

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

FEBRUARY 5, 2015

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 Siciliano
Deputy Mayor Garofalo
Councilmember(s) Long and Schepiga

Absent: Councilmember Evans

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 Siciliano 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, 2014.

NOTICE:

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

COUNCIL COMMENTS:

Deputy Mayor Garofalo reported that the Finance Committee, which consists of Mayor Siciliano and himself, met with the Township Manager and Director of Finance to review the 2015 Municipal Budget. He is especially proud to announce with confidence that the Township will be able to introduce a Municipal Budget with no increase in the tax levy.

Deputy Mayor Garofalo went on to say that he believes the Township has been prudent in their operation and decision making over the past few years, which has aided in being able to be in the strong financial position to be able to come in flat. He elaborated by stating that the Township has great employees and a great management team that were willing to make hard decisions which aided greatly in achieving a flat tax levy.

Deputy Mayor Garofalo also reported that the Township received notification it has been given a AA+ bond rating from Standard and Poors.

Deputy Mayor Garofalo announced that the Budget will be introduced on March 5th with the Budget Presentation occurring on March 19th.

Councilmember Schepiga gave a brief history of the Annual St. Patrick's Day Dinner. It was started by Mary Pat Napolitano and funds raised went to offsetting the cost of the Memorial Day Parade.

Councilmember Schepiga announced that the 2015 St. Patrick's Day Dinner will be held at the Renaissance on March 13th. Appearing at the event will be "Sax Man" Dan and the Heritage Irish Dance Group. The food served at the event will be donated by Wegmans and Foodtown.

Councilmember Schepiga also announced the two honorees will be Denise Parlamas and Councilman Michael Evans.

Councilmember Long said that he has set up a business roundtable meeting for May 5th with Amy Fitzgerald and Freehold Tom Arnone to discuss the Grow Monmouth Program. He will report back with the outcome of said meeting.

Mayor Siciliano spoke about Resolution No. 15-036 – the Property Tax Rebate Program. Mayor Siciliano wants to be able to increase business for those businesses that have chosen

the Township of Ocean as home while also being able to give a tax break to our taxpayers for patronizing those businesses.

Andrew Brannen, Township Manager, said that the siding is being installed at the West Park Avenue Senior Center and that project should be completed within thirty days.

The following did not have a Report at this meeting:

Martin Arbus, Esq., Township Attorney,

CERTIFICATES OF ACCOMPLISHMENT:

Ocean Township High School Girls Tennis Team
Group B North Champions

Mayor Siciliano spoke of the success of this team, having achieved a seventeen (17) win season and being crowned Group B. North Champions. Mayor Siciliano presented Certificates to the following:

Karen Morgan	Alana Barofsky	Victoria Guseva-Micklon
Julia Comer	Julia Barofsky	Nicole Jenks
Emily Eyester	Natalie Fisher	Julianna Yost
Kristin Sequeira	Kylie Katz	

Coach: Jeff Reisler

Shore Cake Supply, LLC Celebrating their 1st Anniversary

Mayor Siciliano introduced Jennifer Welter, owner of Shore Cake Supply, LLC what motivated her to start this business, how she got started and the success that the business has achieved in their first year of existence.

Mayor Siciliano presented Jennifer with a Certificate of Accomplishment and wished her well in the future.

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

The purpose of this public portion is solely to ask questions to understand Resolutions 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:

Brian Lefferson asked if the person being appointed to the Sewerage Authority was new or a re-appointment?

Mayor Siciliano said this was the re-appointment of Ralph Stubbs.

Seeing that there were no Public Comments at this time, Mayor Siciliano proceeded with the Agenda.

Mayor Siciliano announced that Resolution No. 15-038 will be removed from the Agenda and not acted upon at this meeting.

CONSENT AGENDA:**MINUTES:**

January 7, 2015 – Workshop, Public and Closed Meeting
 January 22, 2015 – Workshop, Public and Closed Meeting

RESOLUTIONS:**15-031 Approve the Release of various 2015 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:

January 7, 2015
 January 22, 2015

15-032 Authorize fireworks display by Deal Golf & Country Club for June 28, 2015

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...”; and

WHEREAS, Deal Golf and Country Club will make an application for a public display of fireworks on June 28, 2015 (July 1, 2015 raindate) at the Club; and

WHEREAS, the Chief of Police and Fire Marshall of Fire District Number One will be required to review and approve said application;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey that authorization is hereby given for the aforementioned public display of fireworks by Deal Golf and Country Club on June 28, 2015 (July 1, 2015 raindate) at the Club; and

BE IT FURTHER RESOLVED, that the Mayor 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 Deal Golf and Country Club
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.
4. Receipt of approval letters from Chief of Police and Fire Marshall of Fire District Number One

15-033 Authorize the Receipt of Bids for the following:

a. Unarmed Municipal Court Security Services

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

***Unarmed Security Services for Ocean Township
and West Long Branch Municipal Court***

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 Receipt of 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. Chief of Police

15-034 Authorize the following appointments:

a. Township of Ocean Sewerage Authority

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:

**TOWNSHIP OF OCEAN
SEWERAGE AUTHORITY**

	<i>Member</i>		<i>Starting</i>	<i>Ending</i>
5 year term	Ralph Stubbs	.	February 1, 2015	January 31, 2020

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

b. Deputy Township Clerk

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:

**TOWNSHIP OF OCEAN
DEPUTY TOWNSHIP CLERK**

	<i>Member</i>	<i>Starting</i>	<i>Ending</i>
3 year term	Jessie M. Joseph	January 1, 2015	December 31, 2017

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

1. Township Clerk
2. Administrative Assistant to the Township Manager
3. Public Agency Compliance Officer

Vote on All Consent Items:

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

INDIVIDUAL ACTION:

RESOLUTIONS:

15-035 Authorize an Inter-local Services Agreement for the dispensing of gasoline and diesel fuel with the following:

a. Borough of Interlaken

AUTHORIZING AND INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF INTERLAKEN FOR THE PURCHASE OF GASOLINE AND DIESEL FUEL

WHEREAS, N.J.S.A. 40:8a-1 et seq. authorizes a municipality to enter into a contract with any other municipality for the joint provision of services; and

WHEREAS, the Township of Ocean and the Borough of Interlaken has entered into an Agreement dated February 19, 2008 by where the Borough of Interlaken would purchase and gasoline and diesel fuel from the Township of Ocean for a reasonable fee; and

WHEREAS, said Agreement will be for a term of one (1) year and shall automatically renew for additional terms of one (1) year for a maximum of seven (7) years;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Ocean, Monmouth County that authorization is hereby for the Mayor and Municipal Clerk to execute the Interlocal Services Agreement with the Borough of Interlaken for the provision of fuel dispensing services at the Public Works facility located on Sunset Avenue for the one (1) year and shall automatically renew for additional terms of one (1) year for a maximum of seven (7) years; and

BE IT FURTHER RESOLVED said Agreement will be on file and open for inspection during regular business hours at the Office of the Township Clerk; and

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

1. Borough of Interlaken
2. Department of Public Works
3. Director of Finance

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

b. Borough of Allenhurst

AUTHORIZING AND INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF ALLENHURST FOR THE PURCHASE OF GASOLINE AND DIESEL FUEL

WHEREAS, N.J.S.A. 40:8a-1 et seq. authorizes a municipality to enter into a contract with any other municipality for the joint provision of services; and

WHEREAS, the Township of Ocean and the Borough of Allenhurst has entered into an Agreement dated February 19, 2008 by where the Borough of Interlaken would purchase and gasoline and diesel fuel from the Township of Ocean for a reasonable fee; and

WHEREAS, said Agreement will be for a term of one (1) year and shall automatically renew for additional terms of one (1) year for a maximum of seven (7) years;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Ocean, Monmouth County that authorization is hereby for the Mayor and Municipal Clerk to execute the Interlocal Services Agreement with the Borough of Allenhurst for the provision of fuel dispensing services at the Public Works facility located on Sunset Avenue for the one (1) year and shall automatically renew for additional terms of one (1) year for a maximum of seven (7) years; and

BE IT FURTHER RESOLVED said Agreement will be on file and open for inspection during regular business hours at the Office of the Township Clerk; and

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

1. Borough of Allenhurst
2. Department of Public Works
3. Director of Finance

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

15-036 Support a Property Tax Rewards Program as part of the Township of Ocean Shop Local Campaign

SUPPORTING A PROPERTY TAX REWARDS PROGRAM TO BE IMPLEMENTED AS PART OF THE TOWNSHIP OF OCEAN SHOP LOCAL CAMPAIGN

WHEREAS, the Governing Body of the Township of Ocean desires to stimulate local commerce in the Township of Ocean by encouraging the patronage of Ocean Township-based businesses by local residents; and

WHEREAS, the Governing Body has determined it is appropriate to permit “reward” type programs that act as enhancement which give Township of Ocean taxpayers a financial incentive to patronizing participating Township of Ocean-based businesses through the payment of residential property taxes; and

WHEREAS, the Governing Body of the Township of Ocean believes that the implementation of this system will benefit Township of Ocean-based businesses and resident taxpayers;

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

1. The Governing Body supports the implementation of the Property Tax Reward Program and hereby authorizes the Township Manager and Municipal Clerk in coordination with various Township Officials so designated to coordinate the implementation.
2. The program shall be administered solely by the vendor who shall undertake to register interested taxpayers and Township of Ocean-based businesses.
3. The Township shall establish the necessary reporting requirement for any payment of taxes made to the Township by the vendor. The Township shall not be responsible for any impact of program participation on mortgage escrow calculations. The Township shall not be responsible for any changes in property ownership

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

1. Township Manager
2. Director of Finance/Tax Collector
3. Township Auditor

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

15-037 Approve the following Change Orders with GCS Contractors Corp.:

a. Town Hall Renovation Project

WHEREAS, on July 9, 2014, the Township Council of the Township of Ocean awarded a contract to GCS Contractors Corp. for renovations to the West Wing of Town Hall; and

WHEREAS, subsequent to that award, various revisions to said scope of work resulting in a \$8,358.00 decrease in the total contract amount from \$234,800.00 to \$226,442.00;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean in the County of Monmouth, that it does hereby approve Change Order No. 1 decreasing the overall contract amount by \$8,358.00, from \$234,800.00 to \$226,442.00 for the renovations to the West Wing of Town Hall; and

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

1. Director of Finance
2. Kevin M. Settembrino, Settembrino Architects
3. Director of Public Works
4. GCS Contractors Corp.

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

b. Township of Ocean Senior Center Project

WHEREAS, on July 29, 2014, the Township Council of the Township of Ocean awarded a contract to GCS Contractors Corp. for renovations to the West Park Avenue Senior Center Exterior Renovations and Site Improvements; and

WHEREAS, subsequent to that award, various revisions to said scope of work have been negotiated between the Township of Ocean and GCS Contractors Corp., all of which does not change the total contract price of \$656,700.00;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean in the County of Monmouth, that it does hereby approve Change Order No. 1 approving the revisions to the scope of work for the West Park Avenue Senior Center Exterior Renovations and Site Improvements; and

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

1. Director of Finance
2. Kevin M. Settembrino, Settembrino Architects
3. Director of Public Works
4. GCS Contractors Corp.

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

15-039 Authorize the Mayor and Municipal Clerk to execute a Developers Agreement with Heritage Village at Oakhurst, LLC

Mr. Arbus explained the various amendments to the agreement.

DEVELOPER’S AGREEMENT
(Heritage Village at Oakhurst LLC)

THIS AGREEMENT, entered into this _____ day of February, 2015

BETWEEN THE TOWNSHIP OF OCEAN, a municipal corporation of the State of New Jersey located in the County of Monmouth, 399 Monmouth Road, Oakhurst, New Jersey 07755 (hereinafter referred to as **“Township”**)

And

HERITAGE VILLAGE AT OAKHURST, LLC, located at 1970 Brunswick Avenue, Suite 100, Lawrenceville, New Jersey (hereinafter referred to as **“Developer”**)

WHEREAS, the Developer is the owner of Block 3, Lots 16.03 & 16.04, as shown on the official tax map which property is located at 777 West Park Avenue in the 0-1/80 (Office/Research/Commercial) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

WHEREAS, the Developer has received Approval of Use Variance, Approval of Preliminary and Final Site Plan and Granting Bulk Variance(s) by Resolutions of the Zoning Board of Adjustment of the Township of Ocean, dated October 23, 2014, to construct a 93 unit Senior Affordable Housing development (the “Project”); and

WHEREAS, this Agreement relates to a Site Plan Map entitled “Amended Preliminary/Final Major Site Plan for Heritage Village at Oakhurst, Block 3, Lots 16.03 & 16.04, Township of Ocean, Monmouth County, New Jersey” prepared by Edwin Caballero, P.E., Maser Consulting, P.A., dated May 1, 2013, and revised through September 22, 2014, consisting of 13 sheets; together with architectural plans entitled “The Heritage Village at Oakhurst, Ocean Township, Monmouth County, New Jersey” prepared by Thomas C. Barton, AIA, dated August 14, 2014, consisting of 11 sheets (the “Plans”); and

WHEREAS, the Project must be completed in accordance with the Revised Performance Guarantee Estimate (attached hereto as "Schedule A") prepared by Township of Ocean Associate Engineer Leon S. Avakian, of Leon S. Avakian, Inc. dated January 21, 2015, the Site Plan Maps and the Resolutions of the Zoning Board of Adjustment of the Township of Ocean.

NOW, THEREFORE, and in consideration of the mutual promises as described in this Agreement together with all other goods and valuable consideration, the parties hereto do hereby covenant and agree as follows:

1. To insure the faithful performance by the Developer of the obligations of the Developer to be performed under and by virtue of the terms of this Agreement, its successors and assigns agrees to furnish the Township a performance guarantee in total sum of \$859,440.00, ten percent (10%) (\$85,944.00) of which shall be in cash and deposited with the Township in accordance with the ordinances of the Township, and the remaining ninety percent (90%) \$773,496.00, may be in the form of Cash, Letter of Credit or Surety Performance Bond, to be provided by an acceptable surety company licensed to do business in the State of New Jersey, or such other guaranty as may be acceptable to the Township of Ocean. Said performance guarantee shall be conditioned upon completion of the improvements shown on the aforesaid maps to which reference has heretofore been made and which improvements are set forth in a statement attached hereto as "Schedule A" and made a part hereof. All improvements as set forth in this Agreement and covered by the performance guarantee shall be completed on or before two (2) years from the date of this Agreement, unless further extended. Failure to complete within said original two (2) year period of time, as may be extended, shall be considered a default, and the Township may pursue its remedies pursuant to the performance guarantee against the Developer and/or the maker of the Surety or Performance Bond, or other guarantor, for the completion of said improvements or for any damages; time for the aforesaid shall be of the essence. Notwithstanding the 2 year time period set forth herein, it is understood and agreed that the Developer has agreed to a timetable for repairs and renovations as set forth in the attached agreement which agreement is incorporated herein by reference as Exhibit A.
-

To the extent there is any conflict in the provisions herein and the attached agreement, the terms set forth in Exhibit A shall control. A comprehensive general liability insurance policy shall be provided by the Developer at the same time as they submit their performance guarantee.

2. When the Developer, its successors and assigns has completed all of the improvements of the site plan to the satisfaction of the Township Engineer, and said Township Engineer has approved same in writing to the Township Council, then and in that event the Developer shall be relieved from any other further obligations with respect thereto, except to the extent provided hereinafter.
3. Developer, its successors and assigns does hereby agree to pay for all inspection fees of the Township Engineer in connection with and relating to the aforesaid improvements and the legal fee of the Township for preparing this Agreement in accordance with the Township ordinances. The Developer shall initially deposit with the Township Treasurer a cash sum of \$38,810.00, which sum shall be applied and used for payment of inspection costs of the Township Engineer.
4. Developer, its successors and assigns, in accordance with Condition #6 of the Preliminary And Final Major Site Plan Approval, hereby agree to post a contribution in the sum of \$35,000.00 to the Township Shade Tree Fund within five(5) days of the closing of the construction loan on the within project and an additional \$15,000.00 contribution to the Township Shade Tree Fund within 30 days of the final Certificate of Occupancy issued for the Project.
5. Developer, its successors and assigns hereby agree to be responsible for the removal of snow on the dedicated public street granting access to West Park Avenue as set forth in the plans herein. Developer reserves the right to request a change to this provision if and when there is a change of use or Site Plan Application submitted for either Block 3, Lot 16.01 or Lot 16.02 .
6. The Township accepts the Proposed Drainage Easement as satisfying Condition #3 of the Preliminary And Final Major Site Plan Approval.

7. The Township accepts that the Developer has indicated its willingness to cooperate with the Township in their efforts to obtain emergency access through Block 3, Lot 12.01 thus satisfying Condition #3 of the Preliminary And Final Major Site Plan Approval.
8. The Township has agreed to contribute up to Three Hundred Thousand (\$300,000.00) (the "Township Funds") to the Developer for the benefit of the Project which may be secured by a subordinate mortgage payable through Project cash flow. The Township Funds shall be due at the closing of the Project's construction loan. The Mayor and Administrator are authorized to execute any and all documents necessary to document the Township contribution. Additionally, the Township has agreed to permit the Developer to apply any County of Monmouth HOME funds awarded for the benefit of the Project to the Project and not as repayment of the Township Funds.
9. Upon final approval by the Township of the improvements set forth herein and release and discharge of the performance guarantee referred to above, Developer, its successors and assigns do hereby agree to furnish to the Township a maintenance guarantee by way of Cash, Letter of Credit or Surety Performance Bond in a sum equal to fifteen percent (15%) of the amount of the performance guarantee (\$107,430.00). Said bond shall remain in full force and effect for a period of two (2) years after approval by the Township Engineer of the improvements for which provision is made herein and shall provide that the Developer guarantees to maintain said improvements for which provision is made herein and shall provide that the Developer guarantees to maintain said improvements for said period of two (2) years from such approval and make good any defects thereon which become apparent during said two (2) year period.
10. The Escrow fund for stormwater management shall be under separate agreement.
11. The Developer will be responsible to provide 5 units at 30% of the median income and 5 units at 50% of the median income.
12. The approval granted herein shall be assignable to a successor in interest by conveyance or assignment only in the event the new purchaser or assignee executes an Agreement, in writing, agreeing to all of the terms, conditions and provisions of this Agreement.

13. All the work and improvements set forth in this Agreement shall be in accordance with the plans as approved by the Township Engineer and on file in the Office of the Township municipal agencies and in accordance with the requirements as set forth by the Township Engineer as indicated on "Schedule A" attached hereto.

IN WITNESS WHEREOF, the parties hereunto interchangeably set their hands, seals or caused their proper corporate seals to be hereunto affixed, the day and year first above written.

ATTEST:

**TOWNSHIP OF OCEAN,
COUNTY OF MONMOUTH**

By: _____
Vincent Buttiglieri, Township Clerk

By: _____
Christopher Siciliano, Mayor

ATTEST:

HERITAGE VILLAGE AT OAKHURST, LLC

By: _____

By: CIS OAKHURST LLC, its managing member
By: Community Investment Strategies, Inc., its managing member

By: _____
Christiana Foglio, President

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

ORDINANCES:

Adoption(s):

Ordinance #2237 – (Coaster)

An ordinance authorizing the dedication of an existing public right of way along West Park Avenue as a public street

Mayor Siciliano asked for a motion to open the Public Hearing on Ordinance #2237

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

Seeing no comments, Mayor Siciliano asked for a motion to close the Public Hearing on Ordinance #2237:

Record of Vote	Deputy Mayor Garofalo	Councilman Evans	Councilman Long	Councilwoman Schepiga	Mayor Siciliano
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 #2237 and advertise according to law:

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

Ordinance #2238 - (Coaster)

An ordinance authorizing an emergency appropriation in accordance with N.J.S.A. 40A:5-53B for the preparation and execution of a complete revaluation program as ordered by the Monmouth County Board of Taxation

Mayor Siciliano asked for a motion to open the Public Hearing on Ordinance #2238

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

Seeing no comments, Mayor Siciliano asked for a motion to close the Public Hearing on Ordinance #2238:

Record of Vote	Deputy Mayor Garofalo	Councilman Evans	Councilman Long	Councilwoman Schepiga	Mayor Siciliano
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 #2238 and advertise according to law:

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

Introduction(s):

Ordinance #2239 – (P.H. 3/5 Coaster)

An ordinance amending and supplementing Chapter 21 of the Comprehensive Land Development Ordinance of the Township of Ocean

BE IT ORDAINED by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey as follows:

Section 21-6 Abbreviations and Definitions shall be amended, in part, to read:

“Shopping Center” shall mean a commercial site consisting of the following:

A minimum of 3 acres, exclusive of flood plain and wetlands;

5 or more separate business establishments which would otherwise be permitted within the zone, provided that a minimum of 60% of such uses are retail sales or service establishments.

The site may consist of several adjacent parcels under separate ownership, provided the parcels have a common lot line and are developed as a single site with a single approved site plan. For the purpose of this definition, retail service establishments shall not include professional or general office uses, but shall include such uses as restaurants, beauty salons, dry cleaning services, and banks. Professional or general office uses could be included but only up to a maximum of 40% of the space.

SECTION II

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

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

SECTION III

The ordinance shall take effect following the final adoption and publication pursuant to the law and subject to the filing of a copy of same with the Monmouth County Planning Board.

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

PUBLIC COMMENTS:

Brian Lefferson received the tentative road paving list for 2015 and commented that he did not believe the Township could accomplish their goal of paving the roads listed. Mr. Lefferson also noted that only two roads were paved in 2014. Why?

Mr. Brannen explained that a majority of the road program in 2014 was utilized for the curb, sidewalk and apron work done on Monmouth Road. With that being said, the Township actually paved four roads in addition to the work done on Monmouth Road.

Mr. Lefferson also mentioned that the clock in front of Town Hall was not working.

Mr. Brannen will have someone look in to that matter.

Mr. Lefferson inquired about the purpose of the meeting that Councilmember Long will be having with Freeholder Arnone?

Councilmember Long said the purpose is to come up with a strategy to help out the businesses located in the Township.

Mr. Lefferson discussed the following two issues:

1. Traffic on Deal Road
2. Audio and visual quality of Council meeting taping

At this juncture, Deputy Mayor Garofalo mentioned that effective this meeting, all Resolutions and Ordinances have been placed on the Township website in their entirety prior to the meeting. This is another enhancement to open government.

Barbara Hudson said that she appreciated the efforts being made to open up government in the Township.

Mrs. Hudson also read a statement concerning the election process and various energy issues. Mrs. Hudson would encourage many debates between the candidates prior to election day.

Deputy Mayor Garofalo responded by stating that the Township purchases its energy from a conglomerate with a percentage coming from solar, wind and hydrolic means and that has been paying off.

F.K. Hudson stated that he had hoped the placement of the items on the website would be a bit more timely even if the Agenda is not finalized and he looks forward to seeing some improvement in that area.

Mr. Hudson asked if there was any update on Stop & Shop or the COAH litigation.

Mr. Arbus stated that there was no further news on either front.

Mayor Siciliano gave an update on the Sunset Avenue bridge repairs. He will be meeting with the project supervisor each Friday during the project and will then meet with some of the residents each Sunday to keep them abreast of the status of the project.

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

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

Respectfully submitted,

Christopher P. Siciliano
Mayor

Vincent Buttiglieri, RMC/CMC/MMC
Municipal Clerk