

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

**OCTOBER 2, 2014**

**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 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.

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**PROCLAMATIONS:           Mental Illness Awareness Week  
October 5-11, 2014**

**MENTAL ILLNESS AWARENESS WEEK  
OCTOBER 5-11, 2104**

***WHEREAS**, mental illness is a term used for a group of disorders causing severe disturbances of thinking feeling and relating; and*

***WHEREAS**, mental illness can affect persons of any age, sex, race, religion, social and economic background; and*

***WHEREAS**, during the course of any given year, 5.5 million Americans are disabled by severe mental illnesses; and*

***WHEREAS**, nearly two-thirds of all people with diagnosable mental disorders do not seek treatment because of stigma, ignorance, and lack of appropriate service and treatment options; and*

***WHEREAS**, mental illness impacts 1 in 4 individuals;*

***NOW, THEREFORE, BE IT PROCLAIMED** by the Governing Body of the Township of Ocean that we hereby proclaim the week of **October 5-11, 2014** as **MENTAL ILLNESS AWARENESS WEEK**, as I have set forth my hand and seal this 2<sup>nd</sup> day of October, in the year of 2014*

**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 from the Public at this time.

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

September 4, 2014 – Workshop, Public and Closed Meeting

**RESOLUTIONS:****14-182 Approve a Performance Guarantee Reduction for the following:****a. Block 37.18, Lots 1-6 and Block 37.19, Lots 1-24 – Deal and Bowne Roads – Martelli at Wayside**

**WHEREAS**, Martelli Development Group, LLC (hereinafter “Developer”) was granted Preliminary and Major Subdivision Approval with Variances from the Township of Ocean Planning Board by way of Resolution dated February 27, 2014 to subdivide the property into twenty-nine (29) single family residential lots and one (1) open space lot for property known as Block 37.16, Lots 33, 33.01, 34, 35, 46 and 47 located at Bowne and Deal Roads; and

**WHEREAS**, the Township Council did authorize and enter into a developer’s agreement dated August 15, 2013 with the Developer for the Preliminary and Major Subdivision Approval with Variances to subdivide the property into twenty-nine (29) single family residential lots and one (1) open space lot for property known as Block 37.16, Lots 33, 33.01, 34, 35, 46 and 47 located and Deal and Bowne Roads; and

**WHEREAS**, the Developer posted performance guarantees totaling \$1,772,040.00 by way of Letter of Credit Number OD13001841 from Valley National Bank in the amount of \$1,594,836.00 along with cash in the amount of \$177,204.00; and

**WHEREAS**, the Township Clerk is in receipt of a letter from Joseph Giamanco, Jr., representing Martelli Development Group, LLC dated May 29, 2014, requesting a reduction of the performance guarantees; and

**WHEREAS**, the Township Clerk is in receipt of a letter from the Township Engineer’s representative, Louis J. Lobosco, P.E. recommending the granting of a performance guarantee reduction; and

**WHEREAS**, the Township Council is willing to reduce the amount of the performance bond and cash guarantee to thirty percent (30%) of the original performance guarantee estimate amount; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that it does hereby authorize and approve a reduction of the performance guarantee to the sum of \$540,588.96, in the form of a performance bond amount of \$486,530.06 and cash in the amount of \$54,058.90, representing thirty percent (30%) of the original performance guarantee pursuant to N.J.S.A. 40:55D-52.e.(1) expressly subject to the following conditions:

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

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

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Martelli Development Group, LLC
6. Valley National Bank

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

**WHEREAS**, Ocean Sunset 35, LLC (hereinafter referred to as “Developer”) was granted 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 for property located on Block 137, Lots 28 and 29, 911-919 Highway 35; and

**WHEREAS**, the Township Council did authorize and enter into a developer’s agreement dated October 17, 2013 with the Developer for Site Plan Approval with Variances 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 for property located on Block 137, Lots 28 and 29, 911-919 Highway 35; and

**WHEREAS**, the Developer posted performance guarantees totaling \$502,680.00 by way of Performance Surety Bond Number B98809023187 from American Southern Insurance Company in the amount of \$452,412.00 along with cash in the amount of \$50,268.00; and

**WHEREAS**, the Township Clerk is in receipt of letter from Carl Wright, representing Ocean Sunset 35, LLC dated September 23, 2014, requesting a reduction of the performance guarantees; and

**WHEREAS**, the Township Clerk is in receipt of a letter from the Township Engineer’s representative, Louis J. Lobosco, P.E. dated September 29, 2014, recommending the granting of a performance guarantee reduction; and

**WHEREAS**, the Township Council is willing to reduce the amount of the performance bond and cash guarantee to thirty percent (30%) of the original performance guarantee estimate amount; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that it does hereby authorize and approve a reduction of the performance guarantee to the sum of \$150,804.00, in the form of a performance bond in the amount of \$135,723.60 and cash in the amount of \$15,080.40, representing thirty percent (30%) of the original performance guarantee pursuant to N.J.S.A. 40:55D-52.e.(1) expressly subject to the following conditions:

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

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

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Ocean Sunset 35, LLC
6. American Southern Insurance Company

**14-183 Authorize the Release of Performance Guarantee(s) for the following:**

**a. Block 12, Lot 6 – 230 South Lincoln Avenue – Henry & Selma Shalam**

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) provides for the posting of maintenance guarantees with the governing body after final acceptance of improvements when said improvements have been certified as complete by the Township Engineer; and

**WHEREAS**, Henry and Selma Shalam has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$4,698.00 for premises known as Block 12, Lot 6 also known as 230 South Lincoln Avenue; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated September 23, 2014, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantee in the amount of \$4,698.00 is hereby released, canceled and discharged as per the memorandum from Gregory S. Blash subject to the payment of any outstanding engineering and administrative fees.

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

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Henry and Selma Shalam

**14-184 Authorize the Request for Bids for the following:**

**a. Heating and Air Conditioning Services**

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

*Heating and Air Conditioning Services*

**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 item 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

**b. One (1) Mason Dump Truck**

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

*One (1) Mason Dump Truck*

**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 item 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

**c. Two (2) Salt Spreaders**

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

*Two (2) Salt Spreaders*

**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 item 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

**d. One (1) 12 ft. Body truck with Plow**

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

*One (1) 12 ft. Body Truck with Plow*

**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 item 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

**14-185 Authorize the Human Services Department to enter into an Agreement with the State of New Jersey Department of Children and Families wherein Human Services will provide parent – child visitation and other associated services**

**WHEREAS**, the people of the Township of Ocean are concerned about child welfare and seek to promote a positive environment for children; and

**WHEREAS**, the Township of Ocean is desirous of working with the State of New Jersey Department of Children and Families to provide positive alternatives for parent-child visitations and services associated with them; and

**WHEREAS**, the State of New Jersey Department of Children and Families is desirous of entering into a contractual relationship the Department of Human Services of the Township of Ocean for the provision of parent-child visitations and associated services;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth, that the Township of Ocean Department of Human Services is authorized to provide services of parent-child visitation and associated services as stipulated in Contract #15SKNC; 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 above named contract; and

**BE IT FURTHER RESOLVED**, that the Mayor, and/or other required Township Officials, are hereby authorized to affix their signature(s) to the 2014-2015 contract; and

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

1. New Jersey Department of Children and Families
2. Department of Human Services c/o Sharon Moleski
3. Township Manager
4. Director of Finance

**14-186 Approve the submission of the following Grant(s):**

**a. Level I Outpatient Services**

**WHEREAS**, the Township of Ocean is recognized as a model of community response to the problems of alcoholism and drug abuse; and

**WHEREAS**, the people of the Township of Ocean wish to continue their strong support of chemical health efforts through the support of the treatment and prevention programs offered by Department of Human Services; and

**WHEREAS**, there is a need in the County of Monmouth for effective, accessible, and affordable outpatient services for adults and adolescents; and

**WHEREAS**, the Department of Human Services of the Township of Ocean has demonstrated effectiveness in providing Level I outpatient treatment for residents of Monmouth County; and

**WHEREAS**, funds are available through the Monmouth County Department of Human Services for the provision of Level I outpatient services; and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Ocean, County of Monmouth that the Community Services Director is authorized to prepare and submit the 2015 application for funding to the Monmouth County Board of Alcohol and Drug Abuse Services for **Level I outpatient services**.

**BE IT FURTHER RESOLVED** that the Township Council authorize the Township Manager or his designee to provide all necessary and pertinent information to the Board of Drug and Alcohol Services and to sign and execute all related agreements on behalf of the Council

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

1. Monmouth County Board of Alcohol and Drug Abuse Services
2. Township of Ocean Alliance to Prevent Drug and Alcohol Abuse
3. Community Services Director

#### **b. Level II.1 Outpatient Services**

**WHEREAS**, the Township of Ocean is recognized as a model of community response to the problems of alcoholism and drug abuse; and

**WHEREAS**, the people of the Township of Ocean wish to continue their strong support of chemical health efforts through the support of the treatment and prevention programs offered by Department of Human Services; and

**WHEREAS**, there is a need in the County of Monmouth for effective, accessible, and affordable outpatient services for adults and adolescents; and

**WHEREAS**, the Department of Human Services of the Township of Ocean has demonstrated effectiveness in providing Level I outpatient treatment for residents of Monmouth County; and

**WHEREAS**, funds are available through the Monmouth County Department of Human Services for the provision of Level II.1 outpatient services; and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Ocean, County of Monmouth that the Community Services Director is authorized to prepare and submit the 2015 application for funding to the Monmouth County Board of Alcohol and Drug Abuse Services for **Level II.1 intensive outpatient services**.

**BE IT FURTHER RESOLVED** that the Township Council authorize the Township Manager or his designee to provide all necessary and pertinent information to the Board of Drug and Alcohol Services and to sign and execute all related agreements on behalf of the Council

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

1. Monmouth County Board of Alcohol and Drug Abuse Services
2. Township of Ocean Alliance to Prevent Drug and Alcohol Abuse
3. Community Services Director

#### **c. 2014 Watershed Institute Grant Program**

**WHEREAS**, the Watershed Institute promotes the health and resiliency of New Jersey's watersheds by strengthening, connecting and mobilizing watershed organizations; and

**WHEREAS**, non-profit environmental groups who conduct work in New Jersey are eligible to secure grant funds ranging between \$50-\$500 for Engagement Grants and \$1,000-\$7,000 for Project and Technical Assistance Grants; and

**WHEREAS**, the Township of Ocean, County of Monmouth, is desirous of submitting an application to secure funds from the 2014 Watershed Institute Grant Program; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Township of ocean to prepare and submit the application to secure funds from the 2014 Watershed Institute Grant Program; and

**BE IT FURTHER RESOLVED** that the Mayor, Deputy Mayor or Manager and the Municipal Clerk are hereby authorize to execute any and all documents related to the submission of said grant application.

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

1. Township Manager
2. Director of Finance
3. Environmental Commission

#### **14-187 Approve the release of various 2014 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 4, 2014

#### **14-188 Authorize the Request for Proposals for the following:**

##### **a. Multi-Purpose Indoor Recreation Facility**

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

*Multi-Purpose Indoor Recreation Facility*

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Township Clerk to advertise for said Request for Proposals for the aforesaid item 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. Director of Recreation

#### **14-189 Adopt the Sustainable Jersey Green Grounds and Maintenance Policy**

##### **Adopting the Sustainable Jersey Green Grounds and Maintenance Policy**

**WHEREAS**, the Township of Ocean supports policies that encourage sustainable municipal operations, promote healthy communities, waste reduction, biodiversity and water quality protection and conservation; and

**WHEREAS**, Sustainable Jersey Green Grounds and Maintenance Policy is such a policy; and

**WHEREAS**, the Township of Ocean Mayor and Council have adopted An Integrated Pest Management Plan for the Township of Ocean Parks System and Municipal Grounds Including all Public Lands, which is in keeping with principles of the Sustainable Jersey Green Grounds and Maintenance Policy.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Ocean that we do hereby reconfirm our commitment made through the Integrated Pest Management Plan by adopting the following principles from the Sustainable Jersey Green Grounds and Maintenance Policy which includes efficient landscape design, minimized water consumption, recycled materials and composting, and integrated pest management that encourages sustainability.

- Compost landscape wastes (e.g. leaves, prunings, etc.) or use the waste as mulch.
- Use native species instead of exotic plants whenever possible. Native species require less maintenance and provide valuable habitat for local wildlife.
- Minimize lawn areas to reduce required maintenance, and replace lawn areas with lower maintenance landscaping.
- Design landscaping with storm water management in mind. Consider property contours and create plantings that will slow water flows and filter runoff to improve groundwater recharge and prevent erosion.
- Significantly reduce or eliminate the use of conventional pesticides through an Integrated Pest Management program.
- Avoid excessive fertilizer use.
- Improve operations with efficient watering schedules, improved irrigation equipment, and rainwater capture. Water the landscape only when needed instead of setting schedules that are not sensitive to weather and species-specific needs. Minimize evaporation, and utilize efficient irrigation techniques, such as drip irrigation systems.

**Vote on All Consent Items:**

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

**INDIVIDUAL ACTION:**

**VOUCHERS: \$6,066,606.76 (See Attached for complete list)**

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 which I have a conflict:

Sanford Brown, Esq.  
Jungle Laser, LLC

**RESOLUTIONS:**

**14-190 Authorize a contract with Traffic Lines, Inc., Farmingdale, NJ, for traffic line striping of various Township roadways at a cost not no exceed \$34,961.60**

**WHEREAS**, the Township of Ocean wishes to perform line striping on various Township roadways; and

**WHEREAS**, the Township determined that the cost for said line striping would not exceed the bid threshold and therefore, the Township would solicit quotations for said work as opposed to formal bids; and

**WHEREAS**, in connection therewith, the Township Engineer solicited quotes and received a response from Traffic Lines, Inc., Farmingdale, NJ to perform said line striping at a cost not to exceed \$34,961.60; and

**WHEREAS**, the Township Manager and Township Engineer have recommended that a contract be awarded to Traffic Lines, Inc. at a cost not to exceed \$34,961.60

**WHEREAS**, the Director of Finance has certify that funds for the purpose of the award of these contracts are available in the Reserve – Contributions for Road Repairs, account # C-04-55-800-803;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby award a contract to Traffic Lines, Inc., Farmingdale, NJ at a cost not to exceed \$34.961.60; 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. Township Engineer
4. Traffic Lines, 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					

**14-191 Approve the one-year extension of the following contracts:**

**a. Recap Tires, Accessories and Road Service**

**WHEREAS**, the Township Council of the Township of Ocean awarded a contract for the recapping of tires, accessories and road service for the year 2014 to Edwards Tire Co., Inc., Farmingdale, NJ on October 17, 2013; and

**WHEREAS**, Edwards Tire Co., Inc., Farmingdale, NJ has agreed to maintain their current pricing for the year of 2015; and

**WHEREAS**, the Township Manager and the Public Works Director have recommended that the contract awarded to Edwards Tire Co., Inc., Farmingdale, NJ be extended for the period January 1 through December 31, 2015 at a cost not to exceed \$56,118.75; and

**WHEREAS**, funds for said contract have been certified by the Director of Finance and will be made available by the Governing Body in the Public Works 2015 Temporary and Final Budget, account #5-01-26-767-249;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize an extension of the contract for the recapping of tires, accessories and road service to Edwards Tire Co., Inc., Farmingdale, NJ for the one-year period from January 1 through December 31, 2015 at a cost not to exceed \$56,118.75;

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

1. Director of Finance
2. Public Works Department
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					

**b. Various Road Materials**

**WHEREAS**, the Township Council of the Township of Ocean awarded a contract for the various road construction materials for the year 2014 on November 14, 2013; and

**WHEREAS**, Stavola Construction Materials, Inc., Red Bank, NJ has agreed to maintain their current pricing for the year of 2015 for the following items:

- Dense Grade Aggregate – Picked Up
- Clean Broken Stone 3/8” to 12” – Delivered
- Clean Broken Stone 3/8” to 12” – Picked Up

**WHEREAS**, the following items will be purchased off of state contract, State Contract #A84205:

- Inlet Frames and Grates and Extension Frames – Delivered
- Manholes, Frames, Covers and Extension Rings

**WHEREAS**, the Township Manager and the Public Works Director have recommended that the contracts awarded to Stavola Construction Materials, Red Bank, NJ be extended for the period January 1 through December 31, 2015 as per their proposal submitted; and

**WHEREAS**, funds for said contract have been certified by the Director of Finance and will be made available by the Governing Body in the Public Works 2015 Temporary and Final Budget, in the following accounts:

- Road Repairs and Maintenance – Other Expenses
- Various Capital Ordinances

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize an extension of the contract for the above referenced road construction materials to Stavola Construction Materials, Red Bank, NJ for the one-year period from January 1 through December 31, 2015 as per their proposal submitted;

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

1. Director of Finance
2. Public Works Department
3. Stavola Construction Materials
4. Campbell Foundry Company

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					

**14-192 Amend the contract with Settembrino Architects for additional services associated with the inclusion of Alternate No.1 for the West Park Avenue Senior/Recreation Center renovations increasing their contract by \$12,500 to a total not to exceed amount of \$65,500**

**WHEREAS**, the Township Council of the Township of Ocean authorized a contract for architectural services for the Renovations to the West Park Avenue Senior/Recreation Center to Settembrino Architects on June 24, 2013; and

**WHEREAS**, the Township wishes to amend the contract with Settembrino Architects due to the fact that the Township wishes to proceed with Alternate Number 1 - the purchase and installation of a generator; and

**WHEREAS**, the Township Council of the Township of Ocean has elected to make this appointment pursuant to the provisions of N.J.S.A. 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 and Township Engineer have recommended that the contract to Settembrino Architects, Red Bank, NJ be amended to include all architectural work associated with the purchase and installation of a generator for the West Park Avenue Senior/Recreation Center at an additional cost not to exceed \$12,500.00, with a total contract amount not to exceed \$65,500.000; and

**WHEREAS**, the Director of Finance has certified that funds for said award are available in Ordinance #2226, account # C-04-55-944-995; and

**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; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize an amendment to the contract with Settembrino Architects, Red Bank, NJ for the architectural services associated with the purchase and installation of a generator at an additional cost of \$12,500.00, with a total contract amount not to exceed \$65,500.00; and

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

1. Township Manager
2. Director of Finance
3. Settembrino Architects

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					

**14-193 Award a contract to Fernandes Construction, Inc., South River, NJ for the 2014 roadway Improvement Program at a cost not to exceed \$1,926,327.00**

**WHEREAS**, the Township of Ocean authorized the receipt of bids for the 2014 Roadway Improvement Program on June 5, 2014; and

**WHEREAS**, the Township Clerk did duly advertise on September 16, 2014 to receive bids for said project; and

**WHEREAS**, in connection therewith the following seven (7) bids were received by the Township of Ocean on September 30, 2014: Fernandes Construction, Inc., South River, NJ,

Precise Construction, Inc., Freehold, NJ, Lucas Brothers, Inc., Morganville, NJ, P & A Construction, Inc., Colonia, NJ, Lucas Construction Group, Inc., Morganville, NJ, S. Brothers General Contractors, South River, NJ and Tony & Son, Inc., Rahway, NJ; and

**WHEREAS**, it was determined that the lowest responsible bidder meeting specifications for the bid was Fernandes Construction, Inc., South River, NJ at a cost not to exceed \$1,926,327.00; and

**WHEREAS**, the Township Manager and the Township Engineer have recommended that a contract be awarded to Fernandes Construction, Inc., South River, NJ as per their bid proposal for the 2014 Roadway Improvement Program (Project No. 1-16) at a cost not to exceed \$1,926,327.00; and

**WHEREAS**, the Director of Finance has certified to the Township Manager that there are adequate funds available for the purpose of award of this contract in the following accounts:

C-04-55-939-925	\$119,775.00
C-04-55-942-916	\$175,000.00
C-04-55-942-917	\$383,000.00
C-04-55-944-901	\$720,852.00
C-04-55-944-902	\$200,000.00
C-04-55-945-901	\$327,700.00

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby award a contract to Fernandes Construction, Inc., South River, NJ, as per their be proposal for the 2014 Roadway Improvement Program as set forth in their bid submitted (Project No. 1-16) in the amount of \$1,926,327.00; and

**BE IT FURTHER RESOLVED** that the Township Clerk is hereby authorized to return all bid bonds and/or certified checks received from unsuccessful bidders; and

**BE IT FURTHER RESOLVED** that this award of contract is conditioned upon the delivery and execution thereof within ten (10) days from the date of the within resolution accompanied by such appropriate insurance certificate, Affirmative Action certificate and performance bonds as may be required by the specifications; and

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

1. Township Engineer
2. Director of Finance
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					

**ORDINANCE:**

**Adoption(s):**

Ordinance #2232 – An ordinance amending and supplementing Ch. VII of the “Revised (Coaster) General Ordinances of the Township of Ocean, 1965” regulating the movement of traffic

Andrew Brannen, Township Manager, explained that this ordinance originated from a request made by the New Jersey Department of Transportation and restricts left hand turn lanes by the new medical building located by BJ’s Warehouse.

Mayor Larkin asked for a motion to open the Public Hearing on Ordinance #2232

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

Seeing no comments, Mayor Larkin asked for a motion to close the Public Hearing on Ordinance #2232:

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 #2232 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 #2227 – (10/16/14 Coaster)**

**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 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	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**Ordinance #2233 – (10/16/14 Coaster)**

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

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XII OF AN ORDINANCE ENTITLED “REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF OCEAN, 1965” ENTITLED: TRAFFIC**

**BE IT ORDAINED** by the Township of Ocean, County of Monmouth, State of New Jersey, that Chapter XII, Section 12-12.1 is hereby amended and supplemented in the following manner:

**Section I:**

**12-12.1 Parking Temporarily Prohibited During Snowfall.**

Whenever snow has fallen and the accumulation is such that it covers the streets or highway, no vehicle shall be parked on the streets described in Schedule XIX attached to and made a part of this chapter.

**Schedule XIX**

<i>Name of Street</i>	<i>Side</i>	<i>Location</i>
Chestnut Avenue	West	Starting from Sunset Ave running west to the dead end.
Elberon Blvd.	East	Starting from Roosevelt Avenue running northeast to Norwood Avenue.
Griffin Place	North	Entire length.
Laurel Avenue	East	Starting from Sunset Avenue running south to dead end.
Lockwood Place	North	Entire length.
Oak Drive	North	Entire length.
Oakwood Avenue	West	Entire length.

Ridgewood Avenue West Entire length.  
 Staffa Street East Starting from Corlies Avenue running north to South Edgemere Avenue.

**Section II**

All other ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

**Section IV**

In any section, paragraph, subparagraph, clause or provision of this Ordinance, if any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply to the section, paragraph, subparagraph, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**Section V**

This Ordinance shall take effect upon its final passage in publication provided by law.

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

**Council Reports:**

**Deputy Mayor Siciliano** announced that Colonial Terrace Golf Course has rounds of golf for only \$13.00 so please take advantage of this great deal.

**Councilmember Evans** announced that October is Fire Prevention Month.

The following offered no Report:

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

**PUBLIC COMMENTS:**

**Bob Ades** inquired about the number of tax structures the Township has?

Martin Arbus, Esq., Township Attorney, noted that the Township has almost 3,000 apartments of which 25% would count towards our COAH obligation. Mr. Arbus further explained that due to the fact that these units were built pre-1983, the Township does not receive any COAH credit

Mr. Ades asked if the affordable units that the Township is supposed to provide is just a projection?

Mr. Arbus said that when the Township agreed to comply with COAH, it stated that the Township felt the number was too high. Both the Township COAH Planner and the court-appointed Master came up with what they believe to be the correct projection. It

has been stalled in the courts as no decision has been rendered in terms of the total obligation the Township needs to meet.

Mr. Ades expressed his opinion that the Township should litigate the pre-1983 unit exclusion.

Mr. Ades also expressed concern over the pending Motorcross speedway being proposed to be developed in Tinton Falls and the negative impact it would have on the quality of life for the Township and its residents.

Mayor Larkin expressed that he did not think it would get approved.

**Barbara Hudson** inquired about the cost to deed restrict the apartment units

Mr. Arbus said that the cost would be very high.

Mrs. Hudson also inquired about the criteria the Township utilized to determine what properties were included in its Fair Share Housing Plan

Mr. Brannen explained that any property not officially designated as open space needs to be identified. From there, the Township needs to identify which of those properties, and to what extent, affordable units would go on which properties. The Township is mandated to provide the number of units as required by COAH.

Mrs. Hudson inquired about the status of the Stop & Shop litigation?

Mr. Arbus reported that a trial date has been set for sometime in December.

**Paul Mayerowitz** also discussed the pre-1983 exclusion.

Mr. Arbus said that even those towns that have substantial affordable units still need to provide a certain number to set aside for future development.

Mayor Larkin explained when the original application for development of that property came before the Board and was ultimately voted down he had stated that eventually some type of development was going to be constructed at that site.

**F.K. Hudson** inquired as to the location of Block 35 referenced on the Workshop Agenda?

Mr. Brannen stated that is the Apple Farms parcel located on West Park Avenue.

Mr. Hudson asked for an explanation on the New Jersey DEP Blue Acres Program?

Mr. Brannen explained that the Township is working with the State to acquire those properties in the Township that experience major flooding. The State would purchase the properties, demolish them, restore the earth and then turn it over to the Township.

Mr. Hudson asked for an explanation on the 2014 Permanent Bond Financing?

Mr. Brannen said that the Township was taking the last six years of bond anticipation notes and turning them into permanent bonds. This is beneficial to the Township due to the favorable interest rates.

Mr. Hudson asked for an update on the COAH litigation.

Mr. Arbus reported that they appeared in court on September 5 where the Township made an appeal to Judge Kapalko to have the litigants claim for a builders remedy dismissed. No final decision was rendered as an issue was raised that both sides now need to deal with. Therefore, the Summary Judgment is still pending.

Mr. Arbus further stated that should the Judge deny our motion for Summary Judgment, the Township has other motions pending before the court.

Mr. Hudson asked if there was a COAH impact with the Heritage Village at Oakhurst development?

Mr. Arbus stated that this development was included in the Townships Fair Share Housing Plan.

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

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

Respectfully submitted,

William F. Larkin  
Mayor

Vincent Buttiglieri, RMC/CMC/MMC  
Municipal Clerk