

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

APRIL 16, 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 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 mentioned that the March 2014 New Jersey State League of Municipalities magazine contained an article about the benefits of purchasing Green Power without paying more money, which the Township has been doing for a number of years.

Deputy Mayor Garofalo discussed Resolution No. 15-086 in which the Township is entering into an agreement by where the State of New Jersey will be acquiring 14 homes in Ocean Township that have consistently flooded. The State will acquire and demolish the homes and the Township will bring it back to its natural vegetative state.

Councilmember Schepiga spoke about the rash of robberies that hit the Wayside section of the Township. She is very pleased to report that two men are in custody for the break-ins.

Councilmember Schepiga credited the arrests on the great police work done by the Ocean Township Police Department, who worked diligently to find the perpetrators. The Officers traveled to New York to follow up on leads at various pawn shops in order to apprehend the suspects.

Councilmember Schepiga reminded everyone that Clean Sweep will be held on Sunday, April 19 at Fireman's Field.

Councilmember Long reminded all interested that the Grow Monmouth meeting will be held on Tuesday, May 5 in which Freeholder Arnone and Amy Fitzgerald will be discussing how businesses can partner with the Township to reach their maximum potential.

Andrew Brannen reported that Monmouth Road paving schedule is as follows:

Milling will occur on April 16-17, 2015
Paving will occur on April 22, 2015
Striping will be done on April 24, 2015

All scheduled times are subject to change due to weather conditions.

Mayor Siciliano said the renovated West Wing conference room is ready for use, therefore, the Council will hold its Workshop Meetings in that room beginning May 7.

Mayor Siciliano stated that the Township is waiting for direction from Green Acres concerning the construction of the tennis facility.

The following did not offer a report at this time:

Martin Arbus, Esq., Township Attorney,

PRESENTATIONS:

Mayor Siciliano read the following Proclamation:

Rook Coffee

WHEREAS, Holly Migliaccio and Shawn Kingsley, who have been friends since childhood and left their big city corporate jobs to follow their shared passion for specialty coffee; and

WHEREAS, Holly Migliaccio and Shawn Kingsley opened Rook Coffee, located at 60 Monmouth Road, Oakhurst, NJ in January 2010 and its operation is based on three little words: quality, simplicity and experience; and

WHEREAS, in addition to brewing and serving a great cup of coffee, these entrepreneurs wanted to establish the visionary coffee company complete with multiple coffee bars, a roaster and a distribution center, a bottled cold brew business and an online retail business; and

WHEREAS, while always making sure to use the finest coffees from all over the world and making sure every cup of coffee is made to order, Rook's coffee experience involves an exceptional product and over-the-top customer service; and

WHEREAS, due to the overwhelming success of their business venture, Rook Coffee is in the process of opening up two additional coffee houses in Colts Neck and Manalapan while helping to launch the careers of 80 store managers, event managers, marketing professionals and barristas; and

NOW, THEREFORE, BE IT PROCLAIMED that the Township of Ocean hereby extends our heartfelt congratulations to

Rook Coffee

Holly Migliaccio and Shawn Kingsley, Owners

for the successful business venture and for creating a place where customers can come in and feel at home;

Councilmember Schepiga read the following Proclamation:

Margaret Simpson ***for her Many Years of Volunteerism***

WHEREAS, Margaret "Margo" Simpson began her employment with the Township of Ocean in 1986 and was promoted to Secretary to the Planning Board and Zoning Board of Adjustment in the summer 1987; and

WHEREAS, in addition to Margo's daily job responsibilities she has played an integral part in the election process for the Township of Ocean serving as an election clerk helping to facilitate the election process in the Township for many years; and

WHEREAS, throughout her employment with the Township of Ocean Margo demonstrated her desire to help the many residents, businesses and people in need that came in contact with her in her many capacities always treating them with the kindness and respect that they deserve; and

WHEREAS, during Margo's tenure with the Township of Ocean, she has continually volunteered her time and talents in many capacities dealing with those who are struggling to live a productive life including serving as a member of the Human Services Council and the Alliance to Prevent Drug and Alcohol Abuse, as a member of the Community Emergency Response Team (CERT), as a member of the Community Hope Fund and assisting with the relocation of the residents of Poplar Village during the many evacuations that have occurred; and

WHEREAS, Margo's volunteerism knows no boundaries as she has also given her time to serve as a valuable member of the Community Celebrations Committee, as well as being a tremendous supporter and contributor to the Township's Annual Thanksgiving Food Drive and many other special events that the Township has held throughout these many years; and

NOW, THEREFORE, BE IT PROCLAIMED that the Township of Ocean hereby commends

Margaret "Margo" Simpson

for her continued efforts to improve the quality of life for those less fortunate and for lending her time and talent to brightening up the lives of many she has assisted.

Ms. Simpson thanked the Mayor and Council for this recognition and said that she worked for the Township for 25 years and has some great memories.

Renee Amellio
for her Many Years of Volunteerism

WHEREAS, Renee Amellio and her family have lived in the Township of Ocean for nearly eleven years, currently residing on Timber Drive in the Wayside section of Ocean Township; and

WHEREAS, Renee has been employed with New Jersey Resources, the parent company of New Jersey Natural Gas, bringing more than 20 years experience in marketing communications with her to utilize in her volunteerism for the Township;; and

WHEREAS, in her daily responsibilities as a member of the Corporate Communications team, Renee manages customer and employee communications, while advancing the company's Conserve to Preserve initiative and was also instrumental in helping the company advance The SAVEGREEN Project, New Jersey Natural Gas's energy-efficiency initiative and

WHEREAS, in addition to her family and career responsibilities, Renee has given many hours of volunteer service as a member of the Environmental Commission since 2010; and

WHEREAS, Renee has spearheaded the Sustainable Jersey application process for the Township of Ocean by where we received the Bronze Certifications in both 2011 and 2014 and is anxiously anticipating working with the Township in the Spring 2015 to assist in the receipt of the Sustainable Jersey Silver Certification;

NOW, THEREFORE, BE IT PROCLAIMED that the Township of Ocean hereby commends

Renee Amellio

for her continued efforts to improve the quality of life for those who live, work and play in the Township of Ocean.

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

The purpose of this public portion is solely to ask questions to understand Resolutions and Vouchers that appear on this Agenda and is not an occasion for a public hearing on an Ordinance. All questions not related to an item on this Agenda should be asked during the Public Comments portion at the conclusion of the meeting.

Public Questions on Resolutions and Vouchers:

Don Geiger asked for clarifications on various items that appear on the Voucher list including but not limited to:

Advanced Healthcare Networks, Aim to Drain, American Psych Publishing, ANJR, Atlantic Plumbing Supply Corp., Beyer Ford, BSN Sports, Campbell Supply Co., Inc., CDW Government, LLC, Draeger Safety Diagnostic, Inc., East Coast Emergency Lighting, Fox Floors, H & H Mack Sales, Inc., Lakewood Blue Claws, Magical Results, NJ Advanced Media, Ocean Township Auto Body, Penn State Justice & Safety, Rich's Auto Body, SHI International, Signs & Safety Devices, TF Media Group, Inc.,.

Andrew Brannen, Township Manager, explained the purpose of each expenditure that Mr. Geiger inquired about.

F. K. Hudson asked what Item D2 on the Workshop Agenda pertained to?

Mayor Siciliano explained that the Township is going to try and meet with those homeowners and businesses that want to either renovate or construct in the Township prior to them starting the process, so they can better understand the requirements and documents needed so as to help alleviate delays.

Mr. Hudson asked what the current cost for court security is?

Mr. Brannen responded that currently the Township utilizes one Class I and two Class II officers and this will replace the one Class I officer.

Michelle Lee inquired about who she should speak to if she wanted to know the tax status of a specific property?

Mr. Brannen said she should speak to the Tax Collector.

Ms. Lee discussed the bright neon crosswalk signs on Logan Road and wondered why they are so big?

Mr. Brannen explained that the Township met with the Board of Education regarding the requirements for advanced crosswalk signs.

Seeing that there were no other Public Questions at this time, the Governing Body proceeded with the Agenda.

CONSENT AGENDA:

MINUTES:

April 2, 2015 – Workshop and Public Meeting

RESOLUTIONS:

15-082 Authorize a Developers Agreement with the following:

a. Block 187, Lot 1.01 - 1102 Highway 35 - Muy Brands, LLC

WHEREAS, Muy Brands, LLC (hereinafter “Developer”) is the applicant for certain property known as Block 187, Lot 1.01 as shown on the official tax map of the Township of Ocean, which property is located at 1102 Highway 35 in the C-3 (General Commercial) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

WHEREAS, the Developer was granted Preliminary and Final Major Site Plan Approval, Approval of Bulk Variances and Approval of Conditional Use from the Zoning Board of Adjustment of the Township of Ocean by way of Resolutions dated February 12, 2015 to redevelop the former Getty gasoline station, which is surrounded by the Ocean Plaza Shopping Center, with a 2,063 square foot Taco Bell; and

WHEREAS, this Agreement relates to Site Plan Maps entitled Preliminary & Final Site Plan for Muy Brands, LLC, Proposed Taco Bell Restaurant with Drive-Thru, Block 187, Lot 1.01, 1102 Highway 35, Township of Ocean, Monmouth County, by R.L. Streker, P.E. of Bohler Engineering, 35 Technology Drive, Warren, New Jersey 07059 consisting of eighteen (18) sheets dated August 22, 2014 and last updated February 16, 2015, the ALTA/ACSM Land Title Survey Map entitled Muy Brands, LLC, 1102 Highway 35, Lot 1.01, Block 187, Township of Ocean, Monmouth County, State of New Jersey by James C. Weed, P.L.S. of Control Point Associates, Inc., 35 Technology Drive, Warren, New Jersey 07059 consisting of one (1) sheet dated August 7, 2014 and last updated February 23, 2015 and the Exterior Elevation Maps entitled Taco Bell, 1102 Highway 35, Ocean, NJ 07712 by Gluszko I Architects, PC, 2866 Horseshoe Pike, Suite 1, Palmyra, Pennsylvania, 17078 consisting of three (3) sheets dated August 13, 2014; and

WHEREAS, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated March 17, 2015 prepared by the Township of Ocean Engineer, Louis J. Lobosco, P.E., P.P. of Leon S. Avakian, Inc.

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

1. It hereby authorizes the Mayor to execute and the Township Clerk to attest to a Developer’s Agreement between the Township of Ocean and Muy Bands, LLC, subject to the following conditions first being met:
 - a. All required certificates of insurance be properly files with the Office of the Township Clerk
 - b. Posting of Performance Guarantees in the total amount of \$222,600.00 and Engineering Inspection fees in the amount of \$11,025.00

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

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

15-083 Authorize an auction of public property by the Township of Ocean through PropertyRoom.com. for the period April 1, 2015 through December 31, 2015

WHEREAS, the Division of Purchasing has requested that the Township Council of authorize the participation in a contractual relationship with PropertyRoom.com for the sale of certain surplus items currently in possession of the Township of Ocean Police Department: and

WHEREAS, such items may be sold at public auction to the highest bidder in accordance with N.J.S.A. 40A:14-157; and

WHEREAS, it is not the intention of the Township Council to deprive any person their right to retrieve any personal items which may have become part of this accumulated property as the result of loss, theft, or some other reason; and

WHEREAS, the Township of Ocean has attached said list of items that will be sold at auction; and

WHEREAS, the Township of Ocean will advertise each time property is picked up by Propertyroom.com for auction;

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

1. That the Township of Ocean or its designee, be and hereby is authorized to participate in a contractual relationship with Propertyroom.com to sell over the internet to the highest bidder, any and all surplus items.
2. The Township of Ocean reserves the right to reject any and all bids if it determines such rejection to be in the public interest
3. That notice of these sales shall be published at least once in a newspaper circulating in the Township of Ocean not less than ten (10) days prior to the sale.

15-084 Approve the release of Closed Session Minutes from April 2, 2015

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:

April 2, 2015

15-085 Authorize the submission of the following Grant(s):

a. Click It or Ticket 2015

WHEREAS, there are funds available from the NJ Division of Highway Traffic Safety for overtime enforcement of Statewide Seat Belt Enforcement

WHEREAS, \$4,000.00 will be available to be utilized during "Click it or Ticket 2015 Statewide Seatbelt Mobilization for enforcement; and

WHEREAS, the Township of Ocean Police Chief has recommended that the Township apply for said Grant; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Ocean, County of Monmouth, and State of New Jersey, that the appropriate officials are hereby authorized to execute and sign any and all documents in order to effectuate the receipt of Grant Funds between the Township of Ocean, County of Monmouth and the Division of Highway Traffic Safety Click it or Ticket Statewide Seatbelt Mobilization.

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

1. Director of Finance
2. Chief of Police

15-086 Authorize the execution of a Memorandum of Understanding between the Township of Ocean and the State of New Jersey Department of Environmental Protection for the purchase and demolition of various homes on Brookside Avenue.

WHEREAS, the Township of Ocean wishes to enter into an Agreement with the State of New Jersey, Department of Environmental Protection for the purchase and demolition of certain homes along Brookside Avenue; and

WHEREAS, in order to facilitate and expedite the purchase and demolition of said homes, the Township of Ocean is required to execute a Memorandum of Understanding (attached hereto) in connection with said Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that it does hereby authorize the Mayor, Township Manager, Municipal Clerk and a all other Township Officials so required to execute said Memorandum of Understanding in connection with the acquisition and demolition of homes along Brookside Avenue; and

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

1. State of New Jersey, Department of Environmental Protection
2. Township Manager
3. Director of Public Works
4. Code Enforcement Officer
5. Township Manager

15-087 Approve the temporary suspension of the noise ordinance associated with the Monmouth Road reconstruction project for the period April 16-24, 2015, or until such time as the project is completed

WHEREAS, the Township of Ocean, through Monmouth County, and its contractor Earle Asphalt, have undertaken improvements to Monmouth Road which is in the final stages; and

WHEREAS, Earle Asphalt will be milling, paving and striping said roadway between April 16-24, 2015, weather permitting; and

WHEREAS, it is the recommendation of the Township Manager and Township Engineer that said work being performed by Earle Asphalt be performed during the night as to not disrupt traffic flow during the daytime hours; and

WHEREAS, Chapter III, Section 3 of the "Revised General Ordinances of the Township of Ocean, 1965" prohibits the excavation, grading, paving, erection, demolition, alteration or any repair of any premises, street, building, or structure from 7:00 p.m. until 7:00 a.m., Monday through Friday, from 7:00 p.m. until 8:00 a.m. on Saturday and from 7:00 p.m. on Saturday until 7:00 a.m. on Monday; and

WHEREAS, it is the recommendation of the Township Manager that these regulations be temporarily suspended during the period April 16-24, 2015, or until such time as the Monmouth Road project is completed;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth, that authorization is hereby given to temporarily suspend the noise restrictions due to the milling, paving and striping of Monmouth Road by Earle Asphalt during the period of April 16-24, 2015, or until such time as this project is completed; and

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

1. Township Engineer
2. Chief of Police
3. Director of Public Works

15-088 Approve the extension of time for the placement of a roll-off container for Block 132, Lot 7, 1902 South Wanamassa Drive, for a period not to extend past June 30, 2015

WHEREAS, the Chapter 5, Section 5-3 prohibits the placement of any storage container on private property for a period of more than 21 consecutive days; and

WHEREAS, Wayne and Anastasia Marcy have requested approval to place a roll-off container on Block 132, Lot 7, 1902 South Wanamassa Drive, for the period ending June 30, 2015; and

WHEREAS, J Wayne and Anastasia Marcy wishes to utilize said container for the placement of construction debris during the construction phase of the project;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that approval is hereby granted to allow Wayne and Anastasia Marcy to place one (1) roll-off container on their property located at 1902 South Wanamassa Drive for a period not to extend past June 30, 2015; and

BE IT FURTHER RESOLVED should said container be required longer than the above noted date, an additional approval will be required to be obtained from the Governing Body by Wayne and Anastasia Marcy ; and

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

1. Wayne and Anastasia Marcy
2. Director of Community Development
3. Zoning Official
4. Code Enforcement Official

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
Opposed					
Not Voting/Recuse					
Absent/Excused		X			

INDIVIDUAL ACTION:

VOUCHERS: \$3,507,043.96

See next page for detail.

Vote on Vouchers:

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			

RESOLUTIONS:

15-089 Authorize the Tax Collector to issue a refund to a taxpayer who have been declared a Totally Disabled Veteran and have received a Homestead Rebate credit on their taxes

**AUTHORIZING THE REFUND OF REAL ESTATE TAXES
PAID FOR TOTALLY DISABLED VETERANS**

WHEREAS, the following individuals have been declared a totally exempt veteran by the Tax Assessor:

Owner Name	Block	Lot	Qual.	Address
Milmoe, Thomas & Paula A.	26.08	23.01		431 W. Lincoln Avenue

WHEREAS, the following property owner(s) were issued Homestead Rebate(s) pertaining to the year 2012 and applied to the 2nd quarter 2015 causing the following overpayment(s):

Owner Name	1 st Quarter 2015	2 nd Quarter 2015	3 rd Quarter 2015	4 th Quarter 2015	Total Refund
Milmoe, Thomas & Paula A.		\$336.33			\$336.33

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth, that the Tax Collector is hereby authorized to refund the above noted overpayments due to the issuance of the 2012 Homestead Rebate to the individual listed above.

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

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

15-090 Authorize the Tax Collector to issue a refund/credit to those taxpayers that have received a favorable State Tax Appeal judgment.

AUTHORIZING THE CANCELATION OF YEARS 2010 THROUGH 2013 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 2010 through 2013 and,

WHEREAS, proper procedures require that the tax assessments for the years 2010 through 2013 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 2010 through 2013 tax assessments based on the State Tax Board Judgment and refund the tax overpayments or credit 4th 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	2010	2011	2012	2013	Total Refund
33 33 1	MY BEN COMPANY, L.L.C. 1809 HIGHWAY 35	6,852.82	10,190.44	10,348.25	10,563.44	37,954.95
3 10	2119 ROUTE 35, LLC STE. #10 2119 HIGHWAY 35	4,303.37	4,381.34	-	-	8,684.71
217 1	1001 ROUTE 35, LLC STE. #10 1001 HIGHWAY 35	3,424.99	3,481.81	-	-	6,906.80
Totals		14,581.18	18,053.59	10,348.25	10,563.44	53,546.46

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
Opposed					
Not Voting/Recues					
Absent/Excused		X			

15-091 Authorize a contract with Number One Security and Investigations, Inc. for unarmed security for the Ocean and West Long Branch courts at a cost of \$14.50 per hour, not to exceed \$15,000.00

WHEREAS, the Township of Ocean authorized the receipt of bids for Unarmed Security Services for Ocean Township and West Long Branch Municipal Court on February 5, 2015; and

WHEREAS, the Township Clerk did duly advertise in the Asbury Park Press on February 11, 2015 to receive bids for said project; and

WHEREAS, in connection therewith the following five (5) bids were received by the Township of Ocean on March 3, 2015: Tri-County Security-NJ, Vineland, NJ, Number One Security & Investigation, Inc., Jersey City, NJ, Eastern Armored Services, Inc., Trenton, NJ, The Davis Group, Camden, NJ, Aegis Security Agency, LLC, Union, NJ ; and

WHEREAS, it was determined that the lowest responsible bidder meeting specifications for the bid was Number One Security & Investigation, Inc., Jersey City, NJ at a cost of \$14.50 per hour, with a not to exceed amount of \$15,000.00; and

WHEREAS, the Township Manager and the Police Chief have recommended that a contract be awarded to Number One Security & Investigation, Inc., Jersey City, NJ as per their bid proposal for Unarmed Security Services for Ocean Township and West Long Branch Municipal Court at a cost of \$14.50 per hour, not to exceed \$15,000.00; 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 Police Department Budget – Contract Services – account # 5-01-25-745-247

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 Number One Security & Investigation, Inc., Jersey City, NJ as per their bid proposal for Unarmed Security Services for Ocean Township and West Long Branch Municipal Court at a cost of \$14.50 per hour, not to exceed \$15,000.00; 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. Number One Security & Investigation, Inc

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			

15-092 Authorize a Ch. 159 Budget amendment for the following:

a. Joint Insurance Fund Safety Grant

**CHAPTER 159
MID JERSEY MUNICIPAL JOINT INSURANCE FUND SAFETY AWARENESS PROGRAM - 2015
GRANT**

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

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

WHEREAS, the Township of Ocean has received an award of \$3,849.00 for the Safety Awareness Program 2015 Grant now available from the Mid Jersey Municipal Joint Insurance fund,

NOW, THEREFORE BE IT RESOLVED that the Township of Ocean, County of Monmouth hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget year 2015 in the sum \$3,849.00 which is now available as revenue from:

Miscellaneous Revenues:
 Special Items of General Revenue Anticipated with Prior Written Consent of the Director of the Division of Local Government Services:
 Public and Private Revenues Off-Set with Appropriations:

Mid Jersey Mun JIF Safety Awareness Program Grant 2015 .. \$3,849.00

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

General Appropriations:
 (A) Operations Excluded from "CAPS"
 Public and Private Program's Off-Set by Revenues:

Mid Jersey Mun JIF Safety Awareness Program Grant 2015 . . . \$3,849.00

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

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

ORDINANCES:

Adoption(s):

Introduction(s):

Ord #2242 – (P.H. 5/7 Coaster)

An ordinance amending and supplementing Chapter III of the "Revised General Ordinances of the Township of Ocean, 1965" entitled: Police Regulations

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER III OF THE "REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF OCEAN, 1965" ENTITLED: GENERAL POLICE REGULATIONS

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

CHAPTER III, SECTION 3-31 entitled Massage Establishment is hereby amended and supplemented as follows:

3-31.1 Declaration of Policy.

It is hereby declared that the business of operating a massage therapy business is a business affecting the public health, safety and general welfare.

3-31.2 Massage Establishment License Requirements.

No person shall operate a massage establishment in the Township without obtaining a license pursuant to N.J.S.A. 45:11-53, *et seq.*, and N.J.A.C. 13:37A-1, *et seq.* (hereinafter collectively referred to as "New Jersey State Law"). In addition, said establishment shall obtain a mercantile license as required by the Township.

3-31.3 Massage Practitioner License Requirements.

No person shall work as a massage practitioner in the Township without being licensed pursuant to New Jersey State Law.

3-31.4 Display of License; Photograph.

Every license shall be displayed, pursuant to N.J.A.C. 13:37A-3.4.

3-31.5 Sleeping Quarters.

No part of any quarters of any massage or somatic therapies business shall be used for or connected with any bedroom or sleeping quarters, nor shall any person sleep in such massage or somatic therapies business except for limited periods incidental to and directly related to a massage or bath. This provision shall not preclude the location of a massage or somatic therapies business in separate quarters of a building housing a hotel or other separate businesses or clubs.

3-31.6 Unannounced Department of Health Visits.

The business operation shall be subject to unannounced health authority and police department visits to insure the protection of the citizens.

3-31.7 Violations and Penalties.

- a. Any person violating any of the provisions of this section, or any provisions of New Jersey State Law shall, upon conviction, be liable to the penalty stated in Chapter III, section 3-17. The amount of the penalty will be in the discretion of the judge of the municipal court.
- b. A violation of any subsection of this section or New Jersey State Law shall also be ground for revocation of any mercantile license, certificate of occupancy or permit issued by the Township of Ocean for the premises.
- c. Every day that the provisions of this section or the New Jersey State Law are

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.

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			

Ord #2243 – (P.H. 5/7 Coaster)

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

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 21 ñ 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:

1. Chapter 21, The Comprehensive Land Development Ordinance of the Township of Ocean is hereby amended and supplemented to read as follows:
2. **Article IV Subsection 21-38.1.a. C-4 Regional Commercial Zone Principal Permitted Uses** shall be amended as follows:
 - Delete “Eating and drinking establishment (non drive-in)”
 - Delete “Restaurants”
 - Add “Restaurant (non drive-in, non fast-food)”
3. **Article IV Subsection 21-38.1.c.1. C-4 Regional Commercial Zone Conditionally Permitted Uses in a Regional Shopping Center** shall be amended as follows:
 - Add “(f.) Eating establishments (drive-in or fast-food)”
4. All other ordinances or parts of ordinances inconsistent thereof are hereby repealed to the extent of such inconsistencies.
5. 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.
6. This ordinance shall take effect following the final adoption and publication pursuant to the law subject to the filing of a copy of same with the Monmouth County Planning Board.

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.

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:

Marwin Meller mentioned that the handwritten signs that have been placed on Township roadways look terrible and they should be removed.

Mayor Siciliano said the Zoning Officer will be doing a sweep through the Township to remove them.

F.K. Hudson read a statement concerning comments made by Deputy Mayor Garofalo at the April 2, 2015 meeting concerning the Township utilizing funds from the Sewerage Authority in the Township's 2015 budget.

Barbara Hudson suggested that the Council impose time limits on anyone from the public who wishes to ask questions at these meeting.

Mrs. Hudson mentioned that she feels that everyone should try and maintain a certain level of decorum at the meeting.

Mrs. Hudson read a statement concerning the proposed tennis facility.

Mayor Siciliano responded to some items mentioned in Mrs. Hudson's statement.

Carol Downey spoke about issues concerning the water treatment system and the fact that they are now utilizing chloramines instead of chlorine in the water. She went on to say that studies have proven that chloramines is much more hazardous and is very harmful to those who are on dialysis and fish.

There was a brief discussion on this matter.

Don Geiger discussed/commented on the following:

- The location of the proposed tennis facility appears to be a good one. Once the building is up and running, most residents will not mind. Also, he is not sure how much of the residents view will be obstructed with the new building.

Mr. Geiger also noted that he remembers the tennis facility being discussed in early 2015.

Mayor Siciliano explained that the Township is waiting to hear back from Green Acres about whether the Township needs to hold any public hearings on this project. Even if they say the Township does not, the developer said he is willing to hold an information session with Township residents.

- Signs on Logan Road – even if it draws attention and may not be as pleasing as some signage, safety of those in the area is paramount.
- Police Department is doing a great job. However, he had witnessed a situation which could have been bad. An officer working the traffic detail for the Sunset Avenue project was looking at the construction instead of directing traffic and there was almost an accident.
- Asked if Colonial Terrace Golf Course made a profit in 2014?

Mr. Brannen reported that it did not but the amount we lost is decreasing each year.

- Have the residents in and around the pool and tennis facility been notified of this new facility?

Mayor Siciliano stated that there was no formal notice, as none was required, however, this matter has been in the newspapers, the Township website etc.

- With regard to the Request for Proposals for the tennis facility, how many proposals did the Township receive?

Mr. Brannen said that 3 companies picked up the Request for Proposal and 1 company submitted.

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					

Respectfully submitted,

Christopher P. Siciliano
Mayor

Vincent Buttiglieri, RMC/CMC/MMC
Township Clerk