

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

JUNE 5, 2014

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 Garofalo

Others: Martin J. Arbus, Esq., Township Attorney
Andrew G. 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 30, 2013.

NOTICE:

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

PUBLIC HEARING and ADOPTION:

B2 Resolution – Amend previously approved 2014 Municipal Budget

RESOLUTION TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2014 was approved on the 20th day of March, 2014; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said approved budget;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that that following amendments to the approved budget of 2014 be made:

RECORDED VOTE:

Ayes:	(Evans	(Absent:	(
	(Garofalo	Nays: ((
	(Larkin	((
	(Schepiga			
	(Siciliano	Abstained: (

	FROM	TO
Anticipated Revenues:		
3. Miscellaneous Revenues – Section F: Special Items of Revenue Anticipated		
With Prior Written Consent Director of Division of Local Government Services –		
Public and Private Revenues Offset With Appropriations		
Mid Jersey JIF Safety Grant	0	3,897.00
Monmouth County Drug and Alcohol Abuse Grant	0	30,964.00
Total Section F: Special Items of Revenue Anticipated With Prior		
Written Consent Director of Local Government Services – Public and		
Private Revenues Offset With Appropriations	264,928.63	305,789.63
Summary of Revenues:		
3. Miscellaneous Revenues		
Total Section F: Special Items of Revenue Anticipated With Prior Written Consent Of		
Director of Division of Local Government Services – Public and Private Revenues	264,928.63	305,789.63
Total Miscellaneous Revenues	5,893,044.63	5,933,905.63

MEETING MINUTES

JUNE 5, 2014

5. Subtotal General Revenues (Items 1, 2, 3 and 4)	13,518,044.63	13,558,905.63
7. Total General Revenues	34,186,142.19	34,227,003.19
8. General Appropriations		
(A) Operations – Within “CAPS”		
Community Services Department:		
Other Expenses	39,692.00	139,692.00
Total Operations (Items 8(A)) Within “CAPS”	23,355,074.00	23,455,074.00
Total Operations Including Contingent – within “CAPS”	23,360,074.00	23,460,074.32
Detail:		
Other Expenses (Including Contingent)	9,929,950.00	10,029,950.00
(E) Deferred Charges and Other Statutory Expenditures-		
(2) Statutory Expenditures:		
Public Employees Retirement Fund System	710,733.00	637,819.00
Police & Firemen’s Retire System of N.J.	1,633,037.00	1,539,217.00
Total Deferred Charges & Statutory Expenditures – Municipal Within “CAPS”	2,984,912.00	2,818,718.00
(H-1) Total General Appropriations For Municipal Purposes Within “CAPS”	26,344,986.00	26,278,252.00
(A) Operations – Excluded From “CAPS” (continued)		
Public And Private Programs Offset by Revenue		
Mid Jersey Safety Grant	0	3,879.00
Monmouth County Drug & Alcohol Abuse Grant	0	36,964.00
Total Public and Private Programs Offset by Revenue	515,584.07	556,445.07
Total Operations – Excluded From “CAPS”	670,301.07	711,162.07
Detail:		
Other Expenses	413,557.63.	454,418.63
(C) Capital Improvements – Excluded From “CAPS”		
Capital Improvement Fund	150,000.00	216,734.00
Total Capital Improvements Excluded From “CAPS”	150,000.00	216,734.00
(O) Total General Appropriations – Excluded From “CAPS”	3,961,687.23	4,069,282.23
(L) Subtotal General Appropriations {Items (H-1) and (O)}	30,306,673.23	30,347,534.23
9. TOTAL GENERAL APPROPRIATIONS	34,186,142.19	34,227,003.19

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Division of Local Government Services for his certification of the local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment or summary, in accordance with the provisions of N.J.S.A. 40A:4-9, be published in the Asbury Park Press in the issue of May 23rd, 2014, and that said publication contain notice of public hearing on said amendment to be held at the Municipal Building on June 5th, 2014 at 7:00 p.m.

Public Hearing on the Amendment to the 2014 Budget:

Motion to open the Public Hearing on the Amendment of the 2014 Municipal Budget:

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

Public Comments:

There were no comments on the Amendment to the 2014 Municipal Budget.

Motion to close the Public Hearing on the Amendment to the 2014 Municipal Budget:

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

ADOPT 2014 Municipal Budget

Resolution to Adopt the 2014 Municipal Budget, as amended

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	

Mayor's Statement: Public Portion of any Questions as to Resolutions

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 questions at this time.

CONSENT AGENDA:

MINUTES:

May 7, 2014 – Workshop, Public and Closed Meeting

RESOLUTIONS:

14-111 Authorize fireworks for the Italian American Association of the Township of Ocean on August 8, 2014 (raindates August 9, 2014 and August 10, 2014)

WHEREAS, N.J.S.A. 21:3-3 permits the governing body of a municipality to “grant a permit for the public display of fireworks by fraternal or civic... or other organizations...” after application has been made; and

WHEREAS, the Italian American Association of the Township of Ocean has made an application for a public display of fireworks at 9:45 p.m. on August 8, 2014 (rain dates are August 9, 2014 and August 10, 2014) at Joe Palaia Park; and

WHEREAS, the Chief of Police and Fire Marshall of Fire District Number One have approved said application;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the aforementioned public display of fireworks by the Italian American Association of the Township of Ocean at Joe Palaia Park on August 8, 2014 (rain dates August 9, 2014 and August 10, 2014); and

BE IT FURTHER RESOLVED, that the Township Manager is hereby authorized to execute said permit upon receipt of the following by the Township:

1. Copy of the contract between the pyrotechnic operator and the Italian American Association of the Township of Ocean.
2. Certificate of Insurance with Comprehensive General Liability coverage, including Contractual, Automobile and Workers Compensation.
 - a. Liability Limits of \$1,000,000 CSL and Statutory Workers’ Compensation;
 - b. Municipality as additional named insured;
 - c. Specifically mentioned hold harmless contract.
3. An executed hold harmless agreement in favor of the municipality must be signed by the fireworks contractor.

14-112 Approve the appointment to the Clean Communities Advisory Committee

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

**CLEAN COMMUNITIES
ADVISORY COMMITTEE**

	<i>Member</i>	<i>Starting</i>	<i>Ending</i>
1 year term	Brian Lefferson	June 5, 2014	June 30, 2014

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

1. Board/Committee or Department
2. Administrative Assistant to the Township Manager
3. Public Agency Compliance Officer

14-113 Authorize the submission of the following grant(s):

a. Monmouth County Open Space Grant

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the Township of Ocean desires to obtain County Open Space Trust Funds in the amount of \$250,000.00 to fund the fairway improvements to Colonial Terrace Golf Course; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Ocean **THAT**:

1. Andrew G. Brannen, Township Manager, is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and
2. The Township of Ocean is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Andrew G. Brannen, Township Manager, is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and

This resolution shall take effect immediately

14-114 Authorize the receipt of the following Bid(s):

a. 2014 Road Program

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

2014 Road Program

WHEREAS, specifications for the aforesaid items will be on file in the Township Clerk's Office, and will be available for inspection.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Township Clerk to advertise for bids for the aforesaid items as per the specifications on file and will be received by the Township Manager in the Township Council Conference Room, Second Floor, Township Hall, 399 Monmouth Road, Oakhurst, New Jersey on a date to be determined.

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

1. Township Manager
2. Director of Finance
3. Director of Public Works
4. Township Engineer

b. Class B Recycling Material Recovery Facility to Accept Certain Class B Recyclable Yard Waste Materials (Brush, Branches & Limbs) As Delivered by the Township of Ocean in Packer & Dump Trucks

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

Class B Recycling Material Recovery Facility to Accept Certain Class B recyclable Yard Waste Materials (Brush, Branches and Limbs) as Delivered by the Township of Ocean in Packer and Dump Trucks

WHEREAS, specifications for the aforesaid items will be on file in the Township Clerk's Office, and will be available for inspection.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Township Clerk to advertise for bids for the aforesaid items as per the specifications on file and will be received by the Township Manager in the Township Council Conference Room, Second Floor, Township Hall, 399 Monmouth Road, Oakhurst, New Jersey on a date to be determined.

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

1. Township Manager
2. Director of Finance
3. Director of Public Works
4. Township Engineer

c. West Wing Interior Improvements

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

West Wing Interior Improvements

WHEREAS, specifications for the aforesaid items will be on file in the Township Clerk's Office, and will be available for inspection.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Township Clerk to advertise for bids for the aforesaid items as per the specifications on file and will be received by the Township Manager in the Township Council Conference Room, Second Floor, Township Hall, 399 Monmouth Road, Oakhurst, New Jersey on a date to be determined.

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

1. Township Manager
2. Director of Finance
3. Director of Public Works
4. Township Engineer

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: \$ 735,672.68

Township of Ocean

**Department of Finance
Voucher List for June 5, 2014**

Vendor Name	Description	Amount	Contract
<u>Appropriation Reserves Payments</u>			
MC KENNA, DU PONT, HIGGINS & C1300030	TAX APPEAL SERVICES THRU 1Q-14	12,102.75	
RED THE UNIFORM TAILOR SUPLEE, CLOONEY & COMPANY C1300009	PD- NEW HIRE UNIFORMS/GALVIN PROFESSIONAL SVCS Y/E 12/31/13	2,237.45 2,650.00	
<u>Total</u>		16,990.20	
<u>Non Budget Account Payments</u>			
ROLLING MEADOWS @ WAYSIDE, LLC	Refund Overpymt-Block 1 Lot 23	175.96	
<u>Total Non Budget Account Payments</u>		175.96	
<u>Total Appropriation Reserves Payments</u>		17,166.16	
<u>2013 Current Fund Appropriation Payments</u>			
AMBASSADOR MEDICAL SERVICE INC	Random drug/alcohol test	356.00	
ARANA, OFELIA	REFUND RECREATION PROGRAM	21.10	
ASBURY PARK PRESS	OCEAN TWP LIBRARY SUBSCRIPTION	22.63	
BRANNEN, ANDREW G	AFLAC FSA DEPEND. CARE REIMB	400.00	
BROWN, SANFORD ESQ	PB General	42.00	
BUTTIGLIERI, VINCENT CMC	May Petty Cash Reimbursement	270.14	
BUTTIGLIERI, VINCENT CMC	Hotel - IIMC Conference	1,281.07	
CABLEVISION	PD-INTERNET SERVICES- MAY 2014	247.50	
CABLEVISION	PD/LETF-INTERNET SERV-MAY 2014	89.90	
CABLEVISION	Roller Rd# 66-197238-1 (APR)	89.90	
CABLEVISION	W.Park Rec#7866-184155-2 (may)	59.95	
COLE, RUTH	Refund Overpayment - B33, L44	2,023.44	
COUNTRY CLEAN INC	Jan. Misc Paper Prods. DHS	956.09	
CRAFTMASTER PRINTING INC	PD- DEPT BROCHURE / REPLENISH	167.85	
DEARBORN NATIONAL LIFE INS CO	Dearborn National Prem-June	556.93	
DELTA DENTAL OF NJ INC	Delta Dental Premium - June	10,756.45	
ELIFEGUARD INC	Pool Equipment	134.68	
ELITE FORMS INC	VARIOUS #10 WINDOW ENVELOPES	494.93	
FALCO, STEPHEN	REFUND SUMMER RECREATION	250.00	
FAST SIGNS	PD- NEIGHBORHOOD WATCH SIGNS	600.00	
FINCH FUEL OIL CO. INC.	May unleaded/diesel fuel	35,210.25	
FLAGSHIP DENTAL PLANS	Flagship Dental Premium - June	256.61	
FOUR DIRECTIONS INC	Green Light Out/Deal&Poplar	393.78	
GANNETT NJ NEWSPAPERS	MAY 2014 LEGAL ADVERTISING	568.45	
GRAINGER	PD- WRIST COILS/SCHOOL KEYS	42.72	
GRAMCO BUSINESS	CDS for Court Recordings	69.70	
HAMMOND, MARK	REFUND JUNE PROJECT EXTEND FEE	180.00	
HERITAGE VILLAGE AT OCEAN, LLC	RENTAL ASSISTANCE AGREEMENT	12,979.67	

MEETING MINUTES

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HESS CORPORATION	Gas sustainable energy	1,661.08
IF IT'S WATER INC	Maint. of Chem. controllers	1,841.46
JEFFREY R SURENIAN & ASSOC LLC C1400002	MAR 2014 MOUNT LAUREL	621.50
JERSEY CENTRAL POWER & LIGHT	April electric general usage	14,938.86
JERSEY CENTRAL POWER & LIGHT	April street lighting	17,422.90
JOHNSON, JUDI	CELL PHONE REIMBURSEMENT	25.00
JOHNSON, JUDI	PE Supplies Reimbursement	143.86
JOHNSON, JUDI	Reimburse Expenses Snack Bar	105.13
JOHNSON, JUDI	Reimburse for Pool Supplies	142.18
JUNGLE LASER LLC	ROLLBASE APPLICATION - MAY '14	3,980.00
KELLY WINTHROP, LLC.	Deer Carcass Removal	118.50
KEPWEL SPRING WATER CO	May Water Bottles: CTGC/OTPC	135.00
KEPWEL SPRING WATER CO	May Water DHS	82.20
L3 COM MOBILE-VISION INC	PD- NEW VEHICLE EQUIPMENT	391.35
LANGUAGE LINE SERVICES	April Telephone Interpreting	124.10
LAPPAS, AMALIA	REFUND POOL MEMBERSHIP FEE	15.00
LYNN PEAVEY CO	PD- EVIDENCE SUPPLY REPLENISH	388.75
MAJOR POLICE SUPPLY	PD- NEW DURANGO EQUIPMENT	1,714.37
MAJOR POLICE SUPPLY	PD- NEW VEHICLE EQUIPMENT	4,633.28
MALLOY, KELLY	REFUND SUMMER PROJ EXTEND	795.00
MAZZA & SONS INC	May dump fees for Bulk	7,763.91
MICKEY BENOIT INC	May Recycle Brush	7,252.00
MICKEY BENOIT INC	Mulch/Town Hall	520.00
MILLER, AARON R	Cell Phone Reimbursement	25.00
NJ DIV OF WEIGHTS & MEASURES	PD-RADAR TUNING FORK RE-CERT'S	220.00
NJ NATURAL GAS CO	April gas usage Twp buildings	2,927.44
PIED PIPER ICE CREAM EAST INC.	Order for Pool Snack Bar	215.45
PILOT ELECTRIC CO	Rebuild/Repair pump/CTGC	2,895.00
QUIKIE PRINT & COPY SHOPS	CTGC Brochures/Comp Cards	515.00
REISER, KATHY	Cell Phone Reimbursement	25.00
REQUIRON, HERMINIA	REFUND FACILITY RENTAL FEES	180.00
RESETAR, MICHAEL CAPTAIN	PD- PETTY CASH REIMBURSEMENT	151.16
SICILIANO, FRANK	REFUND SUMMER PROJ EXTEND	390.00
SIPERSTEIN'S PAINT	Painting Supplies for Pool	375.00
SPRINT PO MANAGEMENT	AIR CARD SERVICE 5/2-6/2	49.99
STAVOLA ASPHALT CO INC	April 1st half patch program	652.03
STAVOLA ASPHALT CO INC	May 1st half patch program	531.05
STAVOLA ASPHALT CO INC	April 2nd half patch program	367.73
STEWART BUSINESS SYSTEMS	Printing Services (FEB)	636.82
TF MEDIA GROUP, INC.	June Advertisement: OTPTC	300.00
THE BANK OF NEW YORK	MON CTY IMPROV AUTH INT PYMT	258,400.90
THE LINK NEWS	The Link News - CTGC Ads	400.00
THE NEW COASTER LLC	MAY 2014 LEGAL ADVERTISING	495.73
TREASURER COUNTY OF MONMOUTH	April dumping fees	56,283.35
TREASURER STATE OF NJ	Site Remediation LSRP Annual	2,300.00
TRUGREEN LAWN CARE	Fertilizer for all fields	4,395.00
TWP OF OCEAN PAYROLL ACCOUNT	TWP SHARE SS/FICA P/R 5/30/14	23,273.57
VANTAGEPOINT TRANSFER AGENTS	RHS Reibursement - June	11,527.40
VERIZON	TELEPHONE SERVICE 5/14	216.68
VERIZON BUSINESS FIOS	LibraryFIOS#7325314664647(MAY)	114.65
VERIZON WIRELESS	PD-AIRCARD SERV PLAN- MAY 2014	614.54
VERIZON WIRELESS	PD-AIRCARD SERV PLAN- MAY 2014	570.15
WINNER FORD OF CHERRY HILL	2013 FORD POLICE INTERCEPTOR	53,218.00
WIRELESS COMM & ELECTRONICS	PD- EVENTIDE MAINTENANCE 8-MTH	2,400.00
WIRELESS COMM & ELECTRONICS	PD- NEW CAR #59 EQUIPMENT	941.84
<u>Total</u>		558,945.65
	<u>Total 2013 Current Fund Appropriations Payments</u>	<u>558,945.65</u>
	<u>General Capital Payments</u>	
EATONTOWN TV & APPLIANCE CO	CTGC Washer/Dryer Unit	1,098.00
FRENCH & PARRELLO ASSOC, PA C1400013	POPLAR VILLAGE REMEDIAL	8,306.51
MC LAUGHLIN GELSON LLC	LEGAL SERVICES - BOND ORD 2219	685.00
<u>Total</u>		10,089.51
	<u>Total General Capital Payments</u>	<u>10,089.51</u>

Grants Payments

BUTTIGLIERI, VINCENT CMC	May Petty Cash Reimbursement	17.08
TWP OF OCEAN PAYROLL ACCOUNT	TWP SHARE SS/FICA P/R 5/30/14	453.77
<u>Total</u>		470.85

Total Grants Payments **470.85**

TORTA Payments

PHARES, NANCY	Refund TORTA Program Fees	40.00
TWP OF OCEAN PAYROLL ACCOUNT	Torta Programs	3,312.61
<u>Total</u>		3,352.61

Total TORTA Payments **3,352.61**

Trust Other Payments

CELLI, MICHAEL G JR ESQUIRE	PUBLIC DEFENDER - MAY 2014	750.00
INVESTA (C1) SPE-NJ, LLC	REDEMPTION BL 5.02 L 19	11,894.40
INVESTA (C1) SPE-NJ, LLC	REDEMPTION BL 5.02 L 19	25,500.00
INVESTA (C1) SPE-NJ, LLC	REDEMPTION B 36 L 24	18,480.81
INVESTA (C1) SPE-NJ, LLC	REDEMPTION BL 36 L 24	32,400.00
INVESTA (C1) SPE-NJ, LLC	REDEMPTION BL 138 L 57	13,294.64
INVESTA (C1) SPE-NJ, LLC	REDEMPTION BL 138 L57	24,200.00
JAMES HIGGINS ASSOCIATES	Landscape Inspection	62.50
STEINBERG, MARK A ESQ	BOA Reviews	840.00
TWP OF OCEAN CURRENT FUND	Special Duty Admin & Car Fees	5,326.25
TWP OF OCEAN PAYROLL ACCOUNT	Special Duty Payroll Details	12,690.00
TYLER, ELEANOR	REPAIR '02 NISSAN RE 5/9/14	209.30
<u>Total</u>		145,647.90

Total Trust Other Payments **145,647.90**

Total Bill List for June 5, 2014

Appropriation Reserve Total	17,166.16
Current Fund Total	558,945.65
General Capital Fund Total	10,089.51
State & Federal Grant Total	470.85
Law Enforcement Trust Total	
TORTA Total	3,352.61
Trust Other Total	145,647.90
Animal Control Total	
Bid Deposit Refund	
State Unemployment Trust	
Public Assistance Trust	
Total of All Funds	735,672.68

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
 Jungle Laser, LLC
 Kepwel Spring Water Co.

RESOLUTIONS:

14-107 Authorize a Inter-Local Services Agreement between the Township of Ocean and the Township of Ocean Sewerage Authority for the purchase and maintenance of a pipeline video inspection system at a cost not to exceed \$109,211.95

WHEREAS, the Township of Ocean (hereinafter “Township”) and the Township of Ocean Sewerage Authority (hereinafter “Authority”) are desirous of entering into an Inter-local Services Agreement for the purchase and maintenance of a pipeline video inspection system, where the Authority will take the lead in purchasing the equipment and will store the equipment; and

WHEREAS, the Township and the Authority had demonstrations from Golden Equipment Co., Inc., Arie Industries, Inc., Timmerman Equipment Company, Peirce-Eagle Equipment Co., Cobra Technologies and Jet-Vac Inc., a Jack Doheny Company; and

WHEREAS, the Township and the Authority agreed to advertise for the furnishing and delivery of a pipeline video inspection system with a vehicle for deploying the system; and

WHEREAS, the Authority advertised for the furnishing and delivery of a pipeline video inspection system with a vehicle for deploying said system on February 28, 2014 in the Asbury Park Press; and

WHEREAS, the Township and the Authority are in agreement to award a contract to Eagle Equipment, Inc., d/b/a Peirce Eagle Equipment Co. as the lowest responsive bidder for the furnishing and delivery of a pipeline video inspection system with a vehicle for deploying the system; and

WHEREAS, the Director of Finance has certified that funds are available for said Inter-local Services Agreement in the General Capital Budget, account # C-04-55-939-911;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that the Mayor and Municipal Clerk are hereby authorized to enter into an Inter-local Services Agreement between the Township of Ocean and the Township of Ocean sewerage Authority for the purchase and maintenance of a pipeline video inspection system with a vehicle for deploying the system at a cost not to exceed \$109,211.95; and

BE IT FURTHER RESOLVED that said Agreement shall be maintained in the Office of the Municipal Clerk and is available for public inspection during normal business hours; and

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

1. Director of Finance
2. Township of Ocean Sewerage Authority

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	

14-115 Authorize the Tax Collector to refund a tax overpayment to the owner of Block 33, Lot 44 in the amount of \$2,023.44

WHEREAS, a payment was made by both Ruth Cole and Fifth Third Bank for 2nd quarter 2014 property taxes in the amount of \$2,023.44 for Block 33, Lot 44; and

WHEREAS, the tax overpayment should be refunded to Ruth Cole, 1606 Westfield Street, Oakhurst, NJ 07755;

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Tax Collector and the Director of Finance to refund the said tax overpayment to the payer listed below.

Block	Lot	Owner/Payer Name	Amount	Reason
33	44	Ruth Cole	\$2,023.44	Duplicate Payment made by Ruth Cole and Fifth Third Bank for 2nd Quarter 2014 taxes.
Total Taxes Overpaid			\$2,023.44	

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	

14-116 Approve a Ch. 159 Budget Amendment for the following:

a. Clean Communities Grant

**CHAPTER 159
CLEAN 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 funds from the New Jersey Department of Environmental Protection in the amount of \$54,537.16 for the Fiscal Year 2014 Clean Communities Program and

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 2014 the sum \$50,406.55 which is now available as revenue from the State of New Jersey Department of Environmental Protection.

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

Clean Communities Grant 2014:
 Other Expenses.....\$ 54,537.16

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

1. Director, Division of Local Government Services
 PO Box 803, Trenton NJ 08625-0803
2. Director of Public Works
3. Director of Finance
4. 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	

14-117 Authorize a maintenance contract for the Police Department Live Scan Fingerprint Machine with MorphoTrak, Albany, NY for the period October 1, 2014 through September 30, 2015 at a cost not to exceed \$3,247.11

Authorizing Annual Maintenance Contract for Police Department Live Scan Fingerprint Machine

WHEREAS, the Township of Ocean has the need to replace, repair or maintain equipment assigned to and utilized by various Township departments and agencies; and

WHEREAS, in accordance with NJSA 40A:11-5(2), the Township may negotiate or enter into contract with the United States of America, the State of New Jersey, any County or Municipality, or any board, body, officer, agency or authority thereof, or any other state or subdivision thereof, without public advertising for bids; and

WHEREAS, contracts with government entities are exempt from requirements of New Jersey Pay to Play legislation; and

WHEREAS, the General Services Administration, an agency of the United States Federal Government, has offered a GSA contract to Safran MorphoTrak, Albany, NY for hardware and software maintenance support for the MorphoTrak Live Scan fingerprint machine utilized by the police department and

WHEREAS, no other companies are authorized to perform maintenance services; and

WHEREAS, the Director of Finance has certified that funds for said maintenance agreement are available in the Police Department Budget, account # 4-01-25-745-247; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, Monmouth County hereby authorizes the purchase of a maintenance and support contract for the police departments fingerprint machine under the U.S. Government General Service Administration, Contract # GS-35F-0523U to Safran MorphoTrak, Albany, NY for the one (1) year during October 1, 2014 through September 30, 2015 at a cost not exceed \$3,247.11; and

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

1. Director of Finance
2. Chief of Police.
3. Township of 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	

14-118 Award a contract to L-3 Mobile Vision, Boonton, NJ for the purchase of mobile video recording equipment at a cost not to exceed \$42,500.00

WHEREAS, N.J.S.A. 40:11-12 requires that any local contracting unit purchasing materials, supplies or equipment under a contract entered into by the State Division of Purchasing and Property shall authorize the award of such contract by Resolution of the Governing Body; and

WHEREAS, the State of New Jersey, Division of Purchase and Property has awarded a cooperative purchasing contract to L-3 Mobile Vision, Boonton, NJ under State Contract # A81311; and

WHEREAS, the Director of Finance has certified that sufficient funds are available in Capital Improvement Fund, account # C-04-55-939-933 and # C-04-55-942-911;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Ocean, Monmouth County that is does hereby approve the Township Manager’s execution of a purchase order to L-3 Mobile Vision, Boonton, NJ in an amount not to exceed \$42,500 for the purchase of mobile video recording equipment.

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

1. Director of Finance
2. Chief of Police
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
Opposed					
Not Voting/Recuse					
Absent/Excused				X	

14-119 Award a Professional Services contract to McKenna, DuPont, Higgins & Stone for tax appeals for the period 2009 through 2013 at a cost not to exceed 25,000.00

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 2013; 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 \$25,000.00; 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 2014; 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 2014 Municipal Budget under the following line item appropriation:

Defense of Tax Appeals – 4-01-20-710-219.

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 \$25,000.00 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
Opposed					
Not Voting/Recuse					
Absent/Excused				X	

14-120 Amend the 2014 Capital Budget

AMMENDING THE CAPITAL BUDGET PURSUANT TO N.J.A.C. 5:30-4.4B

WHEREAS, the Township of Ocean, Monmouth County in the State of New Jersey desires to amend the 2014 Capital Budget of said municipality by inserting thereon and or correcting the items there in as shown in such budget for the following reasons:

A determination has been made by the Chief Financial Officer that additional road repairs and improvements, the purchase of property and recreation improvements are warranted.

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

SECTION 1. the 2014 Capital Budget of the Township of Ocean, Monmouth County, State of New Jersey is hereby amended by adding thereto a schedule to read as follows:

AMENDMENT NUMBER 1

GENERAL CAPITAL BUDGET TOWNSHIP OF OCEAN, MONMOUTH COUNTY, NEW JERSEY Projects Schedules for 2014 Method of Financing

PROJECT	EST. COST	BUDGET APPROP	CAPITAL IMPR FUND	GRANTS IN AID	GENERAL BONDS
Various road and recreation improvements and the purchase of land.	1,194,202.00		49,710.00		944,492.00
Assessment Ordinance for sidewalks, curbs and driveway aprons.	332,700.00		16,635.00		316,065.00
Total Amendment	152,690.20		66,345.00		1,260,557.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution are to be filed with the Director of the Division of Local Government Services and one copy filed with the:

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
Opposed					
Not Voting/Recuse					
Absent/Excused				X	

ORDINANCE:

Adoption(s):

Ordinance #2224 – (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 #2224:

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	

There were no Public comments on Ordinance #2224

The following vote was taken to close the Public Hearing on Ordinance #2224

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	

The following vote was taken to adopt Ordinance #2224 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
Opposed					
Not Voting/Recuse					
Absent/Excused				X	

Ordinance #2225 – (Coaster)

An ordinance amending Chapter XII of the “Revised General Ordinances of the Township of Ocean, 1965” entitled “Traffic”

The following vote was taken to open the Public Hearing on Ordinance #2225:

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	

There were no Public comments on Ordinance #2225

The following vote was taken to close the Public Hearing on Ordinance #2225

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	

The following vote was taken to adopt Ordinance #2225 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
Opposed					
Not Voting/Recuse					
Absent/Excused				X	

Introduction(s):**Ordinance #2226 – (P.H. 6/19 APP)**

A bond ordinance providing for various improvements and appropriating \$1,194,220 therefor and authorizing the issuance of \$944,492 bonds or notes to furnish a portion of the costs thereof

Bond Ordinance No. 2226

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$1,194,202 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$944,492 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF OCEAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Township of Ocean, in the County of Monmouth, New Jersey (the "Township"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$1,194,202, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$49,710 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, and \$200,000 funds expected to be received by a New Jersey Department of Transportation Grant. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$944,492, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3 (a). The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the projects listed below, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Township Clerk, as finally approved by the governing body of the Township, and the estimated cost of each project, estimated maximum amount of bonds or notes, and the period or average period of usefulness of the improvements are as follows:

- (i) various road improvements with a total appropriation and estimated cost of \$1,019,202, estimated maximum amount of bonds or notes therefor of \$778,242, and grant funds of \$200,000 from a New Jersey Department of Transportation Grant, and an average period of usefulness of 10 years;
- (ii) acquisition of real property on Fanwood Street with a total appropriation and estimated cost of \$150,000, estimated maximum amount of bonds or notes therefor of \$142,500, and an average period of usefulness of 40 years; and
- (iii) various improvements to sports fields, with a total appropriation and estimated cost of \$25,000, estimated maximum amount of bonds or notes therefor of \$23,750, and an average period of usefulness of 5 years.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$944,492, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$1,194,202, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$1,194,202 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$49,710 down payment, and the New Jersey Department of Transportation Grant in the amount of \$200,000.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the 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 such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 13.66 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township 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 bonds and notes provided in this bond ordinance by \$944,492 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$98,350 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Township are used to finance, on an interim basis, costs of said improvements or purposes, the Township reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the

amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Township for the improvements or purposes described in Section 3 hereof, excluding the grant funds referenced in Section 1 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and, unless paid from other sources, the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond 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 #2227 – (P.H. 6/19 APP)

A bond ordinance providing for curb and sidewalk improvements and appropriating \$332,700 therefor and authorizing the issuance of \$316,065 bonds or notes to furnish a portion of the costs thereof

Bond Ordinance No. 2227

BOND ORDINANCE PROVIDING FOR CURB AND SIDEWALK IMPROVEMENTS TO ROOSEVELT AVENUE, WOOD CREST ROAD, PINE CREST ROAD, ELMWOOD ROAD, REDMOND AVENUE, HIGHWOOD ROAD, FREEHOLD STREET, DEAL LAKE POINT ROAD, LOGAN ROAD, GREEN TERRACE, FAIRWAY LANE, BROOK DRIVE, GREEN COURT, LARCHWOOD AVENUE, NORTH EDGEMERE DRIVE, CORLIES AVENUE, STAFFA STREET, JEFFREY AVENUE, BROWER BOULEVARD, BENDERMERE AVENUE, RAYMERE AVENUE, EVERGREEN AVENUE AND PARK BOULEVARD APPROPRIATING \$332,700 THEREFOR, AUTHORIZING THE ISSUANCE OF \$316,065 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AND DIRECTING THE SPECIAL ASSESSMENT OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF OCEAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as local improvements to be undertaken in and by the Township of Ocean, in the County of Monmouth, New Jersey (the "Township"), pursuant to N.J.S.A. 40:65-1 *et seq.*. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$332,700, said sum being inclusive of all appropriations heretofore

made therefor and including the sum of \$16,635 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$316,065, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The local improvements hereby authorized to be undertaken and the purposes for which the obligations are to be issued consist of the improvement of curbing and sidewalks in the Township. The affected properties, listed by block and lot, include but are not limited to the following:

BLOCK(S)	LOT(S)
9	1, 2.01, 35, 36.07, 36.06, 36.05, 36.04, 36.03, 36.02, 36.01, 36
25	120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131
25.15	1, 2
25.16	2
25.22	1, 2.01, 3, 4, 5
25.23	1, 2
25.24	1, 2
25.25	1, 2
25.26	1, 2, 3, 4
25.27	1, 12
25.28	2, 6, 7, 8, 9, 10, 11
25.29	8, 9
25.30	6, 7
25.31	7, 8, 9
25.32	10, 11, 12
25.33	6, 7, 8
25.34	18
40	72, 73, 74, 75, 76, 77, 97, 98, 99, 101, 102
66	1, 2, 3, 4, 5, 6, 7
67	1, 2, 3, 4, 5, 6, 7
68	11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21
69	9, 10, 11, 12, 13, 14
77	1, 17
84	1, 21, 22
85	1, 27, 28, 29
112	1, 2, 3, 4, 5, 6, 7, 8
113	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
138.01	18, 19, 20
138.02	30, 31

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$316,065, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$332,700, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$332,700 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$16,635 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the 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 such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3(a) of this bond ordinance are not a current expense and are improvements or purposes that the Township may lawfully undertake as a local improvement of the Township, and all of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal 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 bonds and notes provided in this bond ordinance by \$316,065 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$5,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Township are used to finance, on an interim basis, costs of said improvements or purposes, the Township reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

(f) The Township hereby determines that it anticipates that it will contribute \$-0- (zero) amount to the payment of the cost of the local improvements described in Section 3(a) hereof. The cost of the local improvements shall be paid by special assessments which shall be levied on property specially benefitted thereby, in accordance with law.

(g) The number of annual installments within which the special assessments are to be paid by the owners of the lots and parcels of real estate benefitted by the local improvements and specially assessed, shall not exceed five (5). The assessments shall be levied and collected in accordance with law. The estimated maximum amount of special assessments of the local improvement described in §3 hereof is \$332,700.

Section 6. Notice is hereby given to the owners of the properties described in Section 3(a) herein, that the improvements described therein shall be undertaken as a sidewalk improvement and the entire cost thereof shall be assessed in the following manner. An accurate account of the cost of construction of the sidewalks shall be kept, and such cost shall be assessed upon the property fronting on the improvements pursuant to and in accordance with N.J.S.A. 40:65-1 *et seq.* Unless notice of the pendency of this ordinance is given in accordance

with N.J.S.A. 40:65-6, the Municipal Clerk shall cause notice of the proposed sidewalk improvements to be given to the owner or owners of real estate affected thereby prior to the making of the sidewalk improvements described in said Section 3(a) or the awarding of any contract for such sidewalk improvements. The notice shall contain a description of the property affected sufficient to identify it, a description of the improvement and a statement that unless the owner or owners complete the improvements within 30 days after service thereof, the Township will make the improvements at the expense of the owner or owners. Such Notice shall be served in accordance with the provisions of N.J.S.A. 40:65-2 to 40:65-5, and the proof of service shall be filed with the officer of the Township in charge of the records of tax liens of the Township within ten days after service thereof. The owner of any land upon which any assessment for the local improvement shall have been made may pay such assessment in the number of equal yearly installments herein determined, with legal interest on the unpaid balance of the assessment. The first of the installments shall be due and payable two months after the confirmation of the assessment, and each subsequent annual installment and interest shall be payable in each successive year thereafter at such time as the governing body shall by resolution determine, provided that any owner of land so assessed shall have the privilege of paying the whole of any assessment or of any balance of installments with accrued interest thereon at any time. Whenever any such installment shall remain unpaid for thirty (30) days from and after the time it shall become due and payable, the whole assessment or balance thereof shall become and be immediately due and payable and shall draw interest at the rate imposed upon the arrearage of taxes in the Township and shall be collected in the same manner as provided by law for other past-due assessments. Such assessment shall remain a lien upon the land described herein until the assessment with all installments and accrued interest thereon shall be paid and satisfied. Notwithstanding anything herein to the contrary, the Township shall have the right to waive default as may be permitted by law.

Section 7. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

Section 8. Any grant or similar moneys from time to time received by the Township for the improvements or purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and, unless paid from other sources, the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond 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:

Deputy Mayor Siciliano congratulated Superintendent of Schools John Lysko on the occasion of his retirement.

The following offered no Report:

Councilmember(s) Evans and Garofalo
Martin Arbus, Township Attorney
Andrew Brannen, Township Manager

PUBLIC COMMENTS:

Brian Lefferson said that he spoke to Andrew Brannen, Township Manager, about repaving a portion of Roosevelt Avenue from Monmouth Road westbound.

Mr. Brannen said that the Governing Body discussed this matter at their workshop meeting earlier that evening and decided to include the section of Roosevelt Avenue in question as part of the 2014 road program.

Mr. Lefferson commended the Police Department on a “job well done” concerning a matter Mr. Lefferson encountered in his neighborhood.

Mr. Lefferson inquired if the Township paves the parking lots of the shopping malls?

Mr. Brannen said that the Township does not pave the parking lots but it does reimburse the owners for the cost of the service.

Mr. Lefferson discussed the history of Rolling Meadows.

Paul Meyerowitz asked about the following budgetary items:

- UCC Fees – if the Township realized \$725,000 in income in 2013, why are we only budgeting \$420,000 in 2014?

Mr. Brannen stated that the Township has historically been very conservative with regard to anticipating revenue.

- Utility and Bulk Purchasing – how does the Township know how much to budget?

Mr. Brannen said that the Township purchasing utilities cooperatively with other entities, therefore the Township is not sure what the costs will be.

- Inquired about the Townships tax delinquency rate and compensated liabilities.
- Commented that he felt the Township was run exceptionally, even with the challenging financial constraints placed on them. Keep up the good work.

Barbara Hudson requested that the Township send a letter to the FCC concerning the internet.

Mrs. Hudson also requested that items be explained better before the Governing Body acts on them so that the public can be more informed about what is going on in the Township.

F.K. Hudson spoke about the Township adopting a policy of publicizing all resolutions and ordinances prior to the meeting so that the public could be informed about the action being undertaken by the Governing Body.

Mr. Hudson also inquired about the status of the COAH litigation.

Martin Arbus, Township Attorney, stated that Judge Kapalko has been assigned to this matter and there is a case management hearing on June 16, 2014.

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

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

Respectfully submitted,

William F. Larkin
Mayor

Vincent Buttiglieri, RMC/CMC/MMC
Municipal Clerk