

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

**June 15, 2009**

**OAKHURST, NEW JERSEY**

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The Workshop Meeting was held in the Council Conference Room, Town Hall, 399 Monmouth Road, Oakhurst, NJ 07755 beginning at 5:30 p.m.

**Present:** Mayor Larkin  
Deputy Mayor Hiers, Councilmember(s) Garofalo, Schepiga, Siciliano  
**Others:** Martin Arbus, Esq., Township Attorney  
Andrew Brannen, Township Manager  
Vincent Buttiglieri, Township Clerk

Mayor Larkin announced that the notice requirements of the Open Public Meetings Act for this meeting have been satisfied; a copy of the Annual 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 16, 2008.

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**REVIEW OF ALL REGULAR MEETING MATERIAL:**

The following items were reviewed by the Governing Body and held for the Regular Meeting of May 18, 2009, unless otherwise noted (\*):

**NEW HIRE:** Police Officer Steven Walker

**PRESENTATION OF CERTIFICATES:** CERT Volunteers

**CONSENT AGENDA:**

**MINUTES:**

May 14, 2009 – Special Public Meeting  
May 18, 2009 - Workshop, Public and Closed

**RESOLUTIONS:**

09-081 Authorize the acceptance of Performance Guarantee for:

- a. Block 35.02, Lot 10 – 37 Brandywine Road – Rajeev & Shalini Gupta
- b. Block 159, Lots 40 & 41 – 70 Cold Indian Springs Road – Jeffrey & Allison Kotch

09-082 Authorize the release of Performance Guarantees for:

- a. Block 83; Lot 11.01 – 1003 Grassmere Avenue – Team Venture's, Inc.
- b. Block 141, Lots 1 & 23 – 2401 Route 66 – Retail A, Seaview Square, LLC

09-083 Authorize the release of Maintenance Guarantees for:

- a. Block 1.05, Lot 4 – 2104 Kings Highway – Paul B. Goldstein/Janet Studios
- b. Block 37.17, Lot 2 – 7 Mallard Lane – Palatial Homes, Inc.

09-084 Authorize the renewal of the 2009-2010 liquor licenses that have met all Township and state requirements and paid all applicable fees

09-085 Authorize the submission of the Fiscal Year 2010 Transportation Trust Fund Municipal Aid Program Grant application for Sunset Avenue Phase III (Unami Avenue to Laurel Avenue)

Andrew Brannen, Township manager, explained that it will be necessary for the Township to use the 2011 Grant for the final phase of the Sunset Avenue project.

- 09-086 Authorize the appointments to the following Boards and Commissions:  
Board of Adjustment; Environmental Commission; Planning Board; Multiple Dwelling Emergency Board; Monmouth County Office on Aging; Clean Communities Advisory Committee; Municipal Alliance to Prevent Alcohol and Drug Abuse
- 09-087 Naming of the Official Newspapers for the Township of Ocean for the period from July 1, 2009 through June 30, 2010
- 09-088 Authorize the appointment of the Municipal Prosecutor and Alternate Municipal Prosecutors for the period July 1, 2009 through June 30, 2010
- 09-089 Revise the Township Council meeting schedule for the balance of 2009
- 09-090 Authorize the submission of the COPS IN SHOPS Summer Shore Initiative 2009 Grant Application and various officials to effectuate documents related to receipt of said Grant
- 09-091 Authorize the receipt of Request for Proposals for the following Professional Services:
  - a. Accounting and Auditing Services
  - b. Re-Assessment Services
  - c. Engineering Services
- 09-092 Authorize the Mayor and Municipal Clerk to execute the Memorandum of Understanding for the Justice Assistance Grant program Award.
- 09-093 Authorize the receipt of bids for the 2009 Roadway Resurfacing Program  
  
Andrew Brannen reported that this contract will be awarded on July 13, 2009.
- 09-094 Cash Management Plan for the Township of Ocean.
- 09-095 Approve the extension of time for the placement of a trash dumpster on the property known as Block 5.03, Lot 27 (18 Johnston Street)
- 09-096 Authorize a Developers Agreement for:
  - a. Block 13, Lot 16 – 201 Jerome Avenue – Shore Area Mikveh

**INDIVIDUAL ACTION:**

**VOUCHERS: \$ 6,316,379.04**

**RESOLUTIONS:**

- 09-097 – Approve Change Order resulting in a decrease of \$465.12, for Tri-Form Construction, Inc. for the Police Station Communications and Records Bureau
- 09-098 - Authorizing Professional Services Agreement for Appraisal Services:
  - a. Gagliano Appraisal, L.L.C. - Pending or Future Tax Appeal Litigation, and General Real Estate Appraisal Services with Gagliano Appraisal, L.L.C.
  - b. Realty Appraisal Company - Tax Appeal Litigation, Miscellaneous Real Estate Appraisal Services; and Calculation of Added Assessments

Andrew Brannen explained that if the Township proceeds with doing a re-assessment, then these services will not be required and therefore, these resolutions will be rescinded.

09-099 Appoint Martin J. Arbus, Esq., as Township Attorney for the year July 1, 2009 through June 30, 2010.

09-100 Authorize fireworks display for July 3, 2009 at Joe Palaia Park

09-101 Authorize the Township of Ocean to conduct the Annual Budget Review in accordance with the provisions of N.J.S.A. 40A:4-78b

## **ORDINANCES:**

### **Adoption(s):**

Ordinance #2124 – An Ordinance amending Chapter 13 of the Revised General Ordinances of the Township of Ocean, 1965 entitled: Excavation and Construction of Public Streets.  
(Coaster)

Andrew Brannen requested that this ordinance not be voted on at this meeting as there are a few items that need to be reviewed. It was decided that the Public Hearing will be conducted and held open until the July 13, 2009 meeting.

Ordinance #2126 – An Ordinance amending Chapter 12 of the Revised General Ordinances of the Township of Ocean, 1965 prohibiting parking along portions of Wickapecko Drive.  
(Coaster)

Ordinance #2127 – A Bond Ordinance providing for various improvements, more specifically for Public Works equipment and vehicles; Police Department equipment; acquisition of MIS equipment; recreation improvements and various road improvements.  
(Coaster)

Ordinance #2128 – An Ordinance amending Chapter 14 of the Revised General Ordinances of the Township of Ocean, 1965 entitled: Swimming Pools.  
(Coaster)

Andrew Brannen explained that this ordinance incorporates changes in the way the hours of operation for the community pool are developed as well as incorporating the active military provision that was previously approved.

Ordinance #2129 – An Ordinance authorizing the private sale of non-conforming real property known as Block 211, Lot 1 to contiguous property owners pursuant to N.J.S.A. 40A:12-13 (B)(5)  
(Coaster)

### **Introduction(s):**

Ordinance #2131 – A Bond Ordinance providing for curb and sidewalk improvements to various Township roadways appropriating \$70,000 to finance a portion of the cost thereof and direct the Special Assessment of the costs thereof  
(P.H. 7/13/09 Coaster)

Andrew Brannen explained that ordinance deals with the 2009 road paving program.

## **REPORTS:**

**Councilmember Schepiga** reported that Fall Fest will be held the last Saturday of September and details will be forthcoming.

**Councilmember Garofalo** reported that Princeton, Princeton Borough and New Brunswick has occupancy ordinances that have been upheld by the courts and he thinks the Township should look into them and see if they are appropriate for the Township of Ocean.

**ITEMS FOR DISCUSSION:**

**Subject:** Armstrong Boulevard Project Update

**Action:** Andrew Brannen, Township Manager, reported that he had met with the affected property owners and does not anticipate receiving any resistance related to the proposed improvements. Mr. Brannen will officially notify Monmouth County that the project should continue to move forward. He also informed the Council that the contract with CMX will need to be amended at the July 13, 2009 Council meeting.

**Subject:** Automated Garbage Collection

**Action:** Andrew Brannen distributed a synopsis of the proposed revisions to the garbage collection process utilized by the Township and how implementing an automated garbage collection will enhance the existing service while maintaining, and possibly reducing, costs. Mr. Brannen reported that each household will be given two (2) 96 gallon containers, and should they require additional containers, they would be able to be purchased from the Township.

**Subject:** Special Meeting

**Action:** The Township Council will hold a Special Public Meeting on Wednesday, June 24, 2009 at 4:00 p.m. to award a contract for engineering services, approve liquor license renewals and award a contract for a Complaint Hearing Officer.

**Subject:** Paperless Meeting Packets

**Action:** Vincent Buttiglieri, Township Clerk, informed the Council that effective at the June 24, 2009 Special Meeting, all meeting packets will be transmitted electronically through the Township's website. They will no longer receive paper packets.

**Subject:** Unsolicited Newspaper Delivery

**Action:** Martin Arbus, Township Attorney, informed the Council that he had met with the attorney for the Atlanticville regarding their current practice of distributing the newspaper to every Township resident regardless of whether they wish to receive it. Mr. Arbus will have further discussions with their attorney and try to come up with a solution that all parties can adhere to.

**Subject:** Animal Control

**Action:** Andrew Brannen reported that he had attended the Monmouth County meeting that discussed the procedures that are utilized regarding the large deer population in the County. Mr. Brannen informed the Council that the County was not in favor of spear-heading the process for reducing the deer population and the first step in the process would be to identify the number of deer we have. Mr. Brannen will report back with any update on this situation.

**Subject:** State Health Benefits

**Action:** Andrew Brannen reported that the indications are that the premiums for the State Health Benefits program will increase and Mr. Brannen will review further and report back in a future meeting.

**RESOLUTION**  
**DECLARING CLOSED SESSION**

Councilmember Siciliano offered the following Resolution and moved its adoption, seconded by Councilmember Hiers

**JUNE 15, 2009**

**OAKHURST, NEW JERSEY**

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**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist;

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

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
  1. Litigation – Township Employee
  2. Contract – Acquisition of Real Property
  3. Litigation – Village of Loch Arbour
  4. Contract – West Long Branch
  5. Personnel – Complaint Hearing Officer
3. It is anticipated at this time that the Municipal Clerk shall on a six (6) month basis, review the minutes of closed sessions of the Township of Ocean and make a recommendation to the Governing Body which minutes should be considered for public record. The minutes which are made public shall not thereafter be treated as confidential but may be seen and copied by any person(s) in the same manner as any meeting minutes of the Township of Ocean.
4. This resolution shall take effect immediately.

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

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

**JUNE 15, 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:** Mayor Larkin  
Deputy Mayor Hiers, Councilmember(s) Garofalo, Schepiga, Siciliano  
**Others:** Martin Arbus, Esq., Township Attorney  
Andrew Brannen, Township Manager  
Vincent Buttiglieri, Township Clerk

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

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

Mayor Larkin announced that the notice requirements of the Open Public Meetings Act for this meeting have been satisfied; a copy of the Annual 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 16, 2008.

**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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**NEW HIRE:** Police Officer Steven Walker

Mayor Larkin administered the Oath of Allegiance to Police Officer Steven Walker, whose parents assisted by holding the Bible.

Police Chief Amodio spoke of Officer Walker's work ethic and determination in fulfilling the requirements to become a police officer, including receiving his college degree.

**PRESENTATION OF CERTIFICATES:** CERT Volunteers

Thomas Caruso, Emergency Management Coordinator, and Kathy Reiser, Recreation Director, explained the CERT stands for Community Emergency Response Team. Mr. Caruso also spoke of the time invested by all these volunteers, which will enable them to assist the Township should an emergency occur. The CERT Volunteers were presented with a Certificate of Completion and their equipment packs. Those receiving certificates were:

Jay Boyd	Catherine Brown	Deborah Carasia
David Cohen	Don Curtis	Marie Curtis
Margaret Davis	Shari D. Fine	William Garofalo
Theresa Gilvary	Jason Gmitter	Christine Hanlon
J. David Hiers	Linda Hopkins	Linda Kotch
William Larkin	Kevin McDermott	Peggy Morgan
Diane Novobilsky	Thomas M. Pagano	Denise Parlamas
Richard Ponton	Kathy Reiser	

**PUBLIC HEARING:** Taxicab License  
SEMOM-TOV TAXI, LLC  
1306 Brielle Avenue, Ocean, NJ

Mayor Larkin opened up the Public Hearing on the issuance of a taxicab license to Semon-Tov Taxi, LLC. There were no comments pertaining to this item. A resolution will be placed on the July 13, 2009 Agenda to issue said license.

**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/or 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/or Vouchers:**

Larry Loigman inquired as to why the payment for Ruderman and Glickman, P.C. was paid out of the Appropriations Reserve. Mr. Brannen explained that the contract for this item was entered into during 2008 and therefore, budget law dictates that it be paid out of the Reserve.

Mr. Loigman also inquired about Resolution Number 09-091a in hopes that the Township was not going to re-appoint the current Auditor. Mayor Larkin stated that he believed that Suplee Clooney and Company has done an admirable job and he would have no issue with their re-appointment, however, the Township owes it to the taxpayers to investigate other firms.

**CONSENT AGENDA:**

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

**MINUTES:**

May 14, 2009 – Special Public Meeting  
May 18, 2009 - Workshop, Public and Closed

**RESOLUTIONS:**

**09-081 Authorize the acceptance of Performance Guarantee for:**

**a. Block 35.02, Lot 10 – 37 Brandywine Road – Rajeev & Shalini Gupta**

**WHEREAS**, the Township of Ocean has approved a development project on Block 35.02, Lot 10 also known as 37 Brandywine Road; and

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

**WHEREAS**, Rajeev & Shalini Gupta have posted cash performance guarantees totaling \$1,764.00 along with engineering inspection fees totaling \$700.00 and the required certificate of insurance.

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

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

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Rajeev & Shalini Gupta

**b. Block 159, Lots 40 & 41 – 70 Cold Indian Springs Road – Jeffrey & Allison Kotch**

**WHEREAS**, the Township of Ocean has approved a development project on Block 159, Lots 40 & 41 also known as 70 Cold Indian Spring Road; and

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

**WHEREAS**, Jeffrey & Allison Kotch have posted cash performance guarantees totaling \$11,268.00 along with engineering inspection fees totaling \$3,065.00 and the required certificate of insurance.

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

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

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

5. Township Engineer
6. Director of Community Development
7. Construction Official
8. Jeffrey & Allison Kotch

**09-082 Authorize the release of Performance Guarantees for:**

**a. Block 83; Lot 11.01 – 1003 Grassmere Avenue – Team Venture's, Inc.**

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Township of Ocean to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Township Engineer; and

**WHEREAS**, Team Venture's, Inc./Chris Ilvento has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$5,184.00 to guarantee the completion of all improvements on premises located on Block 83, Lot 11.01 also known as 1003 Grassmere Avenue; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated May 11, 2009, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially completed and said representative of the Township Engineer recommends the acceptance of same and the release of the aforementioned cash performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% of the cost of the improvements and payment of any outstanding engineering and administrative fees; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the **FULL RELEASE OF PERFORMANCE GUARANTEES FOR TEAM VENTURE'S, INC./CHRIS ILVENTO** totaling \$5,184.00 are hereby released, canceled and discharged.

**BE IT FURTHER RESOLVED** by the Township Council that this resolution shall not become effective unless and until the Township of Ocean is furnished with the posting of a maintenance guarantee in the amount of 15% of the cost of the improvements and payment of any outstanding engineering and administrative fees; and

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

1. Team Venture's, Inc./Chris Ilvento
2. Director of Finance
3. Construction Official
4. Director of Community Development
5. Township Engineer

**b. Block 141, Lots 1 & 23 – 2401 Route 66 – Retail A, Seaview Square, LLC**

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55-D-53) permits the Township of Ocean to accept certain improvements and to release performance guarantees posted by developers when said improvements have been certified as complete by the Township Engineer; and

**WHEREAS**, the Township Council did authorize and enter into a developer's agreement dated March 12, 2008 with Seaview Square, LLC for site plan and variance approvals described as Block 141, Lots 1 and 23, located at 2401 Route 66, Retail "A" – Road Configuration – Phase IV and Lowe's Repair; and;

**WHEREAS**, Seaview Square, LLC has heretofore deposited with the Township of Ocean performance guarantees totaling \$391,200.00, in the form of Performance Bond No. HOIFSU0463063 issued by International Fidelity Insurance Co. in the amount of \$352,080.00 and cash in the amount of \$39,120.00 to guarantee the completion of all improvements on premises known as Block 141, Lots 1 and 23; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer has advised the Township Manager by letter dated May 11, 2009 a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially completed.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash and the performance guarantees in the amount of \$391,200.00 are hereby released, canceled and discharged subject to the following:

1. Receipt of a maintenance bond in the sum of \$48,900.00 said maintenance bond to run for period of two (2) years to cover maintenance of all improvements constructed under the original performance guarantee, approved as to substance and form by the Township Attorney
2. Payment of pending and future engineering inspection and administrative fees in the amount to be determined by the Township Engineer to cover the estimated inspection fees
3. All required certificates of insurance be properly filed with the Office of the Township Clerk

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

1. Township Engineer
2. Director of Finance
3. Construction Official

4. Director of Community Development
5. International Fidelity Insurance Co.
6. Seaview Square, LLC

**09-083 Authorize the release of Maintenance Guarantees for:**

**a. Block 1.05, Lot 4 – 2104 Kings Highway – Paul B. Goldstein/Janet Studios**

**WHEREAS**, the Township did authorize and enter into a developer's agreement dated April 26, 2006 with Paul B. Goldstein d/b/a Janet Studios for preliminary and final site plan approval with variances on Block 1.05, Lot 4 also known as 2104 Kings Highway; and

**WHEREAS**, performance guaranties totaling \$60,343.80 were posted in the form of Letter of Credit No. SM21916360 issued by Wachovia Bank, N.A. in the amount of \$54,309.42 and cash in the amount of \$6,034.38; and

**WHEREAS**, the Township Council did authorize the release of performance guarantees and acceptance of a \$7,542.98 maintenance bond by way of resolution dated June 11, 2007; and

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) provides for the posting of maintenance guarantees with the governing body after final acceptance of improvements when said improvements have been certified as completed by the Township Engineer; and

**WHEREAS**, Paul B. Goldstein d/b/a Janet Studios has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$7,542.98 on Block 1.05, Lot 4 also known as 2104 Kings Highway; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated May 26, 2009, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantee in the amount of \$7,542.98 is hereby released, canceled and discharged.

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Director of Finance
5. Paul B. Goldstein/Janet Studios

**b. Block 37.17, Lot 2 – 7 Mallard Lane – Palatial Homes, Inc.**

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) provides for the posting of maintenance guarantees with the governing body after final acceptance of improvements when said improvements have been certified as complete by the Township Engineer; and

**WHEREAS**, Palatial Homes, Inc. has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$853.20 for premises known as Block 37.17, Lot 2 also known as 7 Mallard Lane; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated May 11, 2009, a copy of which is on file in the Office of

the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantee in the amount of \$853.20 is hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer subject to the satisfaction of outstanding and anticipated engineering inspection fees which shall either be paid directly or subtracted from the cash maintenance posted.

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

1. Palatial Homes, Inc.
2. Director of Finance
3. Construction Official
4. Director of Community Development

**09-084 Authorize the renewal of the 2009-2010 liquor licenses that have met all Township and State requirements and paid all applicable fees**

**WHEREAS**, the Retail Renewal Application forms for the 2009-2010 license term has been deemed complete in all respects, the annual fees have been paid to both the Township of Ocean and the State of New Jersey, Division of ABC; and

**WHEREAS**, the Mayor and Council of the Township of Ocean, County of Monmouth, hereby authorizes the renewal of the following Retail Alcoholic Beverage Licenses for the 2009-2010 license term:

**CLUB LICENSES**

- |                  |  |
|------------------|--|
| #1337-31-017-001 | Deal Golf & Country Club<br>t/a Deal Golf & Country Club<br>Halfway House – Monmouth Road, Ocean, NJ 07723 |
| #1337-31-018-001 | Hollywood Golf Club<br>t/a Hollywood Golf Club<br>West Roseld Avenue, Deal, NJ 07723                       |
| #1337-31-019-001 | Gimbel Lehy Quirk VFW Post 2226<br>t/a VFW Post 2226<br>212 Norwood Avenue, Oakhurst, NJ 07755             |

**PLENARY RETAIL CONSUMPTION**

- |                  |   |
|------------------|---|
| #1337-33-001-002 | RET Caterers, Inc.<br>t/a The English Manor<br>One English Lane, Ocean, NJ 07712    |
| #1337-33-003-010 | Gualtieri Group, LLC<br>t/a Piccola Italia<br>837 West Park Avenue, Ocean, NJ 07712 |
| #1337-33-004-007 | AGIMI, Inc.<br>t/a Ichiban Japanese Restaurant<br>2132 Highway #35, Ocean, NJ 07712 |

**MEETING MINUTES**

JUNE 15, 2009

- #1337-33-009-008 Apple Food Service of Ocean, LLC  
t/a Applebee's Neighborhood Grill & Bar  
2301 Route 66, Ocean, NJ 07712
- #1337-33-013-008 JMichael Holdings, LLC  
t/a JMichael's Uptown Liquors  
2122 Highway 35, Oakhurst, NJ 07755
- #1337-33-014-004 Brykar Corporation  
t/a Main Street Bar & Grill  
732 Highway 35, Ocean, NJ 07712
- #1337-33-016-006 Takara Sushi Group  
t/a Takara Japanese Steak House  
1610 Highway 35 South, Oakhurst, NJ 07755
- #1337-33-007-008 Beh & Richard, LLC  
t/a Middlebrook Bar and Liquors  
1464 Highway 35, Ocean, NJ 07712
- #1337-33-020-002 GMRI, Inc.  
t/a Red Lobster #244  
2200 Highway 35, Ocean, NJ 07712
- #1337-33-002-012 Levy Liquors II, LLC.  
(pocket license)  
100 West 33<sup>rd</sup> Street, Suite 1105, New York, NY 10001

**PLENARY RETAIL DISTRIBUTION**

- #1337-44-005-010 Chirag Enterprises, Inc.  
t/a Save Rite Discount Liquors  
2114 Highway 35, Ocean, NJ 07712
- #1337-44-008-007 Shree Hanuman, LLC  
t/a Cobblestone Wine & Liquors  
855 West Park Avenue, Ocean, NJ 07712
- #1337-44-011-008 TOCF, LLC  
t/a Ocean Wine & Liquor  
1100 Highway 35, Ocean, NJ 07712
- #1337-44-012-003 Ralph A. Real Jr.  
t/a Monmouth Bottle Shop  
201 Monmouth Road, Oakhurst, NJ 07755
- #1337-44-015-003 Wanamassa Liquors, Inc.  
t/a Spirits Unlimited  
2201 Sunset Avenue, Ocean, NJ 07712

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Ocean, County of Monmouth, State of New Jersey that authorization is hereby given to renew, effective July 1, 2009, the aforesaid liquor licenses for the license term 2009-2010; and

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

1. Chief of Police
2. Director of Finance
3. Division of Alcoholic Beverage Control

**09-085 Authorize the submission of the Fiscal Year 2010 Transportation Trust Fund Municipal Aid Program Grant application for Sunset Avenue Phase III (Unami Avenue to Laurel Avenue)**

**WHEREAS**, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2010; and

**WHEREAS**, the Township of Ocean is desirous of submitting an application under this program for the following purpose:

- Sunset Avenue Phase III from Unami Avenue to Laurel Avenue

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

**FURTHER BE IT RESOLVED** that the Township Engineer, Mayor and/or Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2010-Ocean Township-00188 to the New Jersey Department of Transportation on behalf of the Township of Ocean; and

**FURTHER BE IT RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Ocean and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**09-086 Authorize the appointments to the following Boards and Commissions:  
Board of Adjustment; Environmental Commission; Planning Board; Multiple Dwelling Emergency Board; Monmouth County Office on Aging; Clean Communities Advisory Committee; Municipal Alliance to Prevent Alcohol and Drug Abuse**

**BE IT RESOLVED** by the Governing Body of the Township of Ocean in the County of Monmouth that the following person(s) be and are hereby appointed for the terms hereinafter provided:

<b>BOARD OF ADJUSTMENT</b>	<b>Member</b>	<b>Starting</b>	<b>Ending</b>
4 year term	Jennifer Lombardi	July 1, 2009	June 30, 2013
	Richard Van Wagner	July 1, 2009	June 30, 2013
2 year terms	<b>Alternates</b>		
	Leon Pflaster – Alternate #2	July 1, 2009	June 30, 2011
	Brian Lefferson – Alternate #4	July 1, 2009	June 30, 2011
<b>ENVIRONMENTAL COMMISSION</b>	<b>Member</b>		
3 year term	Raymond Pogwist, Chairman	July 1, 2009	June 30, 2012
	Stephen Gaudette	July 1, 2009	June 30, 2012
	Brian C. Finch – Alternate #1	July 1, 2009	June 30, 2012
<b>PLANNING BOARD RGO:2-6.3a</b>	<b>Member</b>		
1 year term	William Garofalo, Councilmember	July 1, 2009	June 30, 2010

## MEETING MINUTES

JUNE 15, 2009

4 year term	John Verrilli, Class IV	July 1, 2009	June 30, 2013
4 year term	JoAnn Nadell, Class IV	July 1, 2009	June 30, 2013

2 year term	<b>Alternate</b>		
	Stephen Levy – Alternate #2	July 1, 2009	June 30, 2011

**MULTIPLE  
DWELLING  
EMERGENCY  
BOARD**

**RGO:7-3.1**

1 year term	William Garofalo, Councilmember	July 1, 2009	June 30, 2010
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**MONMOUTH  
COUNTY OFFICE  
ON AGING**

1 year terms	Debbie Carasia, Liaison Delegate	July 1, 2009	June 30, 2010
	Judith Johnson, Alternate	July 1, 2009	June 30, 2010

**CLEAN  
COMMUNITIES  
ADVISORY  
COMMITTEE**

1 year terms	Carole Allgor	July 1, 2009	June 30, 2010
	Eileen Glynn	July 1, 2009	June 30, 2010
	Evelyn Hampton	July 1, 2009	June 30, 2010
	Laurie McGrath, Coordinator	July 1, 2009	June 30, 2010
	Rosemary Napolitano	July 1, 2009	June 30, 2010
	Donna Schepiga, Council Liaison	July 1, 2009	June 30, 2010

**MUNICIPAL  
ALLIANCE TO  
PREVENT ALCOHOL  
AND DRUG ABUSE**

1 year terms	Dr. Richard Ponton	July 1, 2009	June 30, 2010
	Denise Parlamus	July 1, 2009	June 30, 2010

**MUNICIPAL  
ALLIANCE TO  
PREVENT ALCOHOL  
AND DRUG ABUSE**

1 year terms	<b>Member</b>	<b>Starting</b>	<b>Ending</b>
	Judi Johnson	July 1, 2009	June 30, 2010
	Debbie Carasia	July 1, 2009	June 30, 2010
	Jay Boyd	July 1, 2009	June 30, 2010
	Linda Hopkins	July 1, 2009	June 30, 2010
	Marie Curtis	July 1, 2009	June 30, 2010
	Mary Pat Angelini	July 1, 2009	June 30, 2010
	Tom Pagano	July 1, 2009	June 30, 2010
	Peggy Morgan	July 1, 2009	June 30, 2010
	Steve Gaudette	July 1, 2009	June 30, 2010
	Roger Hanke	July 1, 2009	June 30, 2010
	Larry Kostula	July 1, 2009	June 30, 2010
	Donald Curtis	July 1, 2009	June 30, 2010
	William Garofalo, Alternate	July 1, 2009	June 30, 2010
	Richard Long	July 1, 2009	June 30, 2010
	Kathy Reiser	July 1, 2009	June 30, 2010
	Linda Kotch	July 1, 2009	June 30, 2010
	Dr. Duncan Circle	July 1, 2009	June 30, 2010
	Julia Davidow	July 1, 2009	June 30, 2010
	Cathy Brown	July 1, 2009	June 30, 2010
	Rose Acerra	July 1, 2009	June 30, 2010
	Danielle Pfeiffer	July 1, 2009	June 30, 2010
	Kevin McDermott, Captain	July 1, 2009	June 30, 2010

## MEETING MINUTES

JUNE 15, 2009

Antonio Amodio, Police Chief	July 1, 2009	June 30, 2010
J. David Hiers, Deputy Mayor	July 1, 2009	June 30, 2010
William Larkin, Mayor	July 1, 2009	June 30, 2010

**CITIZENS FOR  
GRACIOUS LIVING  
COMMITTEE****Member**

1 year terms	Sherry Dietz	July 1, 2009	June 30, 2010
	Robert Ades	July 1, 2009	June 30, 2010

Tracey Berkowitz	July 1, 2009	June 30, 2010
Doreen Graney	July 1, 2009	June 30, 2010
Lois Kiely	July 1, 2009	June 30, 2010
Brian Lefferson	July 1, 2009	June 30, 2010
Addie Meistrich	July 1, 2009	June 30, 2010
Mitchell Nelson	July 1, 2009	June 30, 2010
John Verrilli	July 1, 2009	June 30, 2010
Chris Siciliano, Councilmember	July 1, 2009	June 30, 2010

**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

**09-087 Naming of the Official Newspapers for the Township of Ocean for the period from July 1, 2009 through June 30, 2010**

**WHEREAS**, N.J.S.A. 10:4-18 authorizes a municipality to designate an official Newspaper for the Township of Ocean; and

**WHEREAS**, "Official Newspaper" means paid, published and circulated in the municipality, if there be no such newspaper, then at least one published in the county in which the municipality is located and said newspaper is circulated;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Ocean, in the County of Monmouth that the following newspapers be and are hereby designated as the "official newspapers" in the Township of Ocean in which any and all legal notices of the Township are authorized to be published:

*The Asbury Park Press*  
*The Coaster*

**09-088 Authorize the appointment of the Municipal Prosecutor and Alternate Municipal Prosecutors for the period July 1, 2009 through June 30, 2010**

**BE IT RESOLVED** by the Governing Body of the Township of Ocean in the County of Monmouth that the following person(s) be and are hereby appointed for the terms hereinafter provided:

<b>MUNICIPAL COURT</b>	<b>Member</b>	<b>Starting</b>	<b>Ending</b>
1 year term	Timothy F. McGoughran <i>Prosecutor</i>	July 1, 2009	June 30, 2010
	James N. Butler <i>Alternate Prosecutor</i>	July 1, 2009	June 30, 2010
	Stephen G. Schueler <i>Alternate Prosecutor</i>	July 1, 2009	June 30, 2010

**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

**09-089 Revise the Township Council meeting schedule for the balance of 2009**

**WHEREAS**, in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975, it is necessary for the Township Council of the Township of Ocean to post and maintain a schedule of the meetings of the Township Council that will be held during the year 2009; and

**WHEREAS**, it has become necessary to revise said meeting schedule for the balance of 2009, as follows:

**WORKSHOP/CLOSED SESSION MEETINGS**

All Workshop/Closed Session Meetings are held in the Council Conference Room, Town Hall, 399 Monmouth Road, Oakhurst, NJ on the dates listed below. Official action **MAY BE TAKEN** at these meetings.

**REGULAR MEETINGS**

All Regular Meetings are held in the Public Meeting Room, Town Hall, First Floor, 399 Monmouth Road, Oakhurst, NJ on the dates listed below. Official action **SHALL BE TAKEN** at said meetings.

August 17, 2009	
September 21, 2009	
October 5, 2009	<b>WORKSHOP ONLY</b>
October 19, 2009	
November 9, 2009	
December 7, 2009	
January 11, 2010	

**WHEREAS**, the following meetings will be held by the Township Council of the Township of Ocean for the year 2009:

1. Workshop Meetings – beginning at 5:30 p.m. or as otherwise advertised
2. Public Meetings – beginning at 7:00 p.m. or as otherwise advertised
3. Special Meetings – as needed and advertised according to the requirements of the Open Public Meetings Act.

**BE IT FURTHER RESOLVED**, that Special Meetings of the Township Council of the Township of Ocean may be called by any of the following when all requirements of the Open public Meetings Act have been met:

1. A majority of the Township Council acting by Resolution
2. Mayor

**NOW THEREFORE, BE IT FURTHER RESOLVED**, by the Township Council of the Township of Ocean that the attached 2009 Meeting Schedule for the Township Council is hereby approved and the Township Clerk is hereby authorized to:

1. Post the Schedule of Meetings on the public bulletin board located in the Municipal Building
2. Notify the Asbury Park Press, and The Coaster of the schedule of meetings, as approved

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

1. Department Heads
2. Administrative Assistant (for posting on the Township Web Site)
3. Ocean 77

**09-090 Authorize the submission of the COPS IN SHOPS Summer Shore Initiative 2009 Grant Application and various officials to effectuate documents related to receipt of said Grant**

**WHEREAS**, there are funds available from the New Jersey Division of Alcoholic Beverage Control and the New Jersey Division of Highway Traffic Safety entitled ***COPS IN SHOPS Summer Shore Initiative 2009 Grant***, and

**WHEREAS**, \$3,200.00 is available to cover overtime wages for the Township of Ocean Police Officers to enforce underage drinking laws; and

**WHEREAS**, the Township of Ocean Police Chief has recommended that this allocation be accepted; and

**WHEREAS**, it is in the best interest of the Township of Ocean to apply for said grant;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Ocean, in the County of Monmouth, 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 State of New Jersey Division of Alcoholic Beverage Control for the ***COPS IN SHOPS Summer Shore Initiative 2009 Grant***, and

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

1. Director of Finance
2. Chief of Police

**09-091 Authorize the receipt of Request for Proposals for the following Professional Services:**

**a. Accounting and Auditing Services**

**WHEREAS**, the Township Council is desirous of soliciting Requests for Proposals for the following Professional Services:

***Accounting and Auditing Services***

**WHEREAS**, specifications for the aforesaid item is on file in the Finance Department and is available for inspection.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Township Clerk to advertise for the Requests for Proposals for Accounting and Auditing Services as per the specifications on file in the Finance Department to be received by the Township Manager at the Township Council Conference Room, Second Floor, Township Hall, 399 Monmouth Road, Oakhurst, New Jersey on a date to be determined.

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

1. Township Manager
2. Director of Finance

**b. Re-Assessment Services**

**WHEREAS**, the Township Council is desirous of soliciting Requests for Proposals for the following Professional Services:

***Re-Assessment Services***

**WHEREAS**, specifications for the aforesaid item is on file in the Finance Department and is available for inspection.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Township Clerk to advertise for the Requests for Proposals for Re-Assessment Services as per the specifications on file in the Finance Department to be received by the Township Manager at the Township Council Conference Room, Second Floor, Township Hall, 399 Monmouth Road, Oakhurst, New Jersey on a date to be determined.

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

1. Township Manager
2. Township Assessor

**c. Engineering Services**

**WHEREAS**, the Township Council is desirous of soliciting Requests for Proposals for the following Professional Services:

***Engineering Services***

**WHEREAS**, specifications for the aforesaid item is on file in the Finance Department and is available for inspection.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Township Clerk to advertise for the Requests for Proposals for Engineering Services as per the specifications on file in the Finance Department to be received by the Township Manager at the Township Council Conference Room, Second Floor, Township Hall, 399 Monmouth Road, Oakhurst, New Jersey on a date to be determined.

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

1. Township Manager
2. Director of Finance

**09-092 Authorize the Mayor and Municipal Clerk to execute the Memorandum of Understanding for the Justice Assistance Grant program Award.**

**WHEREAS**, the Federal Recovery Act has authorized funds to be made available through the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: CDFA#16.804 and available through the County of Monmouth; and

**WHEREAS**, the Township of Ocean Police Department wishes to utilize said funding to purchase six Motorola XTS5000 portable radios which will be assigned to the Township's Mobile Command Vehicle in order to allow interoperability during multi-jurisdictional operations;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Mayor, Municipal Clerk and all other appropriate Township Officials to execute said Memorandum of Agreement associated with the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: CDFA316.804

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

3. Chief of Police
4. Director of Finance

#### **09-093 Authorize the receipt of bids for the 2009 Roadway Resurfacing Program**

**WHEREAS**, the Township Council is desirous of receiving bids for:

#### ***2009 Roadway Resurfacing***

**WHEREAS**, specifications for the aforesaid item is on file in the Public Works Department and is available for inspection;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Township Clerk to advertise for bids for the aforesaid item as per the specifications on file in the Public Works Department to be received by the Township Manager at the Township Council Conference Room, Second Floor, Township Hall, 399 Monmouth Road, Oakhurst, New Jersey on a date to be determined.

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

5. Township Manager
6. Director of Finance
7. Public Works Department

#### **09-094 Cash Management Plan for the Township of Ocean.**

**WHEREAS**, the Director of the Division of Local Government Services requires the annual adoption of a Cash Management Plan pursuant to guidelines in N.J.S.A. 40A:5-14; and

**WHEREAS**, the Mayor and Council and Municipal Clerk have received the 2009 Cash Management and desire that the Township of Ocean, Monmouth County follow the provisions contained in the plan for the investment of the Townships' idle funds;

**BE IT RESOLVED**, that the Mayor and Council of the Township of Ocean, Monmouth County approve and adopt the 2009 Cash Management Plan.

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

1. Director of Finance
2. Township Auditor

**09-095 Approve the extension of time for the placement of a trash dumpster on the property known as Block 5.03, Lot 27 (18 Johnston Street)**

**WHEREAS**, Stuart and Amy Husney is requesting approval to place a trash dumpster on the street, in front of the property commonly known as Block 5.03, Lot 27 (18 Johnston Street), to be utilized during the renovation of their home; and

**WHEREAS**, approval was previously granted by the Township Zoning Officer on June 2, 2009 and all appropriate fees were paid by the applicant; and

**WHEREAS**, the applicants requested an extension of the time that said trash dumpster could be located in front of said property which was granted by the Township Zoning Officer on June 11, 2009 and all appropriate fees were paid by the applicants; and

**WHEREAS**, a second extension is being requested and as required by Township Ordinance #2050, approval for a second extension requires approval of the Township Council;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that approval is hereby granted to extend the approval of the location of a trash dumpster on the street in front of the property commonly known as Block 5.03, Lot 27 (18 Johnston Street) as requested by Stuart and Amy Husney for a period not to extend past July 31, 2009; and

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

- a. Stuart and Amy Husney
- b. Director of Community Development
- c. Zoning Official

**09-096 Authorize a Developers Agreement for:**

**a. Block 13, Lot 16 – 201 Jerome Avenue – Shore Area Mikveh**

**WHEREAS**, the Developer is the applicant for certain property known as Block 13, Lot 16, as shown on the official tax map of the Township of Ocean which property is located at 201 Jerome Avenue in the C-1 (Neighborhood Commercial) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

**WHEREAS**, the Developer has received Site Plan, Use Variance and Bulk Variance Approvals by the Zoning Board of Adjustment of the Township of Ocean by way of Resolutions dated August 14, 2008 to construct an addition to an existing building and resign the site parking area for additional parking spaces; and

**WHEREAS**, this Agreement relates to a Site Plan Map entitled Preliminary/Final Major Site Plan prepared for Shore Area Mikveh, Lot 16, Block 13, Township of Ocean, Monmouth County, New Jersey, Tax Map Sheet 15, by James A. Kennedy, P.E. of Kennedy Consulting Engineers, LLC, consisting of seven (7) sheets dated January 30, 2008 and last updated September 11, 2008 and the Plan & Elevation Map entitled Proposed Renovation for Shore Area Mikveh, Jerome & Norwood Avenue, Ocean Township, New Jersey by Cathy Daniels Zuckerman, Architect of CDZ Architects, LLC consisting of one (1) sheet; and

**WHEREAS**, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimated dated October 6, 2008 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, attached hereto as “Schedule A” between the Township of Ocean and the Shore Area Mikveh, subject to the following conditions first being met:
  - a. All required certificates of insurance be properly filed with the Office of the Township Clerk
  - b. Posting of Performance Guarantees in the total amount of \$48,720.00 and Inspection Fees in the amount of \$3,530.00

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

- a. Township Engineer
- b. Construction Official
- c. Director of Community Development
- d. Peter S. Falvo, Jr., Esq.
- e. Shore Area Mikveh

**ROLL CALL (on all Consent Items):**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

**INDIVIDUAL ACTION:**

On a motion by Councilmember Hiers and seconded by Councilmember Siciliano, the Voucher List, as submitted by the Township Manager, was approved and ordered paid:

**VOUCHERS: \$ 6,316,379.04**

**Township of Ocean  
Department of Finance  
Voucher List for June 15, 2009**

Vendor Name	Description	Amount	Contract
<b><u>Appropriation Reserves Payments</u></b>			
GAGLIANO APPRAISAL LLC	2007 & 2008 TaxCourt Appraisal	1,982.50	
GAGLIANO APPRAISAL LLC	2008 TAX COURT APPRAISAL	2,500.00	
GRAYBAR ELECTRIC CO	PD- MIS EQUIPMENT	22.86	
LESCO - PROX	Athletic field seeding	13,000.00	
RUDERMAN & GLICKMAN PC	3/1/09-4/30/09 PBA NEGOTIATION	2,295.00	C8-00009
SUMMIT COLLABORATIVE ADVISORS	PERFORMANCE MEASUREMENT	1,000.00	
<b><u>Total</u></b>		<b>20,800.36</b>	
<b><u>Total Appropriation Reserves Payments</u></b>			
<b><u>2009 Current Fund Appropriation Payments</u></b>			
33 EAST CAR WASH OF OCEAN	PD- CAR WASHES - APRIL	66.00	
33 EAST CAR WASH OF OCEAN	PD- CAR WASHES - MAY	145.00	
A&J MANAGEMENT CO	PD- PRISONER FOOD - APRIL	19.82	
ACCOUNTING EDUCATORS	NJ LAW & ETHICS FOR CPAS	129.00	
ACCSES NJ INC/CNA SERVICES	PD- FIRST AID SUPPLY/GLOVES	300.60	
AFLAC - NEW YORK	FEB 2009 MEDFLEX ADMIN FEES	25.00	
AFLAC - NEW YORK	APR 2009 MEDFLEX ADMIN FEES	25.00	
AFLAC - NEW YORK	MAY 2009 MEDFLEX ADMIN FEES	25.00	
ALL INDUSTRIAL SAFETY PRODUCTS	Safety equipment for Bldgs&Grd	540.35	
AMERICAN HOSE & HYDRAULICS CO	Misc parts for sani trk #3	975.00	

## MEETING MINUTES

JUNE 15, 2009

ARBUS, MARTIN ESQ	JUN 09 RETAINER, MAY 09 LEGAL	4,706.33
ARMSTRONG TREE SERVICE LLC	REMOVE TREE & STUMPS:POOL	350.00
ASPEN TREE EXPERT CO INC	Hazard Risk Tree Assessment	200.00
BENDINER & SCHLESINGER INC	DRUG SCREENING MARCH	1,465.00
BENDINER & SCHLESINGER INC	DRUG SCREEN - APRIL	1,523.00
BOARD OF FIRE COMMISSIONERS	2ND QTR 2009 FIRE DISTRICT #1	320,498.75
BOARD OF FIRE COMMISSIONERS	2ND QTR 2009 FIRE DISTRICT #2	307,726.50
BROWN, SANFORD ESQ	PB mtg/reviews/miscellaneous	400.00
BUTTIGLIERI, VINCENT CMC	MAY 2009 PETTY CASH	233.66
CENTRAL TOWING & RECOVERY INC	Tow sani trk #9 for repairs	573.50
CHRISTINE MURPHY	REFUND OF ROOM RENTAL FEE	75.00
COMCAST SPOTLIGHT INC	CTGC ADS-MAY 09	382.00
COPY QUICK INC	ENVELOPES-OFFICE OF THE MAYOR	90.00
FEDEX	Mailing of Master Plan	39.05
FIRE & SAFETY SYSTEMS CO	Replace valve at Library	485.00
FITZGERALD, WILLIAM	BOA meetings and reviews	2,193.75
FLAGSHIP HEALTH SYSTEMS INC	June Flagship Dental Insurance	771.10
FORT DEARBORN LIFE INS CO	June Life Insurance	647.22
GALETON GLOVES INC	Safety vests & gloves Bldg&Grd	556.15
GEESE CHASERS LLC	GEESE CONTROL MAY	862.33
GIFFORD, EARL H	PD- TRAVEL/TRAINING REIMBURSE	82.25
GILES & RANSOME INC	March misc loader parts	357.46
GRASS ROOTS TURF PRODUCTS	MISC SUPPLIES - MARCH	592.00
GRASS ROOTS TURF PRODUCTS	MISC SUPPLIES CTGC	11.10
GRILL, ANTHONY	REIMBURSE FINGERPRINTING	26.25
HALSEY, MATTHEW	SUPERVISE ADULT VOLLEYBALL	144.00
HEARTLAND SERVICES INC	MAY PYMT FOR CREDIT CARD	411.41
IF IT'S WATER INC	CALIBRATION/CONTROLLERS POOL	500.00
IN THE SWIM	GASKETS/SIGN POOL COMPLEX	277.64
INGENITO, NEIL CAPT	PD- PETTY CASH REIMBURSEMENT	188.96
INSTITUTE FOR PROFESSIONAL	6/12 Pension Wokshop-A ANDREWS	99.00
JAMES HIGGINS ASSOCIATES	PB and BOA meetings	400.00
JESSICA SEGALL	REFUND OF REC SUMMER CANP REG	45.00
JOHNNY ON THE SPOT	MAY:ADA PALAIA PK & CTGC	159.71
JOHNSON, JUDI	REIMBURSE POOL SUPPLIES	123.44
LANGUAGE LINE SERVICES	April telephone Interpreter	25.50
LANIGAN ASSOCIATES INC	PD- SAFETY SUPPLIES - MAY	109.65
LANIGAN ASSOCIATES INC	PD- ROAD FLARES - REPLENISH	332.50
LARRISON, CASEY R	PD-CHILD PASSENGER SAFETY CERT	60.00
LARRY S. LOIGMAN	OPRA SETTLEMENT AGREEMENT	1,000.00
LEON S AVAKIAN INC	PLAN COPIES-	45.00
LINE SYSTEMS, INC.	MAY 2009 PHONE SERVICE CHARGES	3,985.36
LISS BUSINESS MACHINES	RIBBONS & CORRECT CART/FOR IBM	50.70
LUCAS ELECTRIC CO., INC.	Repair light poles @ JPP	845.00
LYNN PEAVEY CO	PD- EVIDENCE SUPPLIES	999.85
MAJOR POLICE SUPPLY	PD- NEW VEHICLE EQUIPMENT	3,346.68
MAJOR POLICE SUPPLY	PD- NEW VEHICLE EQUIPMENT	180.00
MGL PRINTING SOLUTIONS	Purchase Orders&2009 Tax Bills	3,525.50
MIAMI SYSTEMS INC	ATS Mailers	151.68
MIRACLE CHEMICAL CO	POOL CHLORINE INITIAL ORDER	2,068.00
MON CTY REGIONAL HEALTH	2Q'09 MCRHC HEALTH/NURSING FEE	39,178.75
MONMOUTH PAPER CO	COPY PAPER	450.00
NJ NATURAL GAS CO	April gas usage	5,717.52
NJ SHADE TREE FEDERATION	ST Municipal Membership 2009	145.00
NJ ST LEAGUE OF MUNICIPALITIES	ANNUAL LEAGUE MEMBERSHIP DUES	1,755.00
NJ STATE HEALTH BENEFITS FUND	June Health Insurance	129,157.80
NJAWC	April water usage	3,347.91
OLD DOMINION BRUSH CO	Misc parts for leaf trk #64	45.21
POLICE & FIREMEN'S RETIREMENT	Int. on Pension Contribution	107.26
POOL OPERATION MANAGEMENT	CROSSBARS FOR POOL DRAINS	484.91
POSTMASTER	POSTAGE FOR SEWER DELQ	498.87
PUBLIC EMPLOYEES' RETIREMENT	Int. on Pension Contribution	51.60
QUIKIE PRINT & COPY SHOPS	ENVELOPES	420.00
R&H AUTO SPRING & TRUCK	Repair rear spring sani trk #2	547.70
R&H AUTO SPRING & TRUCK	Rear springs for truck #97	558.35
RECREONICS INC	POOL GRATE COVERS	158.23

## MEETING MINUTES

JUNE 15, 2009

RED THE UNIFORM TAILOR	PD-DAMAGED UNIFORM	110.00	
REISER, KATHY	REIMBURSE RETAIL ITEMS -CTGC	13.17	
ROBERTA & DAVID FIEDLER	Reimbursement for mail box	50.00	
ROSARIA TOMO MATTHES	Reimbursement for mail box	50.00	
RUBIN, ERICA	REIMBURSEMENT FINGERPRINTING	26.25	
SEABOARD FIRE & SAFETY	ANNUAL FIRE SUPPRESSION INSP.	125.00	
SEABOARD WELDING SUPPLY INC	REPLENISH CO2 POOL/MAY	58.50	
SEABOARD WELDING SUPPLY INC	PD- OXYGEN REFILLS - MAY	208.00	
SHEARON ENVIRONMENTAL DESIGN	MAINTENANCE CTGC MAY	23,178.64	
SPRINT PO MANAGEMENT	PD- NEXTEL SERV PLAN - APRIL	740.37	
STAVOLA ASPHALT CO INC	April 2nd half patch program	423.65	
STEINBERG, MARK A ESQ	BOA meeting and resolutions	937.50	
STEINBERG, MARK A ESQ	Synagogue Oakhurst v TofO BOA	1,053.00	
SUNSET FARM MARKET	FLOWERS FOR POOL COMPLEX	135.24	
T.E.A.M. LIFE INC	PD- DEFIB PADS PEDI/ADULT	1,550.00	
THE BANK OF NEW YORK	MON CTY IMPROV AUTH INT PYMT	337,185.53	
THE NEW COASTER LLC	5/28 LEGAL ADVERTISEMENTS	233.12	
THE STANDARD GROUP	Repair roof at Sunset Garage	920.60	
TODAY PUBLICATIONS	CTGC ADVERTISING PLACEMENT	395.00	
TODD HARRIS CO INC	POOL BONDING INSPECTION	1,450.00	
TODD HARRIS CO INC	REINSPECT POOL	725.00	
TREASURER OF SCHOOL MONIES	JUNE 2009 SCHOOL TAXES PAYABLE	4,385,669.75	
TREASURER STATE OF NEW JERSEY	Registration fee Sunset Garage	199.00	
TRONOLONE, JOHN	SUPERVISOR JV GYM PROGRAM	168.00	
TWP OCEAN GENERAL CAPITAL FUND	TRANSFER BUDGET APPRO TO G/C	93,444.00	
TWP OF OCEAN DEF SICK LEAVE FD	TRANS BUDGET APPRO TO DSL	150,000.00	
TWP OF OCEAN DEF VACATION LEAV	TRANSFER BUDGET APPRO TO DVL	60,000.00	
TWP OF OCEAN SUI ACCOUNT	TRANS 2009 BUDGET APPROPRIATIO	25,000.00	
UNITED CLEANING CONTRACTORS IN	April payment janitorial	4,610.00	
UNITED STATES POSTAL SERVICE	REPLENISH POSTAGE METER	5,000.00	
UNIVERSAL CHEMICALS INC	dry chemicals - pool	1,607.50	
URSALA & AL KERECMAN	Reimbursement for mail box	50.00	
VANTAGEPOINT TRANSFER AGENTS	Retiree Health Benefits	2,811.69	
VERIZON	TELEPHONE & ISDN SERVICE 6/09	421.90	
VERIZON BUSINESS FIOS	PD - INTERNET ACCESS - JUNE	99.99	
VERIZON COMMUNICATIONS	FIOS EARLY TERMINATION FEE	94.68	
VERIZON ONLINE	ISDN SERVICES FOR HDS 6/09	61.75	
VERIZON WIRELESS	PD- MODEM SERV PLAN - MAY	480.10	
VERIZON WIRELESS	PD- MODEM SERV PLAN - MAY	480.10	
VIRGINIA FORD	REFUND OF POOL MEMBERSHIP FEE	60.00	
VIRTUAL F/X	PD- DEPT GRAPHICS	320.00	
W W GRAINGER INC	April misc supplies	276.52	
WACHOVIA BANK NA	PD- SUBPOENAED RECORDS	35.00	
WILENSKY, MARIANNE	Medical Reimbursement	305.04	
<b><u>Total</u></b>		<b>5,964,241.50</b>	
	<b><u>Total 2009 Current Fund Appropriations Payments</u></b>	<b>5,964,241.50</b>	
	<b><u>General Capital Payments</u></b>		
ALLSTEEL, INC.	Misc Furniture NJ State A69942	17,135.18	
BOISE'S BUSINESS INTERIORS	PD/CAP- SHELVING OIC'S OFFICE	553.46	
CFM CONSTRUCTION INC	PAINT/CAULK DIVING POOL	4,900.00	
GOVCONNECTION INC	Symantec Yearly Licensing	258.00	
LHR TECHNOLOGIES INC	Carve Wright wood making mach	2,078.99	
MC CAULEY CONSTRUCTION CO	PYMT #12 WEST WING INTERIOR RE	36,374.21	C8-00003
S FRANKFORD & SONS UMBRELLAS	POOL FACILITY CHAIRS/UMBRELLAS	3,368.00	
SHEARON ENVIRONMENTAL DESIGN	Tee Construction	8,800.00	
SITECO MATERIALS INC	Misc elec supplies Phase II	225.00	
TRI-FORM CONSTRUCTION INC	7TH & FINAL PYMT-POLICE STATIO	22,984.36	C8-00002
<b><u>Total</u></b>		<b>96,677.20</b>	
	<b><u>Total General Capital Payments</u></b>	<b>96,677.20</b>	
	<b><u>Grants Payments</u></b>		

## MEETING MINUTES

JUNE 15, 2009

BUTTIGLIERI, VINCENT CMC	MAY 2009 PETTY CASH	22.39	
CMX	APR 09-RTE 35 @ ARMSTRONG BLVD	1,008.78	C6-00009
DELTA DENTAL PLAN OF NJ	June Dental Insurance	111.65	
JAMES HIGGINS ASSOCIATES	MAY 2009 OPEN SPACE STUDY SVS	1,371.25	C9-00006
NJ STATE HEALTH BENEFITS FUND	June Health Insurance	1,594.60	

**Total**

4,108.67

**Total Grants Payments**

4,108.67

**Law Enforcement Trust Payments**

L3 COMMUNICATIONS MOBILE-	PD/TOLET-VOICE LINK PLUS UNITS	5,795.00	
SPRINT PO MANAGEMENT	PD/TOLET- LT's NEXTELS/SERVICE	199.98	
SPRINT PO MANAGEMENT	PD/TOLET- NEXTEL SERV - FEB	133.91	
SPRINT PO MANAGEMENT	PD/TOLET- NEXTEL SERV - MARCH	70.76	
SPRINT PO MANAGEMENT	PD/TOLET- NEXTEL SERV - APRIL	73.24	

**Total**

6,272.89

**Total Law Enforcement Trust Payments**

6,272.89

**TORTA Payments**

ALI, NANCY	INTSTRUCTOR "WANNA COOK"	300.00	
EDGE, NORMAN	ENTERTAINER 6/7 TERNER GALLERY	150.00	
GARIFINE, JACK	INSTRUCT SPRING SOCCER CLINIC	273.00	
GINA RUSSOMANO	REFUND GOLF LESSON	30.00	
GINA RUSSOMANO	TORTA REFUND MEDICAL/LACROSS	60.00	
KIM MUNOZ	TORTA REFUND PROGRAM	25.00	
MUSICAL ME LLC	INSTRUCT MUSICAL ME 4/25-5/9	300.00	
MUSICAL ME LLC	INSTRUCT "MUSICAL ME"5/15-6/6	400.00	
NASCO	SENIOR PAINTING SUPPLIES	206.76	
NJ STATE GOLF ASSOC	GHIN HANDICAP SERVICE CTGC	589.00	
ODRICH, RON	PERFORMER TERNER GALLERY 6/7	150.00	
PONTON, RICHARD	REIMBURSE GOLF TOURN EXPENSES	53.44	
PONTON, RICHARD	REIMBURSE TOURNAMENT SUPPLIES	56.00	
RAWDING, MARK	INSTRUCTOR-BATTER UP-TEEN	300.00	
RAWDING, MARK	REIMBURSE SUPPLIES "BATTER UP"	297.45	
REISER, KATHY	REIMBURSE GOLF TOURN SUPPLIES	247.31	
SANDERS, ANNETTE	ENTERTAINER 6/7 TERNER GALLERY	150.00	
SANDRA FOX	TORTA REFUND	70.00	
TIME & SPACE CONSULTING	INSTRUCTOR SENIOR YOGA	800.00	
TIME & SPACE CONSULTING	INSTRUCT YOGA FOR STRESS MGMT	800.00	
TWP OF OCEAN PAYROLL ACCOUNT	Torta for 5/29/09 payroll	2,094.95	
TWP OF OCEAN PAYROLL ACCOUNT	Torta for 6/12/09	1,590.22	

**Total**

8,943.13

**Total TORTA Payments**

8,943.13

**Trust Other Payments**

ALBERT ARBUCKLE	Return escrow balance	271.25	
BEVIN IRVIN BUILDERS INC	MAINT REL ON 1606 FINDERNE ST	648.33	
BROWN, SANFORD ESQ	Planning Board Reviews	475.00	
CELLI, MICHAEL G JR ESQUIRE	APR 21,2009 ALTERNATE PUBLIC D	250.00	
CLARKE CATON HINTZ	3/28/09-4/30/09 PROF SERVICES	6,731.72	C9-00002
COVELLI, VICTOR M ESQ	5/19 TIFFANIE WEBB & T HUGHES	500.00	
FITZGERALD, WILLIAM	PB and BOA Reviews	5,231.25	
FITZGERALD, WILLIAM	Gold Coast Reviews	2,193.75	
GOLD COAST ASSOCIATES LLC	Escrow Return	1,398.75	
GOLD COAST ASSOCIATES LLC	Return escrow 2123 Highway 35	157.50	
GUVEN CONSTRUCTION INC	MAINT REL ON 217 LEWIS ST	3,679.55	
HANNA, JOHN	W.Comp Scibal Check 41568	988.47	
HANNA, JOHN	Twp Share Scibal Ck 41568	433.53	
HANNA, JOHN	Workers' Comp Scibal Ck 41568	1,017.35	
HANNA, JOHN	Township Share Scibal Ck 41568	404.65	
JAMES HIGGINS ASSOCIATES	PB Reviews Bahary June 2008	156.25	
JAMES HIGGINS ASSOCIATES	PB and BOA Reviews	3,125.00	
JAMES HIGGINS ASSOCIATES	Landscape Inspections	500.00	

## MEETING MINUTES

JUNE 15, 2009

JASON A VOLET LLC	5/2009 CONFLICT PUBLIC DEFENDE	593.75
LEON S AVAKIAN INC	THRU JUNE JASON'S FURNITURE	1,435.00
LEON S AVAKIAN INC	THRU MAY 09-1003 GRASSMERE AVE	347.50
MGO GROUP OF COMPANIES	PERF REL ON 34 NORTHWOODS	3,163.50
MGO GROUP OF COMPANIES	MAINT REL ON 47 NORTHWOODS	1,827.86
MGO GROUP OF COMPANIES	MAINT REL ON 29 NORTHWOODS	1,523.25
MGO GROUP OF COMPANIES	MAINT REL ON 27 NORTHWOODS	1,524.59
MONMOUTH UNIVERSITY	MAINT REL ON 10 NORWOOD AVE	2,033.81
MONMOUTH WOODS	PERF REL ON MONMOUTH WOODS	22,238.10
MORGANO BUILDERS	PERF REL ON 1175 DEAL RD	2,925.41
NJ DIVISION OF TAXATION	MAY 2009 CTGC SALES TAX COLLEC	659.41
RYAN'S AUTO BODY	REPAIR 08 FORD CROWN VIC 72838	1,671.20
STARWOOD HELLER SEAVIEW LLC	PERF REL ON APPLEBEE'S PH "H"	8,307.25
STARWOOD HELLER SEAVIEW LLC	PERF REL ON TARGET PHASE "E"	1,563.50
STARWOOD HELLER SEAVIEW LLC	PERF REL ON COSTCO PHASE "B"	1,539.01
STARWOOD HELLER SEAVIEW LLC	PERF REL ON LOWES RETAIL PH A	102,097.96
STEINBERG, MARK A ESQ	BOA SEARCH Day Resolution	562.50
STEINBERG, MARK A ESQ	Gold Coast Resolutions	625.00
TWP OF OCEAN CURRENT FUND	Off Duty Admin Fees/Police Car	2,517.50
TWP OF OCEAN CURRENT FUND	Off Duty Admin/Police Car Use	1,400.00
TWP OF OCEAN PAYROLL ACCOUNT	Off Duty Police 5/29/09	5,460.00
TWP OF OCEAN PAYROLL ACCOUNT	Defered Sick C.Betz Sr.	11,692.20
TWP OF OCEAN PAYROLL ACCOUNT	Deferred Vacation C. Betz Sr	2,026.65
TWP OF OCEAN PAYROLL ACCOUNT	Off Duty Police 6/12/09	6,075.00
WACHOVIA BANK	MAINT REL ON 221 MONMOUTH RD	3,225.59

**Total** 215,197.89

**Total Trust Other Payments** 215,197.89

**Animal Control Trust Payments**

NJ STATE DEPT OF HEALTH	STATE MONTHLY DOG LIC REPORT	88.80
NJ STATE DEPT OF HEALTH	MAY'09 STATE DOG LIC REPORT	48.60

**Total** 137.40

**Total Animal Control Trust Payments** 137.40

**Total Bill List for June 15, 2009**

Appropriation Reserve Total	20,800.36
Current Fund Total	5,964,241.50
General Capital Fund Total	96,677.20
State & Federal Grant Total	4,108.67
Law Enforcement Trust Total	6,272.89
TORTA Total	8,943.13
Trust Other Total	215,197.89
Animal Control Total	137.40
Bid Deposit Refund	
State Unemployment Trust	
Trust Assessment Fund	
Total of All Funds	6,316,379.04

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin (\*)

\*Yes, except to those in which I may have a conflict:

Sanford Brown, Esq.

James Higgins Associates

**RESOLUTIONS:****09-097 – Approve Change Order resulting in a decrease of \$465.12, for Tri-Form Construction, Inc. for the Police Station Communications and Records Bureau**

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

**WHEREAS**, on April 1, 2008, the Township Council of the Township of Ocean authorized a contract with Tri-Form Construction, Inc., Metuchen, NJ to perform the Police Station Communications and Records Bureau Interior Renovation Project at the Township of Ocean Municipal Building located at 399 Monmouth Road, Oakhurst, NJ; and

**WHEREAS**, subsequent to the award of the construction contract, variations were necessary in the cost estimates for the general contractor, electrical subcontractor and maintenance subcontractor resulting in a decrease in the amount of \$465.12; and

**WHEREAS**, Tri-Form Construction, Inc. has submitted the request for final payment, in the amount of \$22,984.36, which has been reduced by said \$465.12;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby approve the above-referenced reduction and authorize final payment to Tri-Form Construction, Inc. in the amount of \$22,984.36 for the Police Station Communications and Records Bureau Interior Renovation Project; and

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

1. Director of Finance
2. Tri-Form Construction, Inc.
3. Buck Simperts Architect & Associates, Inc.

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

**09-098 - Authorizing Professional Services Agreement for Appraisal Services:****a. Gagliano Appraisal, L.L.C. - Pending or Future Tax Appeal Litigation, and General Real Estate Appraisal Services with Gagliano Appraisal, L.L.C.**

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

**WHEREAS**, there exists a need for 2009 appraisal services with regard to pending or future tax appeal litigation, general real estate appraisal services; and

**WHEREAS**, Gagliano Appraisal, LLC has submitted a proposal for the consultation, preparation, property inspection, analysis and preparation of appraisal reports where necessary, and testimony at the Tax Court of New Jersey or County Board of Taxation in a 3 phase fee schedule, phase 1 (preliminary Analysis) \$110 per hour, \$1,000 maximum for 1 to 4 family residential properties & \$130 per hour, \$2,500 maximum for commercial properties, Phase 2 (appraisal report) same hourly rates with fee not to exceed \$500 in addition to phase 1 for residential and fee not to exceed \$1,500 for commercial in addition to phase 1, phase 3 (testimony/settlement) \$160 per hour, \$2,000 maximum total bill for 1 to 4 family residential properties & \$160 per hour, \$6,000 maximum total bill for commercial; and

**WHEREAS**, the Township of Ocean Council has elected to make this appointment pursuant to the provisions 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 firm of Gagliano Appraisal LLC will be required to complete and submit a Business Entity Disclosure Certification which certifies that the firm of Gagliano Appraisal LLC 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 Gagliano Appraisal LLC 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 there are funds available not to exceed \$21,000.00 for this work under Assessment of Taxes, account #9-01-20-710-219 (\$15,000.00) and Manager – Professional Services, account #9-01-20-703-201 (\$6,000.00); and

**WHEREAS**, the local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth and State of New Jersey that;

1. Gagliano Appraisal, LLC is hereby authorized and directed to provide the above at a cost in accordance with their June 11, 2009 proposal.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A11-5(1) (a) of the Local Public Contracts Law because services are to be performed by a person authorized by law to practice a recognized profession.
3. A notice of this action shall be published according to law.
4. Certified copies of this resolution shall be forwarded to:

1. Gagliano Appraisal, LLC
2. Director of Finance
3. Township Auditor

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

**b. Realty Appraisal Company - Tax Appeal Litigation, Miscellaneous Real Estate Appraisal Services; and Calculation of Added Assessments**

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

**WHEREAS**, there exists a need for assistance filing the 2009 Added Assessment List as well as a need for 2009 appraisal services with regard to pending or future tax appeal litigation, miscellaneous real estate appraisal services and calculation of added assessments; and

**WHEREAS**, Realty Appraisal Company has submitted a proposal for said services at the schedule of charge’s outlined in the Proposal for the Township of Ocean dated May 5, 2009; and

**WHEREAS**, the Director of Finance has certified that there are funds available not to exceed \$37,000.00 for this work under Defense of Tax Appeals, account #9-01-20-710-219 (\$27,000.00) and Manager – Other Expenses, account #9-01-20-703-201 (\$10,000.00); and

**WHEREAS**, the local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth and State of New Jersey that;

1. Realty Appraisal Company is hereby authorized and directed to provide the above services at a cost in accordance with their May 5, 2009 proposal.
2. This contract is awarded without competitive bidding as a “professional Service” in accordance with N.J.S.A. 40A11-5(1) (a) of the Local Public Contracts Law because services are to be performed by a person authorized by law to practice a recognized profession.
3. A notice of this action shall be published according to law.
4. Certified copies of this resolution shall be forwarded to:

1. Realty Appraisal Company
2. Director of Finance
3. Township Auditor

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

**09-099 Appoint Martin J. Arbus, Esq., as Township Attorney for the year July 1, 2009 through June 30, 2010.**

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

**WHEREAS**, Chapter II of the “Revised General Ordinances of the Township of Ocean, 1965” provides for the appointment of a Township Attorney and further defines their powers and duties which are incorporated herein by reference as through set forth in length; and

**WHEREAS**, the Township Council of the Township of Ocean desires to enter into a contract for said position within the dollar limits as provided by the 2009 Municipal Budget containing appropriations for legal services and/or a salary established annually through the salary ordinance; and;

**WHEREAS**, Martin J. Arbus, Esq. submitted a proposal for the position of Township Attorney for the one term from July 1, 2009 through June 30, 2010, at an hourly rate of \$160.00 per hour, not to exceed \$80,000.00; 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**, as required by law, Martin J. Arbus will be required to complete and submit a Business Entity Disclosure Certification which will certify that he has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous twelve months and that the contract will prohibit Martin J. Arbus, Esq. from making any reportable contributions to a political and/or candidate committee in the Township of Ocean throughout the term of this contract; and

**WHEREAS**, the Director of Finance has certified that there are available sufficient funds for the purpose of this award, specifically under the aforementioned appropriations; Legal Services & Costs – O/E and various General Capital Ordinances; and

**WHEREAS**, Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that the resolution authorizing the award of a contract for professional services without competitive bids, as well as the contract itself, shall be available for public inspection;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Ocean, County of Monmouth, State of New Jersey that Martin J. Arbus, Esq., is hereby appointed to the position of Township Attorney, at a rate of \$160.00 per hour, not to exceed \$80,000.00 for the one year term of July 1, 2009 through June 30, 2010; and

**BE IT FURTHER RESOLVED**, that the Mayor and Municipal Clerk are hereby authorized to execute the contract with Martin J. Arbus, Esq. as Township Attorney; and

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

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

1. Martin J. Arbus, Esq.
2. Director of Finance
3. Township Auditor
4. Public Agency Compliance Officer

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

**09-100 Authorize fireworks display for July 3, 2009 at Joe Palaia Park**

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

**WHEREAS**, N.J.S.A. 21:3-3 permits the governing body of a municipality to "grant a permit for the public display of fireworks by .... fraternal or civic... or other organizations..." after application has been made; and

**WHEREAS**, the Township of Ocean Community Celebration Committee has made an application for a public display of fireworks on July 3, 2009 (raindate to be determined) at Joe Palaia Park; and

**WHEREAS**, the Chief of Police and Fire Marshall of Fire District Number One have approved said application;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey that authorization is hereby given for the aforementioned public display of fireworks by the Township of Ocean Community Celebration Committee on July 3, 2009 at Joe Palaia Park; and

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to execute said permit upon receipt of the following by the Township:

1. Copy of the contract between the pyrotechnic operator and the Township of Ocean Community Celebration Committee
2. Certificate of Insurance with Comprehensive General Liability coverage, including Contractual, Automobile and Workers Compensation
  1. Liability Limits of \$1,000,000 CSL and Statutory Workers' Compensation;
  2. Municipality as additional named insured;
  3. Specifically mentioned hold harmless contract.
3. An executed hold harmless agreement in favor of the municipality must be signed by the fireworks contractor.

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

**09-101 Authorize the Township of Ocean to conduct the Annual Budget Review in accordance with the provisions of N.J.S.A. 40A:4-78b****RESOLUTION FOR CONDUCTING ANNUAL BUDGET EXAMINATION**

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

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Township of Ocean has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township meets the necessary conditions to participate in the program for the 2009 budget year;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Ocean that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate, and correctly stated
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and NJAC 5:30-7.

It is further certified that the municipality has met the eligibility requirements of NJAC 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with NJAC 5:30-7.6.

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

**ORDINANCES:**

**Announcement**

**Adoption(s)**

*Ordinance #2124* – An Ordinance amending Chapter 13 of the Revised General Ordinances of the Township of Ocean, 1965 entitled: Excavation and Construction of Public Streets.  
(Coaster)

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to open the Public Hearing on Ordinance #2124

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

No public comments were received.

At this juncture, Mayor Larkin announce that the Public Hearing will be carried until the July 13, 2009 and the Public Hearing will remain open until that time.

*Ordinance #2126* – An Ordinance amending Chapter 12 of the Revised General Ordinances of the Township of Ocean, 1965 prohibiting parking along portions of Wickapecko Drive.  
(Coaster)

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to open the Public Hearing on Ordinance #2126

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

No public comments were received.

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to close the Public Hearing on Ordinance #2126

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to adopt Ordinance #2126 and notice of final passage thereof be advertised in The Coaster in accordance with the law.

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

*Ordinance #2127* – A Bond Ordinance providing for various improvements, more specifically for Public Works equipment and vehicles; Police Department equipment; acquisition of MIS equipment; recreation improvements and various road improvements.  
(Coaster)

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to open the Public Hearing on Ordinance #2127

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

No public comments were received.

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to close the Public Hearing on Ordinance #2127

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to adopt Ordinance #2127 and notice of final passage thereof be advertised in The Coaster in accordance with the law.

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

*Ordinance #2128* – An Ordinance amending Chapter 14 of the Revised General Ordinances of the Township of Ocean, 1965 entitled: Swimming Pools.  
(Coaster)

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to open the Public Hearing on Ordinance #2128

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

Leslie Dorsett inquired as to the nature of this Ordinance. Andrew Brannen explained that there were two areas that were revised dealing with how the hours of operations were established and dealing with active military personnel and their families.

No further comments were received.

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to close the Public Hearing on Ordinance #2128.

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to adopt Ordinance #2128 and notice of final passage thereof be advertised in The Coaster in accordance with the law.

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

*Ordinance #2129* – An Ordinance authorizing the private sale of non-conforming real property (Coaster) known as Block 211, Lot 1 to contiguous property owners pursuant to N.J.S.A. 40A:12-13 (B)(5)

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to open the Public Hearing on Ordinance #2129

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

No public comments were received.

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to close the Public Hearing on Ordinance #2129

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to adopt Ordinance #2129 and notice of final passage thereof be advertised in The Coaster in accordance with the law.

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

**Introduction(s)**

*Ordinance #2131* – A Bond Ordinance providing for curb and sidewalk improvements to various Township roadways appropriating \$70,000 to finance a portion of the cost thereof and direct the Special Assessment of the costs thereof (P.H. 7/13/09 Coaster)

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to approve Ordinance #2131 on first reading and advertise according to law in The Coaster together with the notice of the Public Hearing which will be held on July 13, 2009 at 7:00 p.m. in the Township Meeting Room, Monmouth and Deal Roads, Oakhurst, New Jersey.

**TOWNSHIP OF OCEAN  
COUNTY OF MONMOUTH**

**Bond Ordinance No. 2131**

**BOND ORDINANCE PROVIDING FOR CURB AND SIDEWALK IMPROVEMENTS TO WHALE POND ROAD, WEST LAKE AVENUE, LLOYD PLACE, CARROL DRIVE, BIRCH AVENUE, SUNSET AVENUE AND APPLEBY DRIVE, APPROPRIATING \$70,000 THEREFOR, AUTHORIZING THE ISSUANCE OF \$66,500 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AND DIRECTING THE SPECIAL ASSESSMENT OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF OCEAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

**BE IT ORDAINED** by the MUNICIPAL COUNCIL OF THE TOWNSHIP OF OCEAN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as local improvements to be undertaken in and by the Township of Ocean, in

the County of Monmouth, New Jersey (the "Township"), pursuant to N.J.S.A. 40:65-1 *et seq.*. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$70,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$3,500 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$66,500, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The local improvements hereby authorized to be undertaken and the purposes for which the obligations are to be issued consist of the improvement of curbing and sidewalks in the Township. The affected properties, listed by block and lot, include but are not limited to the following:

BLOCK(S)	LOT(S)
5	1, 2, 5, 6, 7, 8, 9, 10, 11
5.01	3, 4
5.02	13
5.04	2, 3, 4, 5
105	1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13
106	2, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23
140	27, 28, 29, 30, 31, 32

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$66,500, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$70,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$70,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$3,500 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3(a) of this bond ordinance are not a current expense and are improvements or purposes that the Township may lawfully undertake as a local improvement of the Township, and all of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$66,500 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$10,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Township are used to finance, on an interim basis, costs of said improvements or purposes, the Township reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

(f) The Township hereby determines that it anticipates that it will contribute \$-0- (zero) amount to the payment of the cost of the local improvements described in Section 3(a) hereof. The cost of the local improvements shall be paid by special assessments which shall be levied on property specially benefited thereby, in accordance with law.

(g) The number of annual installments within which the special assessments are to be paid by the owners of the lots and parcels of real estate benefited by the local improvements and specially assessed, shall not exceed five (5). The assessments shall be levied and collected in accordance with law. The estimated maximum amount of special assessments of the local improvement described in §3 hereof is \$70,000.

Section 6. Notice is hereby given to the owners of the properties described in Section 3(a) herein, that the improvements described therein shall be undertaken as a sidewalk improvement and the entire cost thereof shall be assessed in the following manner. An accurate account of the cost of construction of the sidewalks shall be kept, and such cost shall be assessed upon the property fronting on the improvements pursuant to and in accordance with N.J.S.A. 40:65-1 *et seq.* Unless notice of the pendency of this ordinance is given in accordance with N.J.S.A. 40:65-6, the Municipal Clerk shall cause notice of the proposed sidewalk improvements to be given to the owner or owners of real estate affected thereby prior to the making of the sidewalk improvements described in said Section 3(a) or the awarding of any contract for such sidewalk improvements. The notice shall contain a description of the property affected sufficient to identify it, a description of the improvement and a statement that unless the owner or owners complete the improvements within 30 days after service thereof, the Township will make the improvements at the expense of the owner or owners. Such Notice shall be served in accordance with the provisions of N.J.S.A. 40:65-2 to 40:65-5, and the proof of service shall be filed with the officer of the Township in charge of the records of tax liens of the Township within ten days after service thereof. The owner of any land upon which any assessment for the local improvement shall have been made may pay such assessment in the number of equal yearly installments herein determined, with legal interest on the unpaid balance of the assessment. The first of the installments shall be due and payable two months after the confirmation of the assessment, and

each subsequent annual installment and interest shall be payable in each successive year thereafter at such time as the governing body shall by resolution determine, provided that any owner of land so assessed shall have the privilege of paying the whole of any assessment or of any balance of installments with accrued interest thereon at any time. Whenever any such installment shall remain unpaid for thirty (30) days from and after the time it shall become due and payable, the whole assessment or balance thereof shall become and be immediately due and payable and shall draw interest at the rate imposed upon the arrearage of taxes in the Township and shall be collected in the same manner as provided by law for other past-due assessments. Such assessment shall remain a lien upon the land described herein until the assessment with all installments and accrued interest thereon shall be paid and satisfied. Notwithstanding anything herein to the contrary, the Township shall have the right to waive default as may be permitted by law.

Section 7. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

Section 8. Any grant or similar moneys from time to time received by the Township for the improvements or purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and, unless paid from other sources, the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**ROLL CALL:**

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

**Council Reports:**

Councilmember Schepiga reminded everyone that Fall Fest will held on September 25, 2009.

The following gave no reports:

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

**PUBLIC COMMENTS:**

Leslie Dorsett urged the Township Council to strengthen the previously approved tree ordinance now that the Courts have ruled in favor of the tree ordinance that was passed in Jackson, New Jersey. Andrew Brannen will bring that comment back to the Environmental Commission.

No other public comments were received.

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

Respectfully submitted,

William F. Larkin  
Mayor

Vincent Buttiglieri, RMC/CMC  
Municipal Clerk