

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

**FEBRUARY 19, 2015****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 Siciliano  
Deputy Mayor Garofalo  
Councilmember(s) Evans, Long and Schepiga

**Others:** Martin J. Arbus, Esq., Township Attorney  
Vincent Buttiglieri, Township Clerk

**Absent:** Andrew Brannen, Township Manager

**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.

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**COUNCIL COMMENTS:**

**Deputy Mayor Garofalo** announced that the Township of Ocean has been selected as a Sustainable Community. This is a great accomplishment for the Township as there are only about 20% of the municipalities in New Jersey receive this certification.

Deputy Mayor Garofalo went on to explain that the Township has been very aggressive with their energy conservation initiatives including the construction of rain gardens, redoing of the Townships recycling center, construction of pedestrian and bicycle paths and the purchasing of natural gas as part of a consortium.

Deputy Mayor Garofalo said that he will be attending the New Jersey Sustainable Joint Commission meeting on Wednesday, February 25, where they will set the price for the purchase of natural gas. He is very pleased to be able to represent the Township on the Executive Committee.

Deputy Mayor Garofalo also mentioned that the Township of Ocean has aided the Borough of Bradley Beach in their efforts to replenish the dunes by providing Bradley Beach with all the Christmas trees collected from Township residents.

Deputy Mayor Garofalo concluded his report by mentioning that he has met with a potential developer who is interested in putting in a solar farm on a parcel that is currently designated as brownfields. Further information will be forthcoming at a future meeting.

**Councilmember Schepiga** discussed a new program that has been launched in the Township called Rude Awakening. This program discusses the ramifications of drug and alcohol use and further demonstrated what can happen to those who use drugs and alcohol and then get behind the wheel of a car and drive. Councilmember Schepiga attended a session by where each attendee wore DWI fatal vision goggles to demonstrate the impaired vision that is a result of drug and alcohol use.

Councilmember Schepiga announced that this program will be held twice in the Township: April 24 for 500 students from Hillel School and again on May 15 for juniors and seniors of Ocean Township High School.

Both events will be held at Joe Palaia Park and will involve each attendee to wear the goggles while trying to drive a golf cart. Also, a car will be dropped on a piece of stainless steel to demonstrate the damage that will occur from an accident.

Councilmember Schepiga said that the Township is in need of approximately fifty volunteers to assist. Also, monetary donations will be accepted to help offset the cost.

**Councilmember Long** announced that he will be attending a seminar on heroin addiction along with Police Chief Peters and Sharon Moleski from the Human Services Department.

**Councilmember Evans** thanked the Department of Public Works and its Director, Tom Crochet, for doing such a good job during the recent storms. Councilmember Evans, after attending an Emergency Management seminar earlier in the day, really appreciates the pre and post storm planning that goes into being able to provide these services.

As a result of all he learned by attending this training seminar, he wanted to commend Emergency Management Coordinator Tom Caruso for the great work he does on our behalf.

Councilmember Evans reminded everyone that this Saturday, February 21, will be the Fire District elections held at the firehouses.

**Mayor Siciliano** said that many have commented on all the new and innovative changes that have been happening since he took over as Mayor on January 1. While he appreciates those comments, he really wants people to understand that he has been able to implement these changes because of the strong leadership of Bill Larkin. Mayor Larkin steered the ship during very tumultuous times – the unrest with the students at Monmouth College, the monumental losses in State Aid to the tune of \$1 million, losses in interest income of \$1 million and \$2 million in losses due to tax appeals. Through that difficult financial time, Mayor Larkin was able to implement many initiatives including but not limited to the implementation of the automated garbage collection program that has saved the Township almost \$500,000.00. As a result, Mayor Siciliano is able to implement these new initiatives but really, Mayor Larkin deserves all the credit in the work for his strong leadership.

**Martin Arbus, Esq.**, Township Attorney, commended Mayor Siciliano for doing a great job communicating with the residents during the snow events.

#### **CERTIFICATES OF ACCOMPLISHMENT:**

##### **Ocean Township High School Spartans Gymnastic Team –**

State Gymnastics Competition – 5<sup>th</sup> Place  
 Shore Conference – 3<sup>rd</sup> Place  
 State Sectionals – 3<sup>rd</sup> Place

Mayor Siciliano introduced Coach Jan Smith and Assistant Coach Bri Anne Sciametti, who discussed the success that the team achieved this year, including a record of ten (10) wins against two (2) losses, as well as finishing in third place in the Shore conference and fifth in the State Gymnastics Competition. Coach Smith believes that the gymnastics team from Ocean Township has not achieved this much in many years and she is very proud of the entire team, its managers and Coach Sciametti.

Mayor Siciliano presented Certificates to the following:

Maggie McGorry	Olivia Yasser	Cassidy Marquette	Josie Harrison
Megha Patel	Janice Chew	Alexis Kelly	

Managers: Aria Poniros      Fran Purcell

Mayor Siciliano congratulated the team on their great accomplishments.

#### **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:**

There were no comments at this time.

**CONSENT AGENDA:**

**MINUTES:**

February 5, 2015 – Workshop, Public and Closed Meeting

**RESOLUTIONS:**

**15-040 Authorize a Developers Agreement for the following:**

**a. Block 58, Lot 10 – 449 Crosby Avenue – Alan & Brenda Cabasso**

**WHEREAS**, the Township of Ocean has approved a development project on Block 58, Lot 10 also known as 449 Crosby Avenue; and

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

**WHEREAS**, Alan & Brenda Cabasso has posted cash performance guarantees totaling \$3,060.00 along with engineering inspection fees totaling \$1,425.00 and the required certificate of insurance.

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

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

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Alan & Brenda Cabasso

**15-041 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:

February 5, 2015

**15-042 Authorize the submission of the following Grant(s):**

**a. Distracted Driving 2015 Statewide Crackdown Grant**

**STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF HIGHWAY TRAFFIC SAFETY**

**DISTRACTED DRIVING 2015 STATEWIDE CRACKDOWN GRANT**

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN THE DISTRACTED DRIVING 2015 STATEWIDE CRACKDOWN GRANT ADMINISTERED BY THE DIVISION OF HIGHWAY TRAFFIC SAFETY, DEPARTMENT OF LAW AND PUBLIC SAFETY

**WHEREAS**, the Township of Ocean wishes to apply for a project under the Distracted Driving 2015 Statewide Crackdown Grant; and

**WHEREAS**, the Township of Ocean Police Department has reviewed the application and wished to submit said application, whose funds will be utilized to offset the cost of enforcement during the Distracted Driving 2015 Statewide Crackdown being held from April 1-21, 2015; and

**WHEREAS**, the project is a joint effort between the Department of Law and Public Safety and the Township of Ocean, for the purpose described in the application;

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

1. As a matter of public policy the Township of Ocean wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General of New Jersey will receive funds on behalf of the Applicant.
3. The Division of Highway Traffic Safety shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to the applicant as authorized by law.

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	X
xOpposed					
Not Voting/Recuse					
Absent/Excused					

**INDIVIDUAL ACTION:**

**VOUCHERS: 9,259,790.86**



**RESOLUTIONS:**

**15-043 Authorize the acceptance of the following Grant(s):**

**a. Monmouth County Open Space Grant - \$182,000**

**WHEREAS**, the Governing Body of the Township of Ocean authorized the submission of a grant application to obtain County Open Space Trust Funds to be utilized for renovations to the fourth fairway at Colonial Terrace Golf Course located at 1005 Wickapecko Drive, Block 140, Lots 69, 71, 72, 74-76 and 79 on August 13, 2014; and

**WHEREAS**, the Township of Ocean has been notified that they have been selected to receive funds from the Monmouth County Open Space Grant in the amount of \$182,000.00 to be utilized for the renovations to the fourth fairway at Colonial Terrace Golf Course;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Ocean, County of Monmouth that the Mayor, Manager and Municipal Clerk are hereby authorized to execute the 2014 Municipal Open Space Grant Program Agreement whereby the Township of Ocean will receive \$182,000.00 to be used for renovations to the fourth fairway at Colonial Terrace Golf Course located at 1005 Wickapecko Drive, Block 140, Lots 69, 71, 72, 74-76 and 79; and

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

1. Director of Finance
2. Recreation Department

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	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**15-044 Authorize the Tax Collector to issue a refund to the owner of Block 83, Lot 7 due to an overpayment in their 1<sup>st</sup> quarter 2015 taxes**

**AUTHORIZING REFUND OF TAX OVERPAYMENT**

**WHEREAS**, a duplicate payment was made by Ronald & Lisa Hanna and Wells Fargo Home Mortgage for the 1<sup>st</sup> quarter 2015 property taxes in the amount of \$1,893.33 for Block 83, Lot 7; and

**WHEREAS**, the tax overpayment should be refunded to Wells Fargo Home Mortgage, 1 Home Campus, Des Moines, IA 28217;

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

Block	Lot	Owner/Payer Name	Amount	Reason
83	7	Wells Fargo Home Mortgage	\$1,893.33	Duplicate Payment made by Ronald & Lisa Hanna and Wells Fargo Home Mortgage for 1 <sup>st</sup> Quarter 2015 taxes.
<b>Total Taxes Overpaid</b>			\$1,893.33	

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

1. Tax Collector
2. Township Auditor

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

**15-045 Authorize the Tax Collector to issue refunds/credits to those taxpayers that have received favorable State Tax Appeal judgments.**

**AUTHORIZING THE CANCELATION OF YEARS 2011 THROUGH 2014 TAXES AND REFUNDING OR CREDITING THE TAX OVERPAYMENTS RESULTING FROM NEW JERSEY STATE TAX COURT JUDGMENT TO THE TAXPAYER**

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

**WHEREAS**, the property had the assessment reduced by the State of New Jersey Tax Court resulting in a reduction in the total taxes to be paid to the Township of Ocean for the years 2011 through 2014 and,

**WHEREAS**, proper procedures require that the tax assessments for the years 2011 through 2014 be adjusted and refunds or credits to unpaid taxes be made for taxes overpaid in those years that resulted from New Jersey Tax Court judgments reducing the property assessment reflected in the Tax Assessor’s Field Book.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township council of the Township of Ocean, County of Monmouth and State of New Jersey that it does hereby authorize the Tax Collector to adjust the years 2011 through 2014 tax assessments based on the State Tax Board Judgment and refund the tax overpayments or credit 4<sup>th</sup> quarter taxes for those years’ taxes on the attached listing

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

1. Tax Collector
2. Township Auditor

Block/Lot	Property Owner/Address	2011	2012	2013	2014	Total Refund
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COBBLESTONE  
ACQUISITION,LLC%WHARTON

1 05 6	821 WEST PARK AVE	30,281.51	59,964.44	61,211.39	63,123.38	214,580.72
Totals		30,281.51	59,964.44	61,211.39	63,123.38	214,580.72

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

**15-046 Authorize an Emergency Appropriation in accordance with N.J.S.A. 4A:4-53b for the complete revaluation of all real property in the Township**

**SPECIAL EMERGENCY RESOLUTION FOR THE PREPARATION AND EXECUTION OF A COMPLETE REVALUATION PROGRAM OF REAL PROPERTIES WITHIN THE TOWNSHIP OF OCEAN AS ORDERED BY THE COUNTY OF MONMOUTH BOARD OF TAXATION PERSUANT TO N.J.S.A. 4A:4-53 b.**

**WHEREAS**, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, for the preparation and execution of a complete revaluation program to update and make current all real properties within the Township of Ocean for use by the local Assessor as ordered by the County of Monmouth and,

**WHEREAS**, NJS40A:4-53 b. provides that it shall be lawful to make such appropriation, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

**NOW, THEREFORE BE IT RESOLVED**, by not less than two-thirds of all governing body members affirmatively concurring that in accordance with the provisions of N.J.S.A. 40A:4-55:

1. An emergency appropriation is hereby made for the preparation and execution of a complete revaluation program to update and make current all real properties within the Township of Ocean in the amount of \$560,000.00.
2. That the emergency appropriation shall be provided for in the budgets of the next succeeding five years by the inclusion of not less than \$112,000.00.
3. That an “emergency note”, not in excess of the amount authorized pursuant to law, be provided.
4. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

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	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**15-047 Authorize a contract with Realty Appraisal Company for the revaluation of all real property in the Township at a cost not to exceed \$560,000.00**

**AUTHORIZING THE AWARD OF A CONTRACT FOR MUNICIPAL-WIDE REVALUATION OF ALL REAL PROPERTY TO REALTY APPRAISAL COMPANY**

**WHEREAS**, on June 19, 2013, the County Board ordered that the Township of Ocean (the "Township") shall implement a municipal-wide revaluation of all real property in the Borough to be completed for the 2016 tax year; and

**WHEREAS**, the Township of Ocean authorized the issuance of a Request for Proposals/Request for Qualifications from an experienced firm to perform a revaluation of all real properties in the Township as of October 1, 2015, to be effective for the 2016 tax year; and

**WHEREAS**, the Borough received one proposal which was from Realty Appraisal Company in the total amount of \$560,000.00; and

**WHEREAS**, the Township Manager has recommended that a contract be awarded to Realty Appraisal Company at a cost not to exceed \$560,000.00; and

**WHEREAS**, the Director of Finance has certified that funds will be made available pursuant to the Special Emergency Appropriation approved in Resolution No. 15-046;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Ocean, County of Monmouth, State of New Jersey that authorization is hereby given to award a contract for municipal-wide revaluation of all property in the Township of Ocean to be completed for the 2016 tax year, to Realty Appraisal Company in the amount of \$560,000.00, and pursuant to the terms as further set forth within Realty Appraisal Company's proposal and the Borough RFQ incorporated herein; and

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

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

**15-048 Approve various changes to the Township Council meeting schedule**

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-18 requires a public body post and maintain posted throughout the year a schedule of regular meetings of the public body to be held during the succeeding year; and

**WHEREAS**, the Township Council of the Township of Ocean wishes to amend the meeting schedule that was approved on December 30, 2014 as follows:

**OLD MEETING DATE**

**NEW MEETING DATE**

March 19, 2015

March 18, 2015

July 9, 2015

April 8, 2015

July 16, 2015

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey that it does hereby amend the meeting schedule of the Township Council as noted above and the Township Clerk is authorized to post said change in accordance with N.J.S.A. 10:4-18

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	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

#### PUBLIC COMMENTS:

**Jerry Maurer** commented on the great job that Public Works has done during the snow events.

Mr. Maurer also noted that he had read some unkind comments about the quality of the telecasts of the Council meetings and he did not want these comments to dampen their efforts to open up government in the Township.

Mayor Siciliano said that this continues to be a work in progress and we are getting better each time.

Mr. Maurer is a member of the Friends of Deal Lake and they work hard to promote the lake and all the activities the lake has to offer. They would certainly like to take advantage of Ocean 77 to promote the lake

Mr. Maurer inquired about the expansion of Town Hall parking lot and was concerned about the disturbance of any wetlands. He also mentioned that there were people associated with the Friends of Deal Lake that would be willing to assist the Township on this project.

Mayor Siciliano explained that the Township is waiting for the meets and bounds description to be done to determine if any wetlands are being disturbed and, if so, modifications to the plan will be made at that time. Additionally, the Township is trying to be as green as possible by utilizing a porous material instead of the regular asphalt.

**Joe Bove** mentioned that there are barricades impeding the flow of traffic on Sunset Avenue and Wickapecko Drive.

Mayor Siciliano will address this matter with the contractor.

Mr. Bove also asked about the possibility of reducing the speed in the area of the bridge on Sunset Avenue.

Mayor Siciliano said that the Township will be reducing the speed from 35 miles per hour to 25 miles per hour, which will coincide with the speed limit on the Asbury Park side of Sunset Avenue.

Mr. Bove also commended the Public Works Department on the job they have done during the snow events.

**Gail Matarazzo** inquired about Posillippo’s Restaurant and when they will begin demolition.

Mayor Siciliano said that they are still waiting for approval from the NJDOT which is needed due to the proximity to Route 35.

Ms. Matarazzo asked about the status of the Stop and Shop property

Martin Arbus, Township Attorney, said that the litigation of this property is still out there.

Ms. Matarazzo asked about the possibility that someone will purchase the existing property and develop it.

Mayor Siciliano said that he believes that is exactly what would happen, however buying all developable properties in the Township would be very expensive.

**Barbara Hudson** asked what time the Council Meetings are shown on Channel 77/22.

Mayor Siciliano said that it is shown at 10:00 a.m. and 7:00 p.m.

Mrs. Hudson said that a resident asked if Ordinance No. 2239 pertained to any specific property.

Deputy Mayor Garofalo explained that the ordinance merely defines what constitutes a shopping center and how the parking requirements are determined in such establishments.

Mrs. Hudson said that she thinks the Township should hold a referendum on the Stop and Shop property.

**F.K. Hudson** asked if the Budget is still slated to be introduced at the first meeting in March and will taxes remain flat.

Mayor Siciliano said that the tax levy will remain flat.

Mr. Hudson asked what Item C2 on the Workshop Agenda pertained to

Mayor Siciliano said it pertains to the proposed tennis facility on West Park Avenue.

What is the status of the Stop and Shop property?

Mr. Arbus said that there is a hearing scheduled for March 27 and the Township will be hiring a Planner to determine the best use for the property.

Mayor Siciliano reminded everyone that the Council Meetings are televised on Ocean 77 and FIOS Channel 22 at both 10:00 a.m. and 7:00 p.m.

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	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

Respectfully submitted,

Christopher P. Siciliano  
Mayor

Vincent Buttiglieri, RMC/CMC/MMC  
Municipal Clerk