engaged the services of Michael R. DuPont, Esq., and the Firm of McKenna, DuPont, Higgins and Stone to assist the Township of Ocean in their defense of tax appeals; and

**WHEREAS**, Michael R. DuPont, Esq. is in the process of finalizing the remaining open tax appeals for the years 2009 through 2012; and

**WHEREAS**, the Township of ocean Tax Assessor has determined that a contract for Michael R. DuPont, Esq., and the Firm McKenna, DuPont, Higgins and Stone, should be approved with a not to exceed \$20,000.00; and

**WHEREAS**, the Township Council of the Township of Ocean has elected to utilize the “non-fair and open” process in making 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 determined that the value of these services is expected to exceed \$17,500.00 in the calendar year of 2013; and

**WHEREAS**, the firm of McKenna, DuPont, Higgins & Stone has completed and submitted a Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form which certifies that the firm of McKenna, DuPont, Higgins & Stone 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 the firm of McKenna, DuPont, Higgins & Stone from making any reportable contributions to a political or candidate committee in the Township of Ocean through the term of the contract; and

**WHEREAS**, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2011 Municipal Budget under the following line item appropriation:

Defense of Tax Appeals – 3-01-20-710-219.

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

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Ocean, County of Monmouth authorizes the Mayor and Township Clerk to enter into a contract with

the firm of McKenna, DuPont, Higgins & Stone as described herein and with a not to exceed \$20,000.00 provision; and

**BE IT FURTHER RESOLVED** that the completed Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form be placed on file with this Resolution and Contract; and

**FURTHER BE IT RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to execute any and all documents associated with this contract; and

**BE IT FURTHER RESOLVED** that notice of this action shall be published according to law.

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

1. Director of Finance
2. Township Auditor
3. McKenna, DuPont, Higgins and Stone

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					

### 13-211 Approve a Ch. 159 for the following:

#### a. Green Communities Grant

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

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

**WHEREAS,** the Township of Ocean has received from the Department of Environmental Protection New Jersey State Forestry Services an award of \$2,000.00 to develop Ocean Township's Community Forestry Management Plan a copy of which is attached, and

**WHEREAS,** the 2013 budget needs to be amended to include the \$2,000.00 awarded to the Township of Ocean from the Department of Environmental Protection New Jersey State Forestry Services,

**WHEREAS,** from the Department of Environmental Protection New Jersey State Forestry Services Green Communities Grant requires a \$2,000.00 grant match already provided in the 2013 budget in the grants section under the title Grants – Local Match, for which a change in text and title resolution has already been adopted.

**NOW, THEREFORE BE IT RESOLVED** that the Township of Ocean, County of Monmouth hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget year 2013 the sum \$2,000.00 which is now available as revenue from the Department of Environmental Protection New Jersey State Forestry Services.

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

Green Communities Grant

Other Expenses .....\$: 2,000.00

**BE IT FURTHER RESOLVED** that 2,000.00 for the grant match has been provided through funds appropriated in the 2013 Budget under the line item Green Communities Grant - Match.

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

- 1. Director of Finance
- 2. Township Auditor

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

**13-212 Award a contract to Fernandes Construction, Inc., South River, NJ, to perform drainage improvements at the West Park Avenue Recreation facility at a cost not to exceed \$16,625.00**

**WHEREAS**, a need exists to undertake drainage improvements at the West Park Avenue Recreation facility; and

**WHEREAS**, the Township of Ocean solicited proposals for said improvements and received the following responses:

Fernandes Construction, Inc., South River, NJ	\$16,625.00
MTB Contracting, LLC, Neptune City, NJ	\$29,625.00
Meco, Inc., Clarksburg, NJ	\$34,620.00

**WHEREAS**, the Township Manager and the Township Engineer have recommended that a contract be awarded to Fernandes Construction, Inc., South River, NJ to perform said drainage improvements at the West Park Avenue Recreation facility at a cost not to exceed \$16,625.00;

**WHEREAS**, the Director of Finance has certified that funds for said improvements are available in the Public Works Budget, Buildings & Grounds - Contract Services, account #3-01-26-772-247;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Ocean, in the County of Monmouth, that authorization is hereby given to enter into a contract with Fernandes Construction, Inc., South River, NJ, to perform drainage improvements at the West Park Avenue Recreation facility at a cost not to exceed \$16,625.00

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

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

**13-213 Authorize the Request for a Change in Title, Text or Amount of Appropriation**

**REQUESTING CHANGE IN TITLE, TEXT OR AMOUNT  
OF APPROPRIATION PURSUANT TO NJS 40A:4-85 (P.L. 1948, c. 159)**

**WHEREAS**, N.J.S. 40A:4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such corrections of the title, text, or amount of any appropriation appearing in the budget as may be necessary to make said appropriation available for the purpose or purposes required for the needs of any such county or municipality, and

**WHEREAS**, the Governing Body of the Township of Ocean did on May 2, 2013 adopted the 2013 Budget which included an appropriation for Matching Funds for Grants, and

**WHEREAS**, a grant from the Department of Environmental Protection New Jersey State Forestry Services Green Communities Grant requires a grant match in the amount of \$2,000.00 from the Township of Ocean,

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Ocean, County of Monmouth hereby requests the Director of the Division of Local Government Services to make the following correction in the 2013 Budget:

From: Matching Funds for Grants – Other Expenses:

\$2,000.00

To: Green Communities Grant - Match OE:

\$2,000.00

**BE IT FURTHER RESOLVED**, that two certified copy of this resolution be forwarded to the Director of the Division of Local Government Services and one copy forwarded to the following:

1. Director of Finance
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	X
Opposed					
Not Voting/Recues					
Absent/Excused					

**13-214 Authorize the use of the Procurement Card vendor available through the State of New Jersey for the purchase of goods and services on-line where the use of purchase orders are not accepted**

**AUTHORIZING THE TOWNSHIP OF OCEAN TO UTILIZE THE PROCUREMENT CARD VENDOR USED BY THE STATE OF NEW JERSEY AND AUTHORIZETHE DIRECTOR OF FINANCE TO EXECUTE ALL APPLICATION DOCUMENTS**

**WHEREAS, N.J.S.A.40A:5-16( c )** authorized the use of procurement cards by local units in order to facilitate the purchase of goods and services through on-line vendors or local establishments where a purchase order is not accepted, and

**WHEREAS,** The State of New Jersey utilizes the Bank of America as their procurement card vendor and allows local units to use this vendor through the Department of the Treasury’s Division of Purchase and Property Cooperative Purchasing agreement, and

**WHEREAS,** the Township of Ocean desires to establish a procurement card program, and

**NOW, THEREFORE BE IT RESOLVED** that the Township of Ocean, County of Monmouth hereby authorizes the Township to use the Procurement Card Vendor available through the Department of the Treasury’s Division of Purchase and Property Cooperative Purchasing agreement and authorizes the Director of Finance to execute any required documents to establish the program for the Township of Ocean.

**BE IT FURTHER RESOLVED** that one copy to the following:

- 1. Director of Finance
- 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	X
Opposed					
Not Voting/Recues					
Absent/Excused					

**ORDINANCES:**

**Adoption(s):**

**Ordinance #2213 – (Coaster)**

**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 #2213:

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					

There were no Public Comments on Ordinance #2213

The following vote was taken to close the Public Hearing on Ordinance #2213

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 #2213 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 #2214 – (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**

The following vote was taken to open the Public Hearing on Ordinance #2213:

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					

There were no Public Comments on Ordinance #2213

The following vote was taken to close the Public Hearing on Ordinance #2213

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 #2213 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 #2212 – (P.H. 11/14/13 Coaster)**

**Refunding Bond Ordinance providing for the payment of amounts owed to others for taxes levied in and by the Township of Ocean appropriating \$1,400,000.00 therefore and authorize the issuance of \$1,400,000.00 bonds or notes**

**REFUNDING BOND ORDINANCE PROVIDING FOR THE PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN AND BY THE TOWNSHIP OF OCEAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$1,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,400,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF**

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

Section 1. The Township is hereby authorized to pay an aggregate amount not exceeding \$1,400,000 for amounts owed by the Township to the owners of various properties for taxes levied in the Township (plus certain costs associated therewith), as more particularly described on the List of Settled Appeals and available for inspection in the office of the Borough Clerk, which list is incorporated by reference as if set forth at length herein.

Section 2. An aggregate amount not exceeding \$100,000 is included in the maximum principal amount of refunding bonds authorized herein to pay the cost of issuing the refunding bonds as provided by N.J.S.A. 40A:2-51(b).

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount of \$1,400,000 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, provided that no note shall mature later than one year from its date. The refunding bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with refunding bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the refunding bond anticipation notes shall be conclusive evidence as to all such determinations.

All refunding bond anticipation notes issued hereunder may be renewed from time to time, but all such refunding bond anticipation notes including renewals shall mature and be paid no later than the fifth anniversary of the date of the original refunding bond anticipation notes; provided, however, that no refunding bond anticipation notes shall be renewed beyond the first or any succeeding anniversary date of the original refunding bond anticipation notes unless an amount of such refunding bond anticipation notes, at least equal to the first legally payable installment of the refunding bonds in anticipation of which the refunding bond anticipation notes are issued, determined in accordance with the maturity schedule for the refunding bonds approved by the Local Finance Board, is paid and

retired on or before such anniversary date; and provided, further, that the period during which the refunding bond anticipation notes and any renewals thereof and any permanent refunding bonds are outstanding, shall not exceed the period set for the maturity of the refunding bonds by the Local Finance Board.

The chief financial officer is hereby authorized to sell part or all of the refunding bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the refunding bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the refunding bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the refunding bonds and refunding bond anticipation notes provided in this bond ordinance by \$1,400,000, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

Section 6. A certified copy of this refunding bond ordinance, as passed upon first reading, has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption hereof, together with the statement required by N.J.S.A. 40A:2-55.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the refunding bonds authorized by this bond ordinance. The refunding bonds shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all taxable real property within the Township for the payment of the refunding bonds and the interest thereon without limitation as to rate or amount.

Section 8. The Township hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt obligations as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated hereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 9. This bond ordinance shall take effect 20 days after the first publication hereof after the final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

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:**

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:**

**Susan Borea** asked for an explanation regarding the cleanup of various Township waterways, and the payment of said cleanup

Mr. Brannen explained that the Township received a Federal Grant to pay for the removal of debris and downed trees in Whalepond Brook, Harvey Brook and Poplar Brook.

**F. K. Hudson** inquired as follows:

- Energy Aggregation – what action has the Township taken?

Mr. Brannen said that the Township can competitively bid out the generation portion of your utility bid and any resident who wanted to join in with the Township would pay the same fee as the Township pays.

Mr. Hudson stated that he had experienced an initial saving but the rates escalated quickly and it was very difficult to opt out of the program. Mr. Hudson suggested that the Township, if they want to explore doing this, should request proposals.

- Whalepond Village – questioned the funding that the Township will receive from the sale of the property?

Martin Arbus, Township Attorney, explained that the Township will receive \$7,125,000.00, which is the same amount that the Township paid to acquire the property.

Mr. Arbus went on to explain that the Township will retain its right of first refusal should the current purchaser decide to sell the property in the future.

- Poplar Village – asked about the status of the purchase/redevelopment

Mr. Brannen explained that Ocean Senior Housing Corporation is still the owner but the Township will be acquiring two-thirds of the units. Poplar Village will utilize some of the funds it receives from the Township for rehabilitation. Since this is not a Township project, we are not exactly sure what Poplar Village is planning.

Mr. Hudson inquired about what Poplar Village receives out of this agreement with the Township.

Mr. Arbus explained that the Townships only involvement is with the real estate portion of the project. All other aspects are handled by Poplar Village.

Barbara Hudson inquired as follows:

- Does Colonial Terrace Golf Course make a profit?

Deputy Mayor Siciliano said that it does lose a minimal amount each year but the loss is minimal and the Township is close to realizing a profit.

- Mrs. Hudson inquired further about the funding received from Whalepond Village and the potential Poplar Village rehabilitation.

Seeing that there were no further 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