

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

**DECEMBER 23, 2009****OAKHURST, NEW JERSEY**

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The Regular Meeting of the Township Council was held in the Township Meeting Room, First Floor, Public Meeting Room, 399 Monmouth Road, Oakhurst, NJ 07755 at 7:00 p.m.

**Present:** Deputy Mayor Hiers, Councilmember(s) Garofalo, Siciliano

**Absent:** Mayor Larkin, Councilmember Schepiga

**Others:** Martin Arbus, Esq. Township Attorney  
Andrew Brannen, Township Manager  
Vincent Buttiglieri, Township Clerk

Deputy Mayor Hiers presided and called the meeting to order and asked for the Pledge of Allegiance.

**Statement of Compliance with the Open Public Meetings Act:**

Deputy Mayor Hiers 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 18, 2009.

**Fire Exit Procedures:**

There are two emergency exits on the wall to my right that will take you to the front of the building and another one to my left that will take you to the rear parking lot.

**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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**Mayor's Statement:** Public Portion to Ask Questions with Regard to Resolutions and Vouchers

The purpose of this public portion is solely to ask questions to understand Resolutions and/or Vouchers that appear on the 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:**

There were no public comments at this time

**CONSENT AGENDA**

On a motion by Councilmember Siciliano and seconded by Councilmember Garofalo, it was moved to approve the following Consent items:

**MINUTES:**

December 8, 2009 – Workshop, Public and Closed

December 14, 2009 – Workshop and Closed

**RESOLUTIONS:****09-201 Approve appointments for the Township of Ocean Public Defender and the Conflict Public Defenders for the period January 1, 2010 through December 31, 2010**

**BE IT RESOLVED** by the Township Council 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:

<b>PUBLIC DEFENDER</b>	<b>Member</b>	<b>Starting</b>	<b>Ending</b>
1 year term	Robert Fernicola	January 1, 2010	December 31, 2010
<b>Conflict</b>			
1 year term	Victor Covelli	January 1, 2010	December 31, 2010
1 year term	Jason Volet	January 1, 2010	December 31, 2010
1 year term	Christine Hanlon	January 1, 2010	December 31, 2010
1 year term	Michael G. Celli	January 1, 2010	December 31, 2010

All other previously made appointments and associated terms shall remain in full force and effect.

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

1. Board/Committee or Department
2. Administrative Secretary
3. Public Agency Compliance Officer
4. Municipal Clerk

**09-202 Authorize the Township Manager to execute the Hold Harmless Agreement between the Township of Ocean and the Sheraton Eatontown Hotel**

**WHEREAS**, the Township of Ocean wishes to utilize the facilities at the Sheraton Eatontown Hotel to install one radio antenna, and all associated equipment, to be utilized by the Township of Ocean Police Department; and

**WHEREAS**, the Sheraton Eatontown Hotel is requesting that the Township of Ocean complete and submit a Hold Harmless Agreement for said installation and equipment storage at their facility located at 6 Industrial Way, Eatontown, NJ;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Ocean, County of Monmouth that authorization is hereby given for the Township Manager to execute the Hold Harmless Agreement with the Sheraton Eatontown Hotel, 6 Industrial Way, Eatontown, NJ for the installation of one radio antenna and all associated equipment to be utilized by the Township of Ocean Police Department, and

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

1. Antonio Amodio, Police Chief
2. Sheraton Eatontown Hotel
3. Marianne Wilensky, Director of Community Development

**ROLL CALL:**

YES: Garofalo, Hiers, Siciliano

ABSENT: Larkin, Schepiga

**INDIVIDUAL ACTION:**

VOUCHERS: \$360,201.16

**Township of Ocean  
Department of Finance  
Voucher List for December 23, 2009**

Vendor Name	Description	Amount	Contract
<b><u>Appropriation Reserves Payments</u></b>			
LEON S AVAKIAN INC	4/3-6/26 RES SITE INSPECTIONS	3,452.50	
<b><u>Total</u></b>		<b>3,452.50</b>	
<b><u>Total Appropriation Reserves Payments</u></b>		<b><u>3,452.50</u></b>	
<b><u>2009 Current Fund Appropriation Payments</u></b>			
AFLAC - NEW YORK	NOV 2009 MEDFLEX ADMIN	25.00	
ALBERTA E FARY	REFUND OF HOMESTEAD REBATE	1,147.31	
ALL INDUSTRIAL SAFETY PRODUCTS	Misc safety products	1,176.84	
ANGELA EUGENIS	PARTIAL REFUND OF BBALL REG FE	10.00	
APCO INTERNATIONAL INC	PD- ANNUAL DUES	92.00	
ARMSTRONG TREE SERVICE LLC	Remove hazardous trees	3,725.00	
ASBURY AUTO TOPS	Recover drivers seat truck #96	150.00	
BECKERS TREE SERVICE INC	Tree removal @ Pool & Tennis	4,800.00	
BOARD OF FIRE COMMISSIONERS	PD- 50% YEARLY MAINTENANCE	791.55	
BRANNEN, ANDREW G	EXPENSE REIMBURSEMENT	75.00	
BROWN, SANFORD ESQ	PB reviews / Litigation review	1,515.00	
BSN SPORTS	CERT equipment	157.20	
CALABRO, PHIL	SUPERVISE ADULT BB DECEMBER	52.00	
CARASIA, STEPHEN	REIMBURSE FINGERPRINTING	26.25	
CENTRAL TOWING & RECOVERY INC	Tow car #5 back to Sunset Gara	162.65	
CLEARY, ROBERT	COMMUNICATION SYSTEM	50.00	
COUNTRY CLEAN INC	REC MAINT SUPPLIES	538.56	
CRYSTAL SPRINGS	Nov spring water	76.20	
DE GILIO, MICHAEL	REFUND FINGERPRINT EXPENSE	26.25	
EAST COAST SOD & SEED LLC	BLUE GRASS/FESCUE CTGC	1,625.00	
EATONTOWN MEDICAL ASSOC PA	PD- NEW HIRE PHYSICAL/JACKSON	322.00	
EMERY, DAVID	REIMBURSE FINGERPRINTING	26.25	
ESTATE OF ADA QUINN	REFUND 2008 HOMESTEAD REBATE	1,250.00	
ESTATE OF GEORGE A. REPETTI	REFUND 2008 HOMESTEAD REBATE	1,064.06	
ESTATE OF GEORGE T. SODINI	REFUND 2008 HOMESTEAD REBATE	1,317.72	
FEDEX	PD- RADAR UNIT REPAIR	18.13	
FLEETWASH INC	Wash sanitation trucks	537.50	
GANGEMI, STEPHEN P, II &	REFUND 2009 HOMESTEAD REBATE	1,110.68	
GARCIA, MARIA	Spanish Intpr session 11-24-09	165.00	
GEESE CHASERS LLC	GEESE CONTROL DECEMBER	862.33	
GIFFORD, EARL H	PD- TRAVEL REIMBURSEMENT	117.74	
GOLF CAR SPECIALITIES LLC	UTILITY VEHICLES CTGC	140.00	
GONCALVES, JOHN	PD- REIMBURSE DAMAGED UNIFORM	51.95	
GOVCONNECTION INC	Cord Concealer/ PCI IEEE 1284	34.00	
GOVCONNECTION INC	PD- PRINTER TONERS/INK STIKS	1,704.00	
GRAINGER	4 x 6 Door Mat CTGC	102.79	
GRAYBAR ELECTRIC CO	November misc supplies	224.47	
HALSEY, MATTHEW	SUPERVISE VOLLEYBALL DEC.	78.00	
HANBURY, RAYMOND F. JR. PHD	PD- PSYCH EXAM / JAKCSON	500.00	
HECHT, ANDREW	REIMBURSE FINGERPRINT EXP.	26.25	
HOELLE, STEPHEN & JENNIFER	REFUND 2008 HOMESTEAD REBATE	636.99	
HUHN, PHILIP D	5/21-12/9 HEARING OFFICER	2,340.00	
INNOVATIVE DATA SOLUTIONS	PD- ANNUAL SERVICE RENEWAL	2,420.00	
INTERFAITH NEIGHBORS INC	ANNUAL DONATION MEALS ON	1,200.00	
INTERNATIONAL CODE COUNCIL INC	Purchase 2006 IFC NJ Code	129.00	
INTERNATIONAL CODE COUNCIL INC	2009 PROPERTY MAINTENANCE	79.00	
JASMIN BRACERO	PARTIAL REFUND OF ROOM RENTAL	40.00	

## MEETING MINUTES

DECEMBER 23, 2009

JAVIER REY ARANGO	REFUND OF ROOM RENTAL FEE	90.00
JERSEY CENTRAL POWER & LIGHT	Nov electric general usage	26,560.63
JERSEY SHORE JR WRESTLING LEAG	WRESTLING LEAGUE DUES	2,403.00
JOHN F TRAINOR INC	12/16 TRANSCRIPTION SERVICES	620.25
JOHNNY ON THE SPOT INC	ADA UNIT PALAIA PARK -DECEMBER	98.45
JOSEPH FAZZIO WALL LLC	Misc steel for Twp vehicles	997.08
LAGER GLASS CO INC	Replace broken glass panel	450.00
LANGUAGE LINE SERVICES	October Telephone Interpreters	27.20
LAWSON PRODUCTS INC	Misc washers & bolts	552.76
LEISURE SPORTING GOODS	BASKETBALL/SOCCER SHIRTS	3,103.32
LEISURE SPORTING GOODS	COACHES CAPS -Vol Recognition	2,394.00
LEISURE SPORTING GOODS	BASKETBALL EQUIP	740.60
LEON S AVAKIAN INC	THRU JUNE 09-RES ZONING RVWS	5,602.50
LOWES INC	TILES/ADHESIVES	289.23
LOWES INC	WATER COOLER	117.00
MAACO COLLISION REPAIR & AUTO	PD- NEW CARS PAINT HOOD/TRUNK	1,600.00
MAIN ELECTRIC SUPPLY CO INC	Misc supplies for generator	1,777.44
MAJOR POLICE SUPPLY	PD- SINGLE PRISONER CAR CAGE	976.00
MANASQUAN GENERATOR SHOP	Rebuilt alternator sani trk #5	120.00
MAZZA & SONS INC	October dump fees for bulk	3,392.00
McHEFFEY, DR DINA A	MEDICAL CONSULT 4TH QUARTER	300.00
MGL PRINTING SOLUTIONS	Tax Search Forms	157.00
MGL PRINTING SOLUTIONS	2009 1099 INT & MISC. FORMS	214.80
MONMOUTH COUNTY TREASURER	PD- SHARED COMPUTER SERV 2009	14,984.88
MORRIS, JOSEPH	REIMBURSE FINGERPRINTING	26.25
MOTOROLA (CARE OF)	Batteries for portable radios	119.96
MOTOROLA (CARE OF)	Batteries for portable radios	83.40
NATALIE MAGGIO	REFUND FALL CO ED SOCCER REG	40.00
NEW JERSEY TURFGRASS ASSOC	Registration for 2009 Expo	280.00
NJ STATE HEALTH BENEFITS FUND	Dec Health Insurance	130,034.66
NJ STATE SAFETY COUNCIL	PD- DEFENSIVE DRIVER INTRUCTOR	100.00
NJAWC	November water usage	2,248.02
PALMER, MICHAEL W JR	PD- SLEO II UNIFORM REIMBURSE	208.75
PETERS, STEVEN	PD- TRAVEL REIMBURSEMENT	126.05
PONTON, RICHARD	REIMBURSEMENT FANE	488.00
QUIKIE PRINT & COPY SHOPS	LETTERHEAD	105.00
QUIKIE PRINT & COPY SHOPS	PRINTING OF CENSUS TAX INSERTS	201.00
REISER, KATHY	REIMBURSE FOR CONFERENCE REG.	55.00
RUDERMAN & GLICKMAN PC	NOV 2009-LABOR RELATIONS MATTE	1,290.00
RUTGERS YOUTH SPORTS RESEARCH	COACHING PACKETS	280.00
SANSONE FORD LINCOLN MERCURY	Diagnosis test truck #39	99.95
SEABOARD WELDING SUPPLY INC	REFILL CO2 TANK	39.00
SPRINT	Sprint Wireless 7323097091	64.99
SPRINT PO MANAGEMENT	PD- NEXTEL SERV PLAN-	812.15
STAVOLA ASPHALT CO INC	Nov 2nd half patch program	126.95
STEPHEN MAXWELL	REFUND OF REC BBALL REG FEE	50.00
STUART CHAVIS	REIMBURSE FINGERPRINTING	26.25
SUPERIOR OFFICE SYSTEMS	PD- COPIER TONERS	388.00
TEE'S PLUS	DARE SUPPLIES	471.90
THE NEW COASTER LLC	12/17 MTG SCH,ADOPT 2141,2142	41.54
THEO RITORTO	REFUND OF REC BBALL REG FEE	50.00
TONK'S WASTE OIL SERVICE LLC	Remove waste anit-freeze	175.00
TONKS'S USED OIL FILTER DISP	Remove used oil filters	100.00
TREASURER STATE OF NJ	Annual elevator inspection fee	328.00
TREASURER STATE OF NJ	Recycling monitoring fees	2,282.50
TWP OF OCEAN SEWERAGE AUTH	2008 SEWER LIENS SOLD 10/21/09	4,738.32
UNITED STATES POSTAL SERVICE	12/14 SEWER BILLING	2,700.00
VERIZON BUSINESS FIOS	FIOS SERVICE FOR NOV. 2009	99.99
VERIZON BUSINESS FIOS	FIOS SERVICE FOR DEC. 2009	99.99
VERIZON ONLINE	ISDN SERVICES FOR HSD 12/09	44.29
VERIZON ONLINE	ISDN SERVICES FOR 12/09	57.24
VERIZON WIRELESS	Verizon Aircard (garage) 11/09	80.08
VITALE, PAUL	Reimbursement for envelopes	92.66
W W GRAINGER INC	Various hand tools & equipment	137.79
WEATHERWORKS	Weather service contract	1,500.00
WITTEK GOLF SUPPLY CO INC	MISC RETAIL ITEMS CTGC	222.87
WPCS INT'L INC - LAKEWOOD	PD- MDT MAINTENANCE CONTRACT	2,656.00
YAO, AMY	REIMBURSE CAMP CRAFTS	41.47

## MEETING MINUTES

DECEMBER 23, 2009

<b><u>Total</u></b>		<b>253,500.83</b>
	<b><u>Total 2009 Current Fund Appropriations Payments</u></b>	<b><u>253,500.83</u></b>
	<b><u>General Capital Payments</u></b>	
ALLSTEEL, INC.	TASK CHAIR FOR PAYROLL SUPER.	396.41
BUCK SIMPERS ARCHITECT & ASSOC 00003	FINAL PMT MUN BLDG-WEST WING	4,750.00 C7-
BUCK SIMPERS ARCHITECT & ASSOC 00011	FINAL PAYMENT-LOBBY REDESIGN	9,500.00 C8-
CDW GOVERNMENT INC	Network Rack & Equipment	199.00
CDW GOVERNMENT INC	Barracuda Spam & Virus Firewal	2,700.00
HEWLETT-PACKARD CO	Compaq 6730b Notebook	1,045.00
STAPLES BUSINESS ADVANTAGE	PD/CAP- SHREDDERS (ADMIN/LT's)	1,144.08
WPCS INT'L INC - LAKEWOOD	PD/CAP- RADIO PROJECT	2,880.00
<b><u>Total</u></b>		<b>22,614.49</b>
	<b><u>Total General Capital Payments</u></b>	<b><u>22,614.49</u></b>
	<b><u>Grants Payments</u></b>	
NJ STATE HEALTH BENEFITS FUND	Dec Health Insurance	1,594.60
<b><u>Total</u></b>		<b>1,594.60</b>
	<b><u>Total Grants Payments</u></b>	<b><u>1,594.60</u></b>
	<b><u>Law Enforcement Trust Payments</u></b>	
SPRINT PO MANAGEMENT	PD/TOLET- NEXTEL SERV - NOV	53.48
<b><u>Total</u></b>		<b>53.48</b>
	<b><u>Total Law Enforcement Trust Payments</u></b>	<b><u>53.48</u></b>
	<b><u>TORTA Payments</u></b>	
ALI, NANCY	REIMBURSE "COOKING" SUPPLIES	91.92
CALMES, KEITH	MUSIC PROGRAM AUG 2 TERNER	200.00
KOHARSKI, MARJORIE	MUSIC PROGRAM AUG 2 TERNER	200.00
LEISURE SPORTING GOODS	INSTRUCTION DIV T-SHIRTS	915.60
MUSICAL ME LLC	FALL CYCLE OF DRAMA FINAL PYMT	175.00
MUSICAL ME LLC	INSTRUCT MUSICAL ME DECEMBER	200.00
RAWDING, MARK	REIMBURSE SUPPLIES COOKING CLS	70.90
RAWDING, MARK	REIMBURSE SUPPLIES TORTA PROG.	29.87
RAWDING, MARK	REIMBURSE BAKING SUPPLIES	310.70
TWP OF OCEAN PAYROLL ACCOUNT	TORTA 12/11/09	852.05
TWP OF OCEAN PAYROLL ACCOUNT	Torta for 12/24/09	455.55
<b><u>Total</u></b>		<b>3,501.59</b>
	<b><u>Total TORTA Payments</u></b>	<b><u>3,501.59</u></b>
	<b><u>Trust Other Payments</u></b>	
BROWN, SANFORD ESQ	PB Reviews and Resolutions	1,187.50
BROWN, SANFORD ESQ	Moutis Reviews/Resolution	300.00
FITZGERALD, WILLIAM	PB Review Laurel Ave Assoc	270.00
FRIEND, BRUCE	worker's Comp Scibal ck 42914	1,240.10
FRIEND, BRUCE	Twp Share Scibal Ck 42914	305.90
GEORGE DISAKIAS & SON INC	REFUND OF OVERPYMT OF INSP FEE	25.00
JAMES HIGGINS ASSOCIATES	PLANNING RE AFFORD. HOUSING	437.50
JAMES HIGGINS ASSOCIATES	PB and BOA Reviews	1,576.25
JAMES HIGGINS ASSOCIATES	Landscape Inspections	312.50
JAMES HIGGINS ASSOCIATES	NOV 2009 KOTCH SITE INSPECTION	62.50
JASON A VOLET LLC	9/2-12/17 CONFLICT PUBLIC DEF	575.00
LEON S AVAKIAN INC	THRU JULY 09-OCEAN SENIOR INSP	877.50
MASER CONSULTING, P.A.	NOV/DEC 09-VARIOUS INSPECTIONS	7,496.25
STAVOLA ASPHALT CO INC	Pave Bellmore Street-Aaphalt	7,112.43
STAVOLA ASPHALT CO INC	Pave Bellmore Street-Tack Oil	300.00
STEINBERG, MARK A ESQ	1712 Route 35 Reviews	875.00

**MEETING MINUTES****DECEMBER 23, 2009**

TWP OF OCEAN CURRENT FUND	Off Duty Admin Fee/Police Car	2,440.00
TWP OF OCEAN CURRENT FUND	Off Duty Police Admin/Car Use	2,330.00
TWP OF OCEAN PAYROLL ACCOUNT	Off Duty Police 12/11/09	9,195.00
TWP OF OCEAN PAYROLL ACCOUNT	Deferred Vacation 12/11/09	4,287.19
TWP OF OCEAN PAYROLL ACCOUNT	Deferred Sick Pay	17,949.60
TWP OF OCEAN PAYROLL ACCOUNT	Off Duty Police 12/24/09	7,905.00
TWP OF OCEAN PAYROLL ACCOUNT	Deferred Sick Pay (Koenig)	6,251.05
WILLMS, DOUGLAS	Workers' Comp Scibal Ck 42858	984.04
WILLMS, DOUGLAS	Twp Share Scibal Ck 42858	499.96

**Total** 74,795.27

**Total Trust Other Payments** 74,795.27

**Animal Control Trust Payments**

MGL PRINTING SOLUTIONS	YR.2010/DOG TAGS/LINKS/FORMS	677.00
NJ STATE DEPT OF HEALTH	NOV'09 STATE DOG LIC REPORT	11.40

**Total** 688.40

**Total Animal Control Trust Payments** 688.40

**Total Bill List for December 23, 2009**

<b>Appropriation Reserve Total</b>	<b>3,452.50</b>
<b>Current Fund Total</b>	<b>253,500.83</b>
<b>General Capital Fund Total</b>	<b>22,614.49</b>
<b>State &amp; Federal Grant Total</b>	<b>1,594.60</b>
<b>Law Enforcement Trust Total</b>	<b>53.48</b>
<b>TORTA Total</b>	<b>3,501.59</b>
<b>Trust Other Total</b>	<b>74,795.27</b>
<b>Animal Control Total</b>	<b>688.40</b>
<b>Bid Deposit Refund</b>	
<b>State Unemployment Trust</b>	
<b>Trust Assessment Fund</b>	
<b>Total of All Funds</b>	<b>360,201.16</b>

**ROLL CALL:**

YES: Garofalo, Hiers, Siciliano

ABSENT: Larkin, Schepiga

**RESOLUTIONS:****09-203 Authorize a contract for the following:****a. Geese Chasers, LLC to provide environmentally safe geese control**

Councilmember Siciliano offered the following Resolution and moved its adoption; seconded by Councilmember Garofalo

**WHEREAS**, the Township of Ocean owns and operates the Colonial Terrace Golf Course; and

**WHEREAS**, the Township of Ocean is desirous of providing environmentally safe goose control measures to deter geese from the grounds of the facility; and

**WHEREAS**, the Township of Ocean desires to enter into an annual agreement with Geese Chasers, LLC, 42 Broadacre Dr., Mt. Laurel, NJ 08054 for the provision of the aforementioned services in an amount not to exceed \$12,275.00 for 2010; and

**WHEREAS**, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2010 Municipal Budget under the following line item appropriation:

Colonial Terrace Golf Course – Outside Services – 0-01-28-799-252

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean that the Township Manager is hereby authorized to execute a service contract with Geese Chasers, LLC for 2010 goose control measures at the Colonial Terrace Golf Course.

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

1. Township Manager
2. Geese Chasers, LLC
3. Department of Human Services
4. Director of Finance

**ROLL CALL:**

YES: Garofalo, Hiers, Siciliano

ABSENT: Larkin, Schepiga

**b. Golf Car Specialties, LLC to provide 20 golf cars for Colonial Terrace Golf Course**

Councilmember Siciliano offered the following Resolution and moved its adoption; seconded by Councilmember Garofalo

**WHEREAS**, the Township of Ocean will resume operations of the Colonial Terrace Golf Course as of April, 2010; and

**WHEREAS**, the Township of Ocean intends to provide golf cars available for rent by course users during the operating season; and

**WHEREAS**, the Township of Ocean desires to enter into a full service lease agreement with Golf Car Specialties, LLC, 136 Washington St., Gloucester City, NJ 08030 for the provision of 20-23 reconditioned Yamaha gasoline golf cars for the 2010 operating season in an amount not to exceed \$12,420.00; and

**WHEREAS**, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2010 Municipal Budget under the following line item appropriation:

Colonial Terrace Golf Course – Outside Services 0-01-28-799-252

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean that the Township Manager is hereby authorized to execute a Full Service Lease Agreement with Golf Car Specialties, LLC for the 2010 Colonial Terrace Golf Course operating season.

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

1. Township Manager
2. Golf Car Specialties
3. Department of Human Services
4. Director of Finance

**MEETING MINUTES****DECEMBER 23, 2009****ROLL CALL:**

YES: Garofalo, Hiers, Siciliano

ABSENT: Larkin, Schepiga

**09-204 Amend the contract with Mark S. Ruderman, Esq., and the firm Ruderman & Glickman, for the remainder of 2009.**

Councilmember Siciliano offered the following resolution and moved its adoption; seconded by Councilmember Garofalo

**WHEREAS**, the Township of Ocean has a need to engage the services of an attorney licensed in the State of New Jersey specializing in the field of labor law; and

**WHEREAS**, the Township Council of the Township of Ocean, County of Monmouth previously awarded a contract with Mark S. Ruderman, Esq., and the firm of Ruderman & Glickman, PC to provide legal services pertaining to labor law matters at an hourly rate of \$150.00, not to exceed \$60,000.00 for the period of January 1 through December 31, 2009; and

**WHEREAS**, there is a need to amend said contract with Mark S. Ruderman, Esq., and the Firm Ruderman & Glickman, PC with a not to exceed \$10,000.00 provision for the remainder of 2009, bringing the total 2009 contract to \$70,000.00; and

**WHEREAS**, the Director of Finance has certified that there are funds available for said amendment in the 2009 Legal Budget, Account # 9-01-20-712-218;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that authorization is hereby given to amend the contract with the firm Mark S. Ruderman, Esq., and the Firm Ruderman & Glickman, PC with a not to exceed provision of \$10,000.00 for the remainder of 2009, with a total amount allotted to said firm of \$70,000.00 for the year 2009; and

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

1. Director of Finance
2. Mark S. Ruderman, Esq., and the Firm Ruderman and Glickman, PC

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be advertised according to law.

**ROLL CALL:**

YES: Garofalo, Hiers, Siciliano

ABSENT: Larkin, Schepiga

**09-205 Authorize the purchase of radio communications equipment from New Jersey Business Systems (State Contract #A61405)**

Councilmember Siciliano offered the following resolution and moved its adoption; seconded by Councilmember Garofalo

**WHEREAS**, in the past, the Township of Ocean, Monmouth County has availed itself of the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State of New Jersey pursuant to N.J.S.A. 40A:11-10; and

**WHEREAS**, it is desirable from time to time to obtain materials, supplies and equipment under contracts for such items through the State of New Jersey without the necessity of advertising for bids, or in the cases where no bids have been received; and

**WHEREAS**, the Township of Ocean, Monmouth County desires to purchase radio equipment for the Police Communication System from NJ Business Systems under state contract # A61405 entered into on behalf of the State of New Jersey by said Council during the year 2009; and

**WHEREAS**, the Chief Financial Officer has certified that there are available funds under account number C04-55-928-910 Police Radio System, Phase II ;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Township of Ocean, County of Monmouth, State of New Jersey, that the purchase by the Township of Ocean, Monmouth County for a radio communications equipment from NJ Business Systems, Robbinsville, NJ for a total of \$56,290.00 under State of New Jersey Contract A61405

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution are to be filed with:

1. Director of Finance
2. Township Auditor
3. Police Department

**ROLL CALL:**

YES: Garofalo, Hiers, Siciliano

ABSENT: Larkin, Schepiga

**09-206 Authorize a Professional Services Contract with Michael R. DuPont, Esq., McKenna, DuPont, Higgins & Stone, to provide Legal Counsel Services in 2010 related to tax appeals.**

Councilmember Siciliano offered the following resolution and moved its adoption; seconded by Councilmember Garofalo

**WHEREAS**, the Township of Ocean has a need to engage the services of an attorney licensed in the State of New Jersey specializing in the defense of tax appeals; and

**WHEREAS**, the Township Council of the Township of Ocean has elected to utilize the "non-fair and open" process in making this appointment pursuant to the provisions of N.J.S.A. 19:44A-20.8 for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Unit Pay-to-Play Law; and

**WHEREAS**, the Township Manager has determined that the value of these services is expected to exceed \$17,500.00 in the calendar year of 2010; and

**WHEREAS**, the anticipated term of this contract is one year from January 1, 2010 to December 31, 2010; and

**WHEREAS**, Michael R. DuPont, Esq., and the firm of McKenna, DuPont, Higgins & Stone, has submitted a proposal of special counsel pertaining to tax appeals matters at an hourly rate of \$125.00; and

**WHEREAS**, the continuation of the utilization of Michael R. DuPont, Esq., and the firm of McKenna, DuPont, Higgins & Stone, will provide continuity of representation with respect to certain pending matters; and

**WHEREAS**, the firm of McKenna, DuPont, Higgins & Stone has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of McKenna, DuPont, Higgins & Stone has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous one year and that the contract will prohibit

the firm of McKenna, DuPont, Higgins & Stone from making any reportable contributions to a political or candidate committee in the Township of Ocean through the term of the contract; and

**WHEREAS**, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2010 Municipal Budget under the following line item appropriation:

Defense of Tax Appeals – 0-01-20-710-219.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Ocean, County of Monmouth authorizes the Mayor and Township Clerk to enter into a contract with the firm of McKenna, DuPont, Higgins & Stone as described herein and with a not to exceed \$45,000.00 provision; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution are to be filed with:

1. Director of Finance
2. Township Auditor
3. McKenna, DuPont, Higgins & Stone

**BE IT FURTHER RESOLVED** that a Business Entity Disclosure Certification and the Determination of Value be placed on file with this Resolution and Contract; and

**BE IT FURTHER RESOLVED** that notice of this action shall be published according to law.

**ROLL CALL:**

YES: Garofalo, Hiers, Siciliano

ABSENT: Larkin, Schepiga

**09-207 Authorize a Professional Services Contract with Mark S. Ruderman, Esq., Ruderman & Glickman, PC, to provide Labor Counsel Services for 2010.**

Councilmember Siciliano offered the following resolution and moved its adoption; seconded by Councilmember Garofalo

**WHEREAS**, the Township of Ocean has a need to engage the services of an attorney licensed in the State of New Jersey specializing in the field of labor law; and

**WHEREAS**, the Township of Ocean Council has elected to make this appointment pursuant to the provisions of N.J.S.A. 19:44A-20.8 for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Unit Pay-to-Play Law; and

**WHEREAS**, the Township Manager has determined and certified in writing that the value of these services is expected to exceed \$17,500.00 in the calendar year of 2010; and

**WHEREAS**, the anticipated term of this contract is one year from January 1, 2010 to December 31, 2010; and

**WHEREAS**, Mark S. Ruderman, Esq. and the firm of Ruderman & Glickman, PC has submitted a proposal to provide legal services pertaining to labor law matters at an hourly rate of \$150.00; and

**WHEREAS**, the continuation of the utilization of Mark S. Ruderman, Esq., and the firm of Ruderman & Glickman, PC, will provide continuity of representation with respect to certain pending matters; and

**WHEREAS**, the firm of Ruderman & Glickman, PC has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Ruderman & Glickman, PC has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous year, and that the contract will prohibit the firm of Ruderman & Glickman, PC from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2010 Municipal Budget under the following line item appropriation:

Legal O.E. – 0-01-20-712-218

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Ocean, County of Monmouth authorizes the Mayor and Township Clerk to enter into a contract with Mark S. Ruderman, Esq., and the firm of Ruderman & Glickman, PC, as described herein and with a not to exceed \$75,000.00 provision; and

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

1. Director of Finance
2. Mark S. Ruderman, Esq., and the Firm Ruderman and Glickman, PC

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

**BE IT FURTHER RESOLVED** that notice of this action shall be published according to law.

**ROLL CALL:**

YES: Garofalo, Hiers, Siciliano

ABSENT: Larkin, Schepiga

**09-208 Authorize a Professional Services Contract with Clarke Caton Hintz to prepare a Housing Element and Fair Share Plan for the Township of Ocean.**

Councilmember Siciliano offered the following Resolution and moved its adoption; seconded by Councilmember Garofalo

**WHEREAS**, the Township of Ocean requires the services of a professional planner, licensed in the State of New Jersey, to prepare a Housing Element and Fair Share Plan for the Township of Ocean; and

**WHEREAS**, the Township Manager has determined that the value of these services is expected to exceed \$17,500.00 in the calendar year of 2010; and

**WHEREAS**, the Township of Ocean solicited a proposal from the firm of Clarke Caton Hintz, Trenton, NJ to provide said service to the Township at a cost not to exceed \$63,000.00 for the period from January 1, 2010 through December 31, 2010; and

**WHEREAS**, the Township Council of the Township of Ocean has elected to utilize the “non-fair and open” process in making this appointment pursuant to the provisions of N.J.S.A. 19:44A-20.8 for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Unit Pay-to-Play Law; and

**WHEREAS**, Clarke Caton Hintz has completed and submitted a Business Entity Disclosure Certification which certifies that Clarke Caton Hintz has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous

year, and that the contract will prohibit Clarke Caton Hintz from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract; and

**WHEREAS**, the Township Manager has recommended that a contract be awarded to the Firm of Clarke Caton Hintz, Trenton, NJ at a cost not to exceed \$63,000.00; and

**WHEREAS**, the Director of Finance has certified that funds are available under the following line item appropriation:

Reserve for Affordable Housing - Account #T-03-56-866-866;

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Township of Ocean, County of Monmouth that authorization is hereby given for the Mayor and Municipal Clerk to execute the Agreement with Clarke Caton Hintz to prepare a Housing Element and Fair Share Plan for the Township of Ocean at a cost not to exceed \$63,000.00; and

**BE IT FURTHER RESOLVED**, that this resolution shall be advertised according to law; and

**BE IT FURTHER RESOLVED**, that the required Business Entity Disclosure Certification and the Determination of Value be filed with this Resolution and Contract; and

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

1. Clarke Caton Hintz
2. Township Auditor
3. Public Agency Compliance Officer

**ROLL CALL:**

YES: Garofalo, Hiers, Siciliano

ABSENT: Larkin, Schepiga

**09-209 Authorize the purchase and installation of police communications equipment from WPCS International (State Contract #A53764)**

Councilmember Siciliano offered the following resolution and moved its adoption; seconded by Councilmember Garofalo

**WHEREAS**, in the past, the Township of Ocean, Monmouth County has availed itself of the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State of New Jersey pursuant to N.J.S.A. 40A:11-10; and

**WHEREAS**, it is desirable from time to time to obtain materials, supplies, equipment and installation of equipment under contracts for items through the State of New Jersey without the necessity of advertising for bids, or in the cases where no bids have been received; and

**WHEREAS**, the Township of Ocean, Monmouth County desires to purchase and install radio equipment for the Police Communications System from WPCS International, under state contract A53764 entered into on behalf of the State of New Jersey by said Council during the year 2009; and

**WHEREAS**, the Director of Finance has certified that there are available funds in the Capital Improvement Fund, account # C-04-55-924-910 - Police Radio System, Phase II;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Township of Ocean, County of Monmouth, State of New Jersey, that the purchase and installation of police radio system equipment for the Township of Ocean, Monmouth County be conducted by WPCS International, Lakewood, NJ for a total of \$51,136.88 under State of New Jersey Contract A53764.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution are to be filed with:

1. Director of Finance
2. Township Auditor
3. Police Department

**ROLL CALL:**

YES: Garofalo, Hiers, Siciliano

ABSENT: Larkin, Schepiga

**09-210 Authorize the purchase of radio communications equipment from Motorola (State Contract #A53804)**

Councilmember Siciliano offered the following resolution and moved its adoption; seconded by Councilmember Garofalo

**WHEREAS**, in the past, the Township of Ocean, Monmouth County has availed itself of the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State of New Jersey pursuant to N.J.S.A. 40A:11-10; and

**WHEREAS**, it is desirable from time to time to obtain materials, supplies and equipment under contracts for such items through the State of New Jersey without the necessity of advertising for bids, or in the cases where no bids have been received; and

**WHEREAS**, the Township of Ocean, Monmouth County desires to purchase radio equipment for the Police Communication System from Motorola under state contract # A53804 entered into on behalf of the State of New Jersey by said Council during the year 2009; and

**WHEREAS**, the Chief Financial Officer has certified that there are available funds under account number C04-55-928-910 Police Radio System, Phase II;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Township of Ocean, County of Monmouth, State of New Jersey, that the purchase by the Township of Ocean, Monmouth County for a radio communications equipment be conducted from Motorola through WPCS International Inc, Lakewood, NJ for a total of \$358,961.95 under State of New Jersey Contract A53804

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution are to be filed with

1. Director of Finance
2. Township Auditor
3. Police Department

**ROLL CALL:**

YES: Garofalo, Hiers, Siciliano

ABSENT: Larkin, Schepiga

**09-211 Certificate of Determination and Award for Bond Anticipation Notes in the amount of \$2,314,904.00**

Councilmember Siciliano offered the following resolution and moved its adoption; seconded by Councilmember Garofalo

**WHEREAS**, the Chief Financial Officer of the Township of Ocean authorized and awarded a bid for Bond Anticipation Notes in the amount of \$2,314,904.00 which will provide funding for various Capital Ordinances; and

**WHEREAS**, the Chief Financial Officer of the Township of Ocean determined that Beneficial Mutual Bancorp Inc., was the lowest responsible bidder and was awarded the sale of the \$2,314,904.00 Bond Anticipation Note issued on December 22, 2009 and maturing on December 21, 2010; and

**WHEREAS**, in accordance with the provisions of N.J.S.A. 40A:2-28, the Chief Financial Officer of the Township of Ocean is required to provide a Certificate of Determination and Award to the Governing Body of the Township of Ocean;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey that the attached Certificate of Determination and Award has been duly received by the Governing Body of the Township of Ocean.

**ROLL CALL:**

YES: Garofalo, Hiers, Siciliano

ABSENT: Larkin, Schepiga

**09-212 Amend the contract with Jeffrey R. Surenian, Esq., and the firm Jeffrey R. Surenian and Associates, LLC for the remainder of 2009.**

Councilmember Siciliano offered the following resolution and moved its adoption; seconded by Councilmember Garofalo

**WHEREAS**, the Township of Ocean previously awarded a contract to Jeffrey R. Surenian, Esq., and the Firm of Jeffrey R. Surenian and Associates to assist the Township of Ocean and its legal counsel in helping the Township address its responsibilities with respect to its affordable housing obligations; and

**WHEREAS**, there is a need of amending the contract with Jeffrey R. Surenian, Esq., and the Firm of Jeffrey R. Surenian and Associates, LLC, with a not to exceed \$35,000.00 provision for the remainder of 2009, bringing the total 2009 contract to \$50,000.00; and

**WHEREAS**, the Director of Finance has certified that funds are available in the Reserve for Affordable Housing, Account # T-03-56-866-866; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council in the Township of Ocean, County of Monmouth that authorization is hereby given to amend the contract with Jeffrey R. Surenian, Esq., and the Firm of Jeffrey R. Surenian and Associates, LLC with a not to exceed provision of \$35,000.00 for the remainder of 2009, with a total amount allotted to said firm of \$50,000.00 for the year 2009; and

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

1. Director of Finance
2. Jeffrey R. Surenian, Esq., and the Firm Jeffrey R. Surenian and Associates, LLC

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be advertised according to law.

**MEETING MINUTES****DECEMBER 23, 2009**

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**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Larkin

ABSENT: Siciliano

**Council Reports:**

Deputy Mayor Hiers commended the members of the Department of Public Works for the tremendous job they did in the recent snow storm. Their dedication to making the streets safe did not go unnoticed.

**The following gave no reports:**

Councilmember(s) Garofalo, Siciliano  
Andrew Brannen, Township Manager  
Martin Arbus, Township Attorney.

**PUBLIC COMMENTS:**

**Stephen Gallagher**, Director of Finance, commented that in the recent Bond Anticipation Notes offering, the coupon rate was 1.5% however, the Township did receive a premium that lowered the rate to .89% on that one year BAN.

**William McMahon**, Director of Public Works commended all those employees who battled the elements of the past weekends snow storm. They worked hard, never gave up and worked in excess of 40 hours straight to make sure the roadways were safe for the motorists.

No other public comments were received.

On a motion by Councilmember Siciliano and seconded by Councilmember Garofalo, it was moved to adjourn the meeting.

Respectfully submitted,

J. David Hiers  
Deputy Mayor

Vincent Buttiglieri, RMC/CMC  
Municipal Clerk