

**AGENDA
SPECIAL TOWNSHIP COUNCIL MEETING
TOWNSHIP OF OCEAN**

NOVEMBER 24, 2025

OAKHURST, NEW JERSEY

Call Meeting to Order: 4:30 pm

Roll Call: Mayor Napolitani
Deputy Mayor Fisher
Councilmember(s) Acerra, Kaplan and Talarico

Others: David G. Brown, II, Township Manager
Kevin N. Starkey, Esq., Township Attorney
Jessie M. Joseph, Township Clerk

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT:

The notice requirements of the Open Public Meetings Act for this meeting have been satisfied; a copy of the Special Meeting Notice was sent to the Asbury Park Press, posted in Town Hall and filed in the office of the Municipal Clerk on November 20, 2025.

MAYORS STATEMENT: Public Questions on Resolutions

All matters listed under 'Consent Agenda' are considered routine by the Township Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired on any item, that item will be considered separately.

The purpose of this public portion is solely to ask questions to understand Resolutions that appear on this Agenda.

PUBLIC QUESTIONS:

CONSENT AGENDA:

RESOLUTIONS:

#25-224 Authorizing the Award of Contract for the 2024 Roadway Improvement Program to Discover Construction, LLC, Dayton, NJ at a cost not to exceed \$2,724,937.82

ORDINANCES:

Introduction(s):

ORD. #2530 – (P.H. 12/11/2025 – Coaster)

An Ordinance Amending and Supplementing Chapter 21 – The Comprehensive Land Development Ordinance of the Township of Ocean Addressing Various Fees

PUBLIC COMMENTS:

RESOLUTION DECLARING CLOSED SESSION FOR THE FOLLOWING MATTERS:

C-1 Potential Litigation – Affordable Housing

ADJOURNMENT:

RESOLUTION

WHEREAS, the Township of Ocean authorized the receipt of bids for the 2024 Roadway Improvement Program on October 10, 2024; and

WHEREAS, the Township Clerk did duly advertise in the Asbury Park Press on September 23, 2025 scheduling a bid opening on October 7, 2025; and

WHEREAS, in connection therewith six (6) bids were received and after review of the bids, it was determined that the amount of concrete was more than what was budgeted; and

WHEREAS, the Township Council rejected said bids received for the 2024 Roadway Improvement Program and further authorized the Township to re-bid said project by way of Resolution No. 25-200 dated October 14, 2025; and

WHEREAS, the Township Clerk did duly advertise in the Asbury Park Press on October 28, 2025 to receive re-bids for said project; and

WHEREAS, in connection therewith the following six (6) bids were received by the Township of Ocean on November 13, 2025:

Discover Construction, LLC, Dayton, NJ	\$2,724,937.82
Fernandes Construction, Inc.	\$3,071,370.77
P & A Construction, Colonia, NJ	\$3,123,522.65
Meco, Inc., Clarksburg, NJ	\$3,233,283.50
L & L Paving Company, Inc., Farmingdale, NJ	\$3,251,802.45
S. Batata Construction, Inc., Parlin, NJ	\$3,566,833.00

WHEREAS, the following prospective bidders picked up documents but failed to submit said bid: Earle Asphalt Company, Farmingdale, NJ, PM Construction Corp., Hillside, NJ and Black Rock Enterprises, LLC, Old Bridge, NJ; and

WHEREAS, it was determined that the lowest responsible bidder meeting specifications for the bid was Discover Construction, LLC, Dayton, NJ at a cost not to exceed \$2,724,937.82; and

WHEREAS, the Township Manager and the Township Engineer have recommended that a contract be awarded to Discover Construction, LLC, Dayton, NJ as per their bid proposal for the 2024 Roadway Improvement Program at a cost not to exceed \$2,724,937.82; and

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

C-04-55-972-901	\$2,319,120.82
C-04-55-972-902	\$ 157,146.00
C-04-55-973-901	\$ 248,671.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that it does hereby award a contract to Discover Construction, LLC, Dayton, NJ as per their bid proposal for the 2024 Roadway Improvement Program as set forth in their bid submitted in the amount not to exceed \$2,724,937.82; 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 RSEOLVED that a certified copy of this resolution shall be forwarded to the following:

1. Township Engineer
2. Director of Finance
3. Discover Construction, LLC

Record of Vote	Deputy Mayor Fisher	Councilman Acerra	Councilwoman Kaplan	Councilwoman Talarico	Mayor Napolitani
Motion to Approve					
Motion to Second					
Approved					
Opposed					
Not Voting/Recuse					
Absent/Excused					

CERTIFICATION

*I hereby certify that this is a true copy of a resolution passed by the Township of Ocean Governing Body at their meeting held on **November 24, 2025.***

Jessie M. Joseph, RMC/CMC
Township Clerk

ORDINANCE #2530
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 21 – THE COMPREHENSIVE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF OCEAN ADDRESSING VARIOUS FEES

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

Chapter 21, the Comprehensive Land Development Ordinance of the Township of Ocean is hereby amended and supplemented as follows; additions to the current ordinance are noted in underline.

ARTICLE III LAND USE PROCEDURES

21-7 Purpose.

It is the intent of this section that the procedural requirements of the Municipal Land Use Law (MLUL) (N.J.S.A. 40:55D-1 et seq.) govern the Land Use and Development Procedures of the Township of Ocean. There are, however, several instances where the MLUL requires a municipality to make choices among alternatives. This chapter identifies the choices made by the Township of Ocean. The Municipal Land Use Law should be referenced for all other provisions. (Adopted 1-8-92 by Ord. No. 1564)

21-8 Requirements for Submittal of Application for Development.

An application for development, as defined in the Municipal Land Use Law, shall be required as provided for in this chapter. (Adopted 1-8-92 by Ord. No. 1564, amended 3-19-97 by Ord. No. 1770)

21-9 Fees.

The Municipal Agency shall charge fees as set forth hereinafter which shall be non-refundable and which shall be for the purpose of offsetting in-house administrative, clerical, and technical costs, exclusive of expenses for professional consultants, such as legal, planning, engineering, and other professional fees, costs, and expenses. Such professional fees shall be designated as escrow fees and as referred to hereinafter.

The Township shall furnish a copy of the fee schedule upon request.

a. Site Plans.

Preliminary		
<u>Acres</u>		<u>Per Acres</u>
0-2	\$1,000.00	\$1,000.00
2-10	\$1,800.00 plus	\$1,000.00
10-25	\$5,000.00 plus	\$ 800.00
25-100	\$8,000.00 plus	\$ 700.00
100 & up	\$15,500.00 plus	\$ 600.00
Final		
Acres		Per Acres
0-2	\$500.00 <u>plus</u>	\$500.00
2-10	\$700.00 plus	\$700.00

10-25	\$1,700.00 plus	\$600.00
25-100	\$2,800.00 plus	\$575.00
100 & up	\$6,600.00 plus	\$550.00
Amended Site Plan		\$1,500.00
Minor Site Plan		\$1,500.00
Minor Site Plan Subcommittee Review if required by the Planning Administrator		\$750.00
Extension of Site Plan Approval pursuant to N.J.S.A. 40:55d-52 40:55D-52		\$1,500.00
Trash and Recyclables Materials Storage Area		\$500.00
Flag Pole Plan		\$150.00
Administrative Approvals for façade changes (Section 21-6, Site Plan Minor) and Roof Structures (subsection 21-20.18)		\$500.00

WAIVER:

The site plan fee may be waived by the Township Council by resolution upon application by non-profit corporations devoted to recreational purposes under Title 15 of the Revised General Statutes of New Jersey and applications by the Fire Districts and Sewerage Authority within the Township of Ocean.

b. Subdivisions

Classification (Required on all Subdivisions)		\$500.00
Amended Subdivision		\$850.00
Minor (2 to 4 lots)	\$1,000.00 plus	\$250.00 per lot
Major Preliminary	\$ 850.00 plus	\$250.00 per lot
Final	\$ 500.00	\$250.00 per lot

c. Variances

<u>Total Initial Escrow Fee</u>		<u>\$2,500.00</u>
		<u>PLUS</u>
N.J.S.A. 40:55D-68	(Certification of Use)	\$1,500.00 <u>\$ 500.00</u>
N.J.S.A. 40:55D-68	(Appeals)	\$1,500.00

		<u>\$ 500.00</u>
N.J.S.A. 40:55D-68	(Interpretations)	\$1,500.00
		<u>\$ 500.00</u>
		<u>PLUS EACH NEW VARIANCE</u>
N.J.S.A. 40:55D-68	(Hardship)	
	Single Family Residential	\$1,500.00
		<u>\$ 250.00</u>
	All Others	\$1,500.00
		<u>\$ 500.00</u>
N.J.S.A. 40:55D-70d	(Use)	
	Single Family residential,	\$1,500.00
	per unit	<u>\$ 500.00</u>
	Multi-family residential/	\$1,500.00
	Townhouse, per unit	<u>\$ 500.00</u>
	Commercial and Industrial	\$1,500.00
		<u>\$ 500.00</u>
d.	Conditional Uses	\$1,500.00
		<u>\$ 500.00</u>
e.	Official Map Appeals	\$1,000.00
		<u>\$ 500.00</u>
f.	Appeals to Governing Body	\$1,000.00
		<u>\$ 500.00</u>
g.	Certified List of Property Owners	\$ 10.00
h.	Whenever an application for development shall include more than one request or action, the total accumulated fees of each separate action shall be charged.	
i.	Professional Review Fees. The Municipal Agency may require the payment of fees into an escrow account for the purpose of reimbursing the Township for direct fees, costs, charges and expenses of professional consultants retained by or on behalf of the Township, its boards, or agencies and employees and staff of the Township, its boards or agencies in reviewing and testifying and/or assisting the Township in the processing of applications pursuant to the ordinances of the Township and/or assisting the Township in the evaluation, planning, and proper design of municipal services and facilities in order to meet the needs of the proposed project. Such escrow account will be based upon the following schedules:	

Site Plans:

Major (Preliminary and/or Final)

Total Initial Escrow Fee

ACRE	0-2	\$ 3,500.00
	2-10	\$ 5,000.00

10-25		\$ 7,000.00
25-100		\$11,000.00
100 & up		\$15,000.00
Minor Site Plan		\$ 2,500.00
Minor Site Plan Subcommittee Review if required by the Planning Administrator		\$ 1,500.00
Amended Site Plan		\$ 1,500.00
Extended Site Plan Approval (Pursuant to N.J.S.A. 40:55D-52)		\$ 1,000.00
Subdivision:		
Amended Subdivision:		\$ 1,500.00
Minor	(2 to 4 lots)	\$ 2,500.00
Major	(5 to 12 lots)	\$ 3,500.00
	(13 to 24 lots)	\$ 4,500.00
	(25 to 50 lots)	\$ 5,500.00
	(51 and up)	\$11,000.00
N.J.S.A. 40:55D-67	(Conditional Use)	\$ 1,500.00
N.J.S.A. 40:55D-68	(Certification of Use)	\$ 1,500.00
N.J.S.A. 40:55D-70a	(Appeals)	\$ 1,500.00
N.J.S.A. 40:55D-70b	(Interpretations)	\$ 1,500.00
N.J.S.A. 40:55D-70c	(Bulk Variance) Non-residential	\$ 1,500.00
N.J.S.A. 40:55D-70d	(Use Variance)	\$ 2,500.00

No professional reviews will be undertaken until the escrow has been established. If, in the judgment of the Planning Board or Board of Adjustment, additional funds are required after 75 percent of the original escrow account has been exhausted, these monies shall be paid to the appropriate account or accounts.

- j. Inspection of Improvements. The fee for inspection for improvements for site plans, subdivisions, and single lot residential development shall be calculated at the rate of 5 percent of the cost of the improvement or \$500.00 whichever is greater.

For those developments for which fees are \$10,000.00 or greater, fees may, at the option of the developer, be paid in four installments. The initial amount deposited by a developer shall be 25 percent of the fees. When the balance on deposit drops to 10 percent of the fee because the amount deposited by the developer has been reduced by the amount paid to the Municipal

Engineer for inspection, the developer shall make additional deposits of 25 percent of the fees. The Municipal Engineer shall not perform any inspections if sufficient funds to pay for those inspections are not on deposit.

k. Special Meetings for Planning Board and Board of Adjustment.

If the Board of Adjustment or Planning Board is requested to, and decides to hear an application at one or more special meetings, the applicant(s) shall pay an additional three thousand five hundred (\$3,500.00) dollars for each special meeting at which the matter is heard.

Should a requested special meeting be held at any location other than in the Public Meeting Room at Town Hall, the applicant(s) shall be responsible for any and all additional expenses incurred by the Township of Ocean as a result of having to re-locate said meeting. The amount of such costs shall be provided to the applicant and shall be paid, in escrow, prior to the scheduling of said special meeting. (Amended 8-9-16 by Ord. No. 2277)

l. Conceptual Review. At the request of a developer, the Planning Board shall grant an informal review of a concept plan for development for which the developer intends to prepare and submit an application for development. The fees for such an informal review are:

Application Fee	\$500.00
Escrow and Professional Review	\$500.00

The amount of any fees for such an informal review shall be a credit toward fees for review of the application for development if applied for within 180 days of such an informal review.

m. Legal Reviews by Township Attorney.

Guarantee Review:	per review
Review of performance guarantee by Township Attorney	\$250.00
Review of maintenance guarantee by Township Attorney	\$250.00
Guarantee Review:	per review
Preparation of performance guarantee by Township Attorney	\$500.00
Preparation of extension to developer's agreement	\$150.00
Miscellaneous review	\$250.00
Master Deed, Certificate of Incorporation, Bylaws, Unit Deeds, etc.	

n. Site Plan Charges Computation. In cases where only a portion of a parcel or site are to be involved in the proposed site plan, the site area a charge shall be based upon an area extending 20 feet outside the limits of all construction, including grading and landscaping as well as all other areas of the site the Township Engineer believes are reasonably affected by the development application. The 20 feet around the disturbed area shall not extend beyond the

property lines. The Township may still require reasonable improvements and upgrading to the portions of the site not within the disturbed or affected areas.

o. Reviews and Inspections by the Township Engineer

1. Grading Plans

Structures over 200sf including but not limited to Pools/Tennis Courts/Sports Courts/additions/decks/patios

\$350.00	for the original submittal and site visit
\$75.00	for each re-submittal or re-inspection
\$250.00	for the final as-built submittal and site visit
\$75.00	for each final as-built re-submittal or re-inspection

Single Lot, Residential

\$350.00	for the original submittal and site visit
\$75.00	for each re-submittal or re-inspection
\$300.00	for the final as-built submittal and site visit
\$75.00	for each final as-built re-submittal or re-inspection

2. Miscellaneous Inspections

\$150.00	Driveways with new curb cuts or aprons
\$150.00	Curb Installation
\$150.00	Sidewalk Installation in Tight of Way
\$75.00	for each re-inspection

p. Zoning Permits. Zoning Permits shall be required for the following items:

Single Family Homes	\$150.00
Single Family Additions	\$100.00
Inground Pools (w/ fence)	\$100.00
Above Ground Pools/spas/hot tubs	\$75.00
Fences	\$75.00
Demolition	\$75.00
Dumpsters/Storage Containers/ PODS	\$75.00
Decks	\$75.00
Sheds/Driveways/Patios/Pads	\$75.00
Generators/AC Condensers	\$75.00
Commercial Building	\$250.00
Commercial addition	\$150.00
Tenant Fit Up/Interior Renovations	\$150.00
Signage	\$100.00
Commercial Accessory Structures/Buildings	\$150.00

q. Zoning Letters.

Residentially-Zoned Property	\$150.00
All Others	\$250.00

- r. Stormwater Detention and Retention Systems. Fees for inspection and management of stormwater detention and retention systems shall be as listed in Schedule I Stormwater Management Fund Calculation as provided at the end of subsection 21-55.14
- s. All Zoning application fees are non-refundable.

Record of Vote	Deputy Mayor Fisher	Councilman Acerra	Councilwoman Kaplan	Councilwoman Talarico	Mayor Napolitani
Motion to Approve					
Motion to Second					
Approved					
Opposed					
Not Voting/Recuse					
Absent/Excused					

CERTIFICATION

*I hereby certify that this is a true copy of an Ordinance introduced by the Township of Ocean Governing Body at their meeting held on **November 24, 2025**.*

Jessie M. Joseph, RMC/CMC
Township Clerk