

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

JULY 13, 2009

OAKHURST, NEW JERSEY

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.

PROCLAMATION: National Ovarian Cancer Awareness Month
September 2009

PROCLAMATION

National Ovarian Cancer Awareness Month

September 2009

- WHEREAS,** Ovarian cancer is called the “silent disease” because its symptoms are often vague or subtle; and
- WHEREAS,** Ovarian cancer is the fifth leading cause of cancer deaths among women and the leading cause of gynecologic cancer death in the United States with more than 22,000 women being diagnosed and approximately 16,000 deaths from this disease each year; and
- WHEREAS,** if detected in its early stages, survival from ovarian cancer is 90-95 percent, yet, the five-year survival rate for the disease is only 28 percent because it is so difficult to detect in the early stages; and
- WHEREAS,** the *Turn The Towns Teal* campaign was launched by Gail MacNeil during her 10 year battle with ovarian cancer;

WHEREAS, Kaleidoscope of Hope (KOH), the Atlantic Health System and the National Ovarian Cancer Coalition – Northern NJ (NOCC) are partnering to promote awareness of ovarian cancer through the *Turn The Towns Teal* campaign;

NOW, THEREFORE, I, William F. Larkin, Mayor of the Township of Ocean, along with the entire Township Council, do hereby proclaim September 2009 as

Ovarian Cancer Awareness Month

in the Township of Ocean, Monmouth County, New Jersey and do hereby support the *Turn The Towns Teal* awareness campaign.

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

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

Public Questions:

F.K. Hudson asked the following questions pertaining to items on the Agenda:

1. Inquired about the automated garbage program that the Township is contemplating. Andrew Brannen, Township Manager, explained the rationale and the fact that the Township will be going out to bid for the required equipment.
2. Resolution 09-110a – inquired as to why the Township was authorizing bids for this equipment.
3. Resolution 09-111 – inquired if the Township Council had read the Audit and were there any items that warranted attention. Mayor Larkin responded that there were no material deficiencies.
4. Resolution 09-115 – inquired as to the services being provided by both parties. Andrew Brannen explained.
5. Resolution 09-116 – asked about the hourly rate of the attorney.
6. Resolution 09-119 – inquired if this item was connected to Resolution 09-110a. Andrew Brannen explained that the items referenced in 09-110a were the reason this resolution was necessary.
7. Ordinance 2133 – asked for clarification.
8. Resolution 09-120 – inquired as to what streets were being included.

Larry Loigman asked the following questions pertaining to items on the Agenda:

1. Resolution 09-109 - inquired as to why there was references to both taxi and limousine licensing and which type of license was being requested. Mr. Loigman also inquired as to when the Public Hearing was being held. The reason for his question was that at the last meeting he questioned when he was going to have the ability to ask questions regarding the proposed taxi license, he was instructed that it would be at this meeting. Based on Mr. Loigman's desire to be heard on the issuance of this license, Mayor Larkin requested that Resolution 09-109 will be pulled off the Agenda.
2. In light of the fact that the Council is now receiving this information electronically, he inquired if the resolutions and ordinances will now be available to for public review prior to the meetings.
3. Stated that he was opposed to any payment to Suplee Clooney & Company, the Township Auditor, related to the 2008 Audit.
4. Inquired as to the process used in Resolution 09-116 and 09-117
5. Regarding the payment of Vouchers, he inquired about the details of the payment to Ruderman and Glickman, as well as when these issues arose and why it is taking so long to bring them to conclusion.

CONSENT AGENDA

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

MINUTES:

June 15, 2009 - Workshop, Public and Closed

June 24, 2009 – Special Public Meeting

RESOLUTIONS:

Mayor Larkin announced that Resolution 09-109 will be pulled from the Agenda until the issues raised by the Mr. Loigman can be cleared up.

09-105 Authorize the acceptance of Performance Guarantee for:**a. Block 36, Lot 32 – 1219 Deal Road – Richard Thetgyi**

WHEREAS, the Township of Ocean has approved a development project on Block 36, Lot 32 also known as 1219 Deal Road; and

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

WHEREAS, Richard Thetgyi has posted cash performance guarantees totaling \$4,680.00 along with engineering inspection fees totaling \$1,450.00 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. Richard Thetgyi

b. Block 53, Lot 9 – 250 Golf Road – Elliot Azoulay

WHEREAS, the Township of Ocean has approved a development project on Block 53, Lot 9 also known as 250 Golf Road; and

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

WHEREAS, Elliot Azoulay has posted cash performance guarantees totaling \$10,296.00 along with engineering inspection fees totaling \$2,630.00 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. Elliott Azoulay

09-106 Authorize the submission and execution of the following Grants:

a. Obey the Signs or Pay the Fines 2009 – Speed Enforcement Grant

WHEREAS, there are funds available under the Highway Safety Grant with the New Jersey Division of Highway Traffic Safety for a Obey the Signs or Pay the Fines 2009 Speed Enforcement Grant, 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 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 New Jersey Division of Highway Traffic Safety for *Obey the Signs or Pay the Fines* Speed Enforcement Grant in the amount of \$4,000.00 dollars,

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

1. State of New Jersey, Division of Highway Traffic Safety, P.O. Box 048, Trenton, NJ 08625-0048.
2. Chief of Police.
3. Township Auditor.

b. Over the Limit, Under Arrest Crackdown Enforcement Grant

WHEREAS, there are funds available under the Highway Safety Grant with the New Jersey Division of Highway Traffic Safety for a Over the Limit, Under Arrest Statewide Crackdown / Alcohol Enforcement Grant; 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 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 New Jersey Division of Highway Traffic Safety for *Over the Limit, Under Arrest Crackdown* Enforcement Grant in the amount of \$6,000.00 dollars,

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

1. State of New Jersey, Division of Highway Traffic Safety, P.O. Box 048, Trenton, NJ 08625-0048
2. Chief of Police
3. Township Auditor

c. 2010 Monmouth County Board of Alcohol and Drug Abuse Services – Adolescent Outpatient Services Grant

WHEREAS, the Township of Ocean is recognized as a model of community response to the problems of alcoholism and drug abuse; and

WHEREAS, the people of the Township of Ocean wish to continue their strong support of chemical health efforts through the support of the treatment and prevention programs offered by Department of Human Services; and

WHEREAS, there is a need in the County of Monmouth for effective, accessible, and affordable intensive outpatient services for adolescents; and

WHEREAS, the Department of Human Services of the Township of Ocean has demonstrated effectiveness in providing intensive outpatient treatment for adolescent residents of Monmouth County; and

WHEREAS, funds are available through the Monmouth County Department of Human Services for the provision of intensive outpatient services for adolescents; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Ocean, County of Monmouth that the Director of Human Service is authorized to prepare and submit the 2010 application for funding to the Monmouth County Board of Alcohol and Drug Abuse Services for adolescent intensive outpatient services; and

BE IT FURTHER RESOLVED that the Township Council authorize the Township Manager or his designee to provide all necessary and pertinent information to the Board of Drug and Alcohol Services and to sign and execute all related agreements on behalf of the Council; and

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

1. Monmouth County Board of Alcohol and Drug Abuse Services
2. Township of Ocean Alliance to Prevent Drug and Alcohol Abuse
3. Director of Human Services

d. 2010 Monmouth County Board of Alcohol and Drug Abuse Services – Level I Outpatient Services Grant

WHEREAS, the Township of Ocean is recognized as a model of community response to the problems of alcoholism and drug abuse; and

WHEREAS, the people of the Township of Ocean wish to continue their strong support of chemical health efforts through the support of the treatment and prevention programs offered by Department of Human Services; and

WHEREAS, there is a need in the County of Monmouth for effective, accessible, and affordable outpatient services for adults and adolescents; and

WHEREAS, the Department of Human Services of the Township of Ocean has demonstrated effectiveness in providing Level I outpatient treatment for residents of Monmouth County; and

WHEREAS, funds are available through the Monmouth County Department of Human Services for the provision of Level I Outpatient Services;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Ocean, County of Monmouth that the Director of Human Service is authorized to prepare and submit the 2010 application for funding to the Monmouth County Board of Alcohol and Drug Abuse Services for Level I outpatient services; and

BE IT FURTHER RESOLVED that the Township Council authorize the Township Manager or his designee to provide all necessary and pertinent information to the Board of Drug and Alcohol Services and to sign and execute all related agreements on behalf of the Council; and

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

1. Monmouth County Board of Alcohol and Drug Abuse Services
2. Township of Ocean Alliance to Prevent Drug and Alcohol Abuse

3. Director of Human Services

e.2010 Municipal Alliance Program Grant

WHEREAS, alcoholism and drug abuse are important public health and law enforcement problems in our community; and

WHEREAS, the Township of Ocean is desirous of working with the Governor's Council on Alcoholism and Drug Abuse and the Monmouth County Board of Chosen Freeholders in preventing and resolving these problems; and

WHEREAS, the governing body of the Township of Ocean has created a Municipal Alliance in accordance with statutory requirement of P.L. 1989, CH. 51, to provide continuing advice to it and the citizens of this community; and

WHEREAS, funding is available to municipalities through the Governor's Council on Alcoholism and Drug Abuse to use in efforts of drug abuse prevention and intervention;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Ocean, County of Monmouth that the Township of Ocean Alliance to Prevent Alcoholism and Drug Abuse is authorized to prepare and submit the 2010 Application for Funding the Municipal Alliance Program in cooperation with the staff of the Department of Human Services; and

BE IT FURTHER RESOLVED that the Township Manager or his designee is authorized to provide any additional information or take any additional steps which may be lawful and necessary to execute the application for funding; and

BE IT FURTHER RESOLVED, that the Mayor affix his signature to the 2010 application for funding and said application be forwarded to the Monmouth County Division of Mental Health and Addiction Services; and

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

1. Monmouth County Division of Mental Health and Addiction Services
2. Township of Ocean Alliance to Prevent Drug and Alcohol Abuse
3. Dr. Richard Ponton, Director of Human Services

09-107 Authorize the receipt of bids for abandoned vehicles

WHEREAS, the procedure for disposition of abandoned vehicles in the possession of a municipality is set forth in N.J.S.A. 39:10A-1 et seq.; and

WHEREAS, N.J.S.A. 39:10A-1 provides that when such vehicles remain unclaimed by the owner for a period of 30 days, they may be sold at public auction in a public place. The public agency must give notice of the sale by certified mail, to the owner, if his name and address are known and to the holder of any security interest filed with the director of the Division of Motor Vehicles and by publication at least five (5) days before the date of the sale, in a newspaper published in the state and circulating in the municipality in which the motor vehicle is held; and

WHEREAS, the traffic safety officer of the Township of Ocean has requested that the vehicles listed below be auctioned, that proper notice of the sale shall be advertised as required.

	YEAR	MAKE	MODEL	VIN#	Minimum Bid
1.	1997	Dodge	Intrepid	2B3HD46T8VH688768	\$2,135.00
2.	2000	Ford	Expedition	1FMRU1669YLB95762	\$2,420.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean that the Township Manager or his designee is hereby authorized to receive bids for

abandoned vehicles to be auctioned" on Tuesday, August 4, 2009, at 3:00 PM, at the Township of Ocean Town Hall, 399 Monmouth Road, Oakhurst, N.J. 07755.

BE IT FURTHER RESOLVED, that the prospective bidders may examine the vehicle to be auctioned at Central Towing, 31 Central Ave., Red Bank, N.J. 07701, between the hours of 10:00 AM and 2:00 PM, on Tuesday, July 28, 2009.

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

1. Police Department (Traffic Bureau)
2. Towing Company
3. Township Manager

09-108 Authorize the participations in the Central Jersey Council of Governments Regional Solid Waste Feasibility Study

WHEREAS, the Governing Body of the Township of Marlboro as Lead Municipality and the Township of Aberdeen, City of Asbury Park, Borough of Atlantic Highlands, Borough of Bradley Beach, Township of Colts Neck, Borough of Eatontown, Borough of Englishtown, Borough of Freehold, Township of Freehold, Township of Hazlet, Borough of Highlands, Township of Holmdel, Borough of Keyport, Borough of Lake Como, Borough of Little Silver, City of Long Branch, Township of Manalapan, Borough of Matawan, Township of Middletown, Borough of Monmouth Beach, Borough of Neptune City, Township of Ocean, Borough of Oceanport, Borough of Roosevelt, Borough of Sea Bright, Borough of Sea Girt, Borough of Shrewsbury, Township of Shrewsbury, Borough of Spring Lake Heights, Borough of Tinton Falls, Borough of Union Beach and the Township of Wall, have agreed to apply for a *SHARE* (Sharing Available Resources Efficiently) Regional Feasibility Grant through the State of New Jersey Local *SHARE* Program in the amount of \$417, 831.00; and

WHEREAS, Township of Marlboro has agreed to be the lead agency in this endeavor; and

WHEREAS, the Governing Body of the Township of Marlboro is acknowledging and accepting the responsibility of acting as applicant for this grant on behalf of the Township of Aberdeen, City of Asbury Park, Borough of Atlantic Highlands, Borough of Bradley Beach, Township of Colts Neck, Borough of Eatontown, Borough of Englishtown, Borough of Freehold, Township of Freehold, Township of Hazlet, Borough of Highlands, Township of Holmdel, Borough of Keyport, Borough of Lake Como, Borough of Little Silver, City of Long Branch, Township of Manalapan, Borough of Matawan, Township of Middletown, Borough of Monmouth Beach, Borough of Neptune City, Township of Ocean, Borough of Oceanport, Borough of Roosevelt, Borough of Sea Bright, Borough of Sea Girt, Borough of Shrewsbury, Township of Shrewsbury, Borough of Spring Lake Heights, Borough of Tinton Falls, Borough of Union Beach and the Township of Wall; and

WHEREAS, the state of New Jersey has made *SHARE* grants available to assist local units study, develop and implement new shared and regional services; and

WHEREAS, the purpose of this grant is to promote shared services between our local units through the sharing of solid waste and recycling collection services that would be beneficial to all local units. This would include things such as technological advances, different methods of solid waste removal, waste flow analysis and data retrieval.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Ocean, that the Township of Ocean does hereby join with the Township of Aberdeen, City of Asbury Park, Borough of Atlantic Highlands, Borough of Bradley Beach, Township of Colts Neck, Borough of Eatontown, Borough of Englishtown, Borough of Freehold, Township of Freehold, Township of Hazlet, Borough of Highlands, Township of Holmdel, Borough of Keyport, Borough of Lake Como, Borough of Little Silver, City of Long Branch, Township of Manalapan, Borough of Matawan, Township of Middletown, Borough of Monmouth Beach, Borough of Neptune City,

Township of Ocean, Borough of Oceanport, Borough of Roosevelt, Borough of Sea Bright, Borough of Sea Girt, Borough of Shrewsbury, Township of Shrewsbury, Borough of Spring Lake Heights, Borough of Tinton Falls, Borough of Union Beach and the Township of Wall, in applying for a grant for the purpose of a feasibility study.

09-110 Authorize the receipt of bids for the following items:

a. Bulk Material Recovery Facility; Automated Garbage Collection Vehicles; Cart Lifters; Side Lifter with Side Loading Packer; Automated Carts; Recycling Material Recovery Facilities; and Scarab Window Turner Repairs

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

Public Works:

1. BULK MATERIAL RECOVERY FACILITY
2. THREE (3) AUTOMATED GARBAGE COLLECTION VEHICLES WITH PLOWS
3. SEVEN (7) SETS OF CART LIFTERS FOR 25CY REAR LOADING PACKERS
4. ONE (1) SIDE LIFTER WITH 6 CY SIDE LOADING PACKER
5. 25,000 AUTOMATED CARTS
6. RECYCLING MATERIAL RECOVERY FACILITIES
7. SCARAB WINDROW TURNER REPAIRS

Police Department:

1. 120 FOOT HIGH POLICE COMMUNICATION TOWER (furnish and installation)

WHEREAS, specifications for the aforesaid items will be on file in the Public Works and Police Departments, respectively, and will be 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 items as per the specifications on file and will be received by the Township Manager in 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
3. Chief of Police
4. Public Works Department

09-111 Stating Compliance with Promulgation of Local Finance Board of the State of New Jersey accepting the 2008 Township of Ocean Audit

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2008 has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Township of Ocean pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Ocean in the County of Monmouth, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

09-112 Authorize the display of fireworks for the Italian American Association of the Township of Ocean on August 14, 2009 (rain dates August 15, 2009 and August 16, 2009)

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 Italian American Association of the Township of Ocean has made an application for a public display of fireworks at 9:45 p.m. on August 14, 2009 (rain dates are August 15, 2009 and August 16, 2009) 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 that it does hereby authorize the aforementioned public display of fireworks by the Italian American Association of the Township of Ocean at Joe Palaia Park on August 14, 2009 (rain dates August 15, 2009 and August 16, 2009); and

BE IT FURTHER RESOLVED, that the Township Manager 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 Italian American Association of the Township of Ocean.
2. Certificate of Insurance with Comprehensive General Liability coverage, including Contractual, Automobile and Workers Compensation.
 - a. Liability Limits of \$1,000,000 CSL and Statutory Workers' Compensation;
 - b. Municipality as additional named insured;

- c. 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 (on all Consent Items):

YES: Garofalo(on all but 09-108), Hiers, Schepiga, Siciliano, Larkin

RECUSE: Garofalo (on 09-108 only)

INDIVIDUAL ACTION:

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

VOUCHERS: \$ 5,270,576.31

**Township of Ocean
Department of Finance
Voucher List for July 13, 2009**

Vendor Name	Description	Amount	Contract
<u>Appropriation Reserves Payments</u>			
GAGLIANO APPRAISAL LLC	Tax Court Appraisal	1,425.00	
KELLY WINTHROP, LLC.	Remove dead deer/Twp roadways	100.00	
RESTOCKIT.COM	PD- DRY EARSE CABINET/OIC	277.39	
SUPLEE, CLOONEY & COMPANY	2008 AUDIT,AFS&ADS&2009 BUDGET	34,350.00	
VIRTUAL F/X	PD-DIVE TRUCK & CAR GRAPHICS	2,132.00	
<u>Total</u>		38,284.39	
<u>Total Appropriation Reserves Payments</u>		<u>38,284.39</u>	
<u>2009 Current Fund Appropriation Payments</u>			
A R COMMUNICATIONS	Identify radio antenna for OEM	70.00	
A&J MANAGEMENT CO	PD- PRISONER FOOD - MAY	29.53	
ALL AMERICAN TURF INC	May misc lawn mower parts	173.55	
ALLIED OIL LLC	May unlead & diesel fuel	12,959.48	
AMBASSADOR MEDICAL SERVICE INC	Random drug/alcohol test	324.00	
AMERICAN HOSE & HYDRAULICS CO	Rebuild cylinders sani trk #5	425.00	
AMERICAN HOSE & HYDRAULICS CO	Misc parts for sani vehicles	525.00	
AMERICAN WEAR INC	May uniform rental	1,011.12	
AMERICAN WEAR INC	May rags for shop use	48.00	
ANN ORSATO	REFUND OF REC SUMMER CAMP REG	165.00	
ARBUS, MARTIN ESQ	JUL RETAINER,MAY/JUN 09 LEGAL	7,682.33	
ASSOCIATION ADVISORS	2009 SNOW REMOVAL REIMBURSEMEN	152.37	
ASSOCIATION ADVISORS	2009 GARBAGE REIMBURSEMENT	4,336.20	
ASSOCIATION ADVISORS	2009 STREETLIGHT REIMBURSEMENT	244.08	
ATLANTIC PLUMBING SUPPLY CORP	S1694420,S1694459,S1695132	291.11	
ATLANTIC PLUMBING SUPPLY CORP	May misc plumbing supplies	94.76	
ATLANTIC TOMORROWS OFFICE	COPIER STAND FOR OCEAN MUSEUM	309.00	
BEATRICE FRIEDMAN	REFUND OF POOL MEMBERSHIP FEES	95.00	
BENDINER & SCHLESINGER INC	DRUG TEST SUPPLIES	300.00	
BENDINER & SCHLESINGER INC	DRUG SCREENS MAY	1,620.25	
BENDINER & SCHLESINGER INC	DRUG SCREENS - JUNE	1,927.50	
BULLET LOCK & SAFE CO INC	May misc keys for Twp bldgs	143.90	
CABLEVISION OF MONMOUTH INC	07866-193862-01-9	129.80	
CALABRO, PHIL	SUPERVISOR-ADULT BASKETBALL	104.00	
CAMPBELL FOUNDRY CO	Misc drainage supplies	3,620.00	
CHAMBERS ELECTRIC CO INC	EMERGENCY SERVICE CALL - POOL	1,900.00	
CITY OF LONG BRANCH	1Q'09 ANIMAL CONTROL SERVICE	7,743.75	
CITY OF SUMMIT	ALT FUND WORKSHIP	100.00	
CMF BUSINESS SUPPLIES	PAPER FOR TOWNSHIP OFFICES	1,849.29	
CODED SYSTEMS LLC	CODE SUPPLEMENTATION NO. 42	3,995.70	
COMCAST SPOTLIGHT INC	CTGC ADVERTISING JUNE	1,588.00	
CONTINENTAL LAND DEVELOPERS	2009 GARBAGE REIMBURSEMENT	30,309.60	
COPY QUICK PRINTING CO	LETTERHEAD AND ENVELOPES -MGR.	725.00	
COTSWOLD GREEN CONDO ASSOC	2009 SNOW REMOVAL REIMBURSEMEN	268.17	

COTSWOLD GREEN CONDO ASSOC	2009 STREETLIGHT REIMBURSEMENT	366.12
COUNTRY CLEAN INC	MAINTENANCE SUPPLIES	824.35
CRAFTMASTER PRINTING INC	PD- DEPT STATIONARY/ENVELOPES	358.00
CROWD CONTROL WAREHOUSE	STANCHIONS/CHAINS POOL	198.75
CRYSTAL SPRINGS	May spring water for Twp bldgs	53.38
DANIELLE FENIGER	REFUND OF REC SOCCER REG FEE	30.00
DELTA DENTAL PLAN OF NJ	July Dental Insurance	10,317.60
EAST COAST EMERGENCY LIGHTING	PD- NEW VEHICLE EQUIPMENT	1,581.02
EDWARDS TIRE CO INC	Tires for police cars	2,460.00
EDWARDS TIRE CO INC	16436,38-40,42,43	1,423.10

Vendor Name	Description	Amount	Contract
EDWARDS TIRE CO INC	May tires for Twp vehicles	1,403.92	
ELECTRONIC RISK CONSULTANTS IN	BALANCE OF RENEWAL PREMIUM	28,001.57	
ENCON MECHANICAL CORP	1st qtr heating & air contract	14,600.00	
F & C AUTOMOTIVE SUPPLY INC	120822,28,1060,255,34,80,549	1,592.17	
FELTON, ERIC	Material Used - Eagle Project	132.08	
FLAGSHIP HEALTH SYSTEMS INC	July Flagship Dental Insurance	708.70	
FORT DEARBORN LIFE INS CO	July Life Insurance	653.04	
GEESE CHASERS LLC	GEESE CONTROL CTGC JUNE	862.33	
GEORGE WALL LINCOLN MERCURY	May misc parts	418.31	
GIANNONE, SUSAN	INSTRUCT LIFEGUARD TRAINING	500.00	
GILES & RANSOME INC	May misc loader parts	172.38	
GLEN PARTUSCH CONST CO INC	REFUND OF BLDG PERMT ISSUED TO	85.00	
GOLF CAR SPECIALITIES LLC	GOLF CAR LEASE/SERV 2 of 6 JUN	1,900.00	
GOLF CAR SPECIALITIES LLC	RENTAL UTIL CARS CTGC JUNE	140.00	
GOVCONNECTION INC	PD- COPIER TONER	530.00	
GRILL, ANTHONY	SUPERVISOR TEEN WRESTLING	156.00	
HALSEY, MATTHEW	SUPERVISE ADULT VOLLEYBALL JUN	72.00	
HALSEY, MATTHEW	SUPERVISE ADULT VOLLEYBALL	360.00	
HANDI-LIFT SERVICE CO INC	Service call/lift in Police	266.00	
HEARTLAND SERVICES INC	JUN PYMT FOR CREDIT CARD SALES	565.85	
HIDDEN MEADOWS CONDO ASSOC	2009 STREETLIGHT REIMBURSEMENT	1,464.48	
HOFFMAN SERVICES INC	Service call for lift @ Sunset	200.00	
IDEAL LUMBER & SUPPLY CO	June misc lumber supplies	50.66	
JAMES HIGGINS ASSOCIATES	BOA meeting attendance	200.00	
JERSEY CENTRAL POWER & LIGHT	May electric general usage	26,170.92	
JERSEY CENTRAL POWER & LIGHT	May street lighting	20,077.86	
JERSEY CENTRAL POWER & LIGHT	June electric general usage	23,875.58	
JERSEY CENTRAL POWER & LIGHT	June street lighting	20,055.28	
JET-VAC INC	Misc parts for Jet Vac #77	54.87	
JOHNNY ON THE SPOT	JUNE: ADA PALAIA PK & CTGC	159.71	
JOHNSON & TOWERS INC	Remanufactured trans/sani #9	13,030.25	
JUNGLE LASER LLC	January 2009 Invoice	3,830.00	
JUNGLE LASER LLC	April 2009 Invoice	2,060.00	
JUNGLE LASER LLC	May 2009 Invoice	1,730.00	
JUNGLE LASER LLC	March 2009 Invoice	1,930.00	
KISHA SHELTON	REFUND OF REC SUMMER CAMP REG	155.00	
LAKEWOOD AUTO/ASBURY NAPA	May misc parts	1,864.36	
LANIGAN ASSOCIATES INC	PD- FIREARMS EQUIPMENT	875.00	
LAPIDUS DECOR	WINDOW SHADES FOR OCEAN	526.35	
LAUREN PAPP	REFUND OF REC SUMMER CAMP REG	165.00	
LAWSON PRODUCTS INC	Misc hardware	594.50	
LEE BATTERY SERVICE INC	May misc batteries	375.36	
LEISURE SPORTING GOODS	STAFF SHIRTS MORNING REC CAMP	188.55	
LEON S AVAKIAN INC	THRU6/09-GEN ENG,DPW YARD,SHAR	4,347.50	
LINE SYSTEMS, INC.	JUNE 2009 PHONE SERVICE CHARGE	3,804.03	
LOWES INC	Window treatment/Public Works	711.00	
LOWES INC	2220,2477,2636,2234,2500	315.81	
MAIN ELECTRIC SUPPLY CO INC	Misc light bulbs for Gym	153.00	
MANASQUAN GENERATOR SHOP	misc parts loader #69	448.00	
MARTINEZ, SUZANA DAROCA	Spanish Interpreter 5-19-09	162.50	
MARTINEZ, SUZANA DAROCA	Spanish Interpreter 6-2-09	130.00	
MARTINEZ, SUZANA DAROCA	Spanish Interpreter 6-16-09	130.00	
MARTINEZ, SUZANA DAROCA	Spanish/Port. Interpreter 4/21	130.00	
MAZZA & SONS INC	May dump fees bulk material	5,167.20	
MAZZA & SONS INC	May recycle concrete	43.04	
MC KENNA, DU PONT, HIGGINS &	FEB/APR 2009 TAX APPEALS	6,687.50	
MC LAUGHLIN GELSON LLC	PREPARATION OF ORD:2127	685.00	

MC MAHON, WILLIAM	Cell phone reimbursement	25.00
MC MAHON, WILLIAM	Reimbursement for supplies	27.03
McHEFFEY, DR DINA A	MEDICAL CONSULT. APR/MAY/JUNE	300.00
MIAMI SYSTEMS INC	ATS/ACS Mailers	439.78
MIDDLEBROOK AT MONMOUTH	2009 GARBAGE REIMBURSEMENT	40,120.80
MILWIN FARMS HOMEOWNERS ASSOC	2009 STREETLIGHT REIMBURSEMENT	610.20
MIRACLE CHEMICAL CO	CHLORINE: POOL COMPLEX	3,008.00
MONMOUTH BUILDING CENTER	BALTIC BIRCH PLYWOOD-PING PONG	61.00
MONMOUTH COUNTY TREASURER	SENIOR TRANSPORT APR/MAY/JUNE	3,432.00
MONMOUTH COUNTY TREASURER	POSTAGE PRIMARY ELECTION	1,302.78
NEPTUNE AUTO SUPPLY	47456,528,27,662,8120,962,9422	1,365.69

Vendor Name	Description	Amount	Contract
NEW JERSEY GRAVEL & SAND CO	POOL COMPLEX PLAYGROUND SAND	133.00	
NJ DIV OF ALCOHOLIC BEVERAGE	2009/2010 LIQUOR LICENSE	60.00	
NJ MOTOR VEHICLE SERVICES	Transfer bill of sale	40.00	
NJ NATURAL GAS CO	May gas usage Twp buildings	3,075.23	
NJAWC	May water usage	3,980.42	
NJNEOA	PD- NARCOTIC ENFORCE TRAINING	560.00	
OAK MEWS CONDO ASSOC	2009 SNOW REMOVAL REIMBURSEMEN	121.90	
OAK MEWS CONDO ASSOC	2009 STREETLIGHT REIMBURSEMENT	183.06	
ORIENTAL TRADING CO INC	POOL SPECIAL EVENTS SUPPLIES	154.86	
O'SHEA TRUCK CENTER	291340030,90053,410048	566.18	
PONTON, RICHARD	REIMBURSE POOL SUPPLIES	241.04	
PONTON, RICHARD	REIMBURSE FLASH DRIVES CTGC	27.80	
RALPH CLAYTON & SONS	Coarse sand PHASE II Irrigatio	3,299.03	
RED THE UNIFORM TAILOR	PD-DAMAGED UNIFORM	159.50	
RED THE UNIFORM TAILOR	PD-DAMAGED UNIFORM	112.25	
REISER, KATHY	REIMBURSE CTGC SUPPLIES	31.54	
RELIABLE WOOD PRODUCTS LLC	May recycle brush	12,664.00	
RELIANCE GRAPHICS INC	PRINTING 2009 JUNE PRIMARY	6,160.00	
ROLLING MEADOWS AT WAYSIDE	2009 SNOW REMOVAL REIMBURSEMEN	1,685.84	
ROLLING MEADOWS AT WAYSIDE	2009 STREETLIGHT REIMBURSEMENT	1,891.62	
RUDERMAN & GLICKMAN PC	MAY 2009 PBA UNFAIR LABOR	8,580.00	
RYAN M PRINGLE	PARTIAL REFUND OF ROOM RENTAL	42.50	
SANITATION EQUIPMENT CORP	Misc parts for sanitation trks	222.80	
SEA BREEZE FORD INC	June misc parts	1,032.97	
SEABOARD WELDING SUPPLY INC	May propane for patch truck	180.90	
SHEARON ENVIRONMENTAL DESIGN	MAINTENANCE CTGC JUNE	23,178.64	
SPRINT PO MANAGEMENT	PD- NEXTEL SERV PLAN - MAY	720.65	
SPRINT PO MANAGEMENT	Service March 27-April 16	50.19	
STAVOLA ASPHALT CO INC	Clean broken stone/drainage	3,985.13	
STEINBERG, MARK A ESQ	BOA meeting and resolutions	1,187.50	
STEINBERG, MARK A ESQ	BOA Meeting and resolutions	750.00	
SUNSET FARM MARKET	May misc supplies & fertilizer	423.76	
SUPLEE, CLOONEY & COMPANY	PROF SERVICES FOR 2009 BUDGET	3,500.00	
SUSAN DILLOIAN	REFUND OF REC SOCCER REG FEE	30.00	
TASC FIRE APPARATUS INC	PD- FIT TEST AMPOULES	380.00	
TAYLOR TECHNOLOGIES INC	POOL TESTING SUPPLIES	311.63	
TESAURO, MICHAEL	REIMBURSE FINGERPRINTING	26.25	
THE COMPLETE PRACTITIONER	ANNUAL SUBSCRIPTION 09	89.00	
THE NEW COASTER LLC	6/18/09 LEGAL ADS	339.41	
THE NEW COASTER LLC	6/25 LEGAL ADVERTISEMENTS	86.18	
THE NEW COASTER LLC	7/2/09 LEGAL ADVERTISEMENTS	73.16	
TOWNE HARDWARE	May misc maint supplies	253.78	
TREASURER COUNTY OF MONMOUTH	May dumping fees	66,618.42	
TREASURER COUNTY OF MONMOUTH	June dumping fees	84,963.32	
TREASURER OF SCHOOL MONIES	JULY 2009 SCHOOL TAXES PAYABLE	4,460,128.65	
TREASURER STATE OF NJ	Annual elevator inspection fee	328.00	
TREASURER-STATE OF NEW JERSEY	SITE REMED COSTS DPW-BEECROFT	304.06	
TRICO EQUIPMENT INC	May misc parts	602.14	
TRONOLONE, JOHN	SUPERVISOR JV GYM - JUNE	48.00	
UNITED CLEANING CONTRACTORS IN	May janitorial service	4,465.00	
UNITED CLEANING CONTRACTORS IN	June janitorial payment	4,465.00	
UNITED STATES POSTAL SERVICE	REPLENISH POSTAGE METER	5,000.00	
UNIVERSAL COFFEE CORP	204591,204592	656.70	
UP TITE FASTENERS INC	May misc maint supplies	41.84	
US 1 AUTO PARTS	183894,907,2803	422.60	
USHER PUBLISHING CO	Bail Recog forms (1000)	832.00	

VANTAGE CUSTOM CLASSICS INC	MISC RETAIL ITEMS CTGC	334.86
VANTAGEPOINT TRANSFER AGENTS	Retiree Health Benefits 7/1/09	2,811.69
VERIZON	TELEPHONE & ISDN SERVICE 7/09	339.00
VERIZON BUSINESS FIOS	FIOS SERVICE FOR JULY, 2009	193.53
VERIZON ONLINE	ISDN SERVICES FOR HDS 3/09	59.95
VERIZON ONLINE	ISDN SERVICES FOR 6/09	57.75
W E TIMMERMAN CO INC	Misc parts for sweeper #53	213.00
W E TIMMERMAN CO INC	Misc parts for sweeper #525	376.00
W E TIMMERMAN CO INC	Misc parts for sweeper #525	1,119.42
W W GRAINGER INC	May misc supplies	179.00
WALLACE, ROXANNE CCR	6/13/09 COURT REPORTER SERVICE	525.13
WANAMASSA GARDEN ASSOCIATES	2009 GARBAGE REIMBURSEMENT	2,890.80

Vendor Name	Description	Amount	Contract
WANDA DASH	RETURN OF BAIL SURETY POSTED	150.00	
WENDY DI BENEDETTO	REFUND OF REC SUMMER CAMP REG	320.00	
WEST GROUP	Updated regulations NJ Stat	60.00	
WEST PARK MANOR APARTMENTS	2009 GARBAGE REIMBURSEMENT	15,067.20	
WITTEK GOLF SUPPLY CO INC	MISC. SUPPLIES-CTGC	127.64	
Total		5,083,525.17	
Total 2009 Current Fund Appropriations Payments		5,083,525.17	

General Capital Payments

ENCON MECHANICAL CORP	Labor & material for HVAC	3,050.00	
GANNETT NJ NEWSPAPERS	A/C 9459 6/22 2009 ROADWAY IMP	90.72	
GARDEN STATE FIRE & SECURITY	Supply & install smoke detect	710.00	
HEWLETT-PACKARD CO	HP Server Rack and Panels	1,116.00	
KEY-TECH INC	10 BITUMINOUS PAVEMENT CORES	1,200.00	
LEON S AVAKIAN INC	THRU JUN - 2009 ROAD PROGRAM	35,120.00	C9-00004
LEON S AVAKIAN INC	THRU JUN 09-2008 ROAD PROGRAM	9,662.50	C8-00010
LEON S AVAKIAN INC	THRU MAY-2010 TRANS TRUST FUND	755.00	
MC LAUGHLIN GELSON LLC	LEGAL SVS - BOND ORD 2131	485.00	
RALPH CLAYTON & SONS	Mason sand for Golf Course	3,056.31	
Total		55,245.53	
Total General Capital Payments		55,245.53	

Grants Payments

CMX	MAY 09-RT 35 @ ARMSTRONG BLVD	1,994.36	C6-00009
CONCORD ENGINEERING GROUP INC	JUNE 2009 PROF SVS FOR ENERGY	11,872.40	C9-00010
DELTA DENTAL PLAN OF NJ	July Dental Insurance	111.65	
EFFECTIVE PROMOTIONS	Litter bags for Clean Communit	813.90	
LANIGAN ASSOCIATES INC	PD- BODY ARMOR / PALMER	625.50	
LEON S AVAKIAN INC	THRU JUN 09-OCEAN GLADES	32.50	C9-00001
TWP OCEAN HISTORIAL MUSEUM	GRANT MATCH FUNDS FOR 2009	2,500.00	
Total		17,950.31	
Total Grants Payments		17,950.31	

Law Enforcement Trust Payments

SPRINT PO MANAGEMENT	PD/TOLET- NEXTEL SERV - MAY	71.80	
Total		71.80	
Total Law Enforcement Trust Payments		71.80	

TORTA Payments

CATHERINE MOORE	REIMBURSE PRE-SCHOOL SUPPLIES	40.19	
DANA LEWIS LEE	REFUND REGISTRATION	60.00	
DOTTIE ELLISON	REFUND REGISTRATION	60.00	
GAIL LOESER	REFUND REGISTRATION	60.00	
GINA KNESER	REFUND REGISTRATION	60.00	
JEANNE RENG	REFUND REGISTRATION	70.00	
JOAN CHOMSKY	REFUND REGISTRATION	60.00	
LAURIE RUBEN	REFUND REGISTRATION	60.00	
MARC COMER	REFUND REGISTRATION	60.00	
MUSICAL ME LLC	INSTRUCT "MUSICAL ME", JUNE 13	100.00	

STEVE GRAVES	REFUND REGISTRATION	60.00
SUSAN HIERS	REFUND REGISTRATION	60.00
TERESA GIERLA	REFUND REGISTRATION	70.00
TOPILOW, ARTHUR DR	MUSICIAN JUNE 7, 2009	175.00
TRACY WHITT	REFUND REGISTRATION	60.00
TWP OF OCEAN PAYROLL ACCOUNT	TORTA 6/26/09	1,665.50
TWP OF OCEAN PAYROLL ACCOUNT	TORTA FOR 7/10/09 PAYROLL	970.00
WENDY DI BENEDETTO	REFUND BUSSING MORNING REC (2)	110.00
<u>Total</u>		3,800.69
<u>Total TORTA Payments</u>		<u>3,800.69</u>
<u>Trust Other Payments</u>		

Contract	Vendor Name	Description	Amount
BORO OF EATONTOWN	pd-off duty detail		220.00
BROWN, SANFORD ESQ	PB reviews and resolutions		225.00
CLARKE CATON HINTZ	PROF SVS 5/1-5/29 COAH MATTERS		133.00
CMX	VAR 04-MGO GROUP-34 NORTHWOODS		398.00
CMX	SEPT/NOV 06-STAR INDUSTRIES		326.75
COVELLI, VICTOR M ESQ	6/30/09 V KEVIN R SPRACKLEN		250.00
COVELLI, VICTOR M ESQ	6/30/09 ST V SAMUEL E CURTIS		250.00
ENCON MECHANICAL CORP	REPAIR TO HEATING PUMP		1,320.00
FIRST UNITED METHODIST CHURCH	RETURN OF REMAINING INSPECTION		67.75
HANNA, JOHN	Workers' Comp Scibal Ck41764		944.44
HANNA, JOHN	Twp. Share Scibal Ck 41764		477.56
HANNA, JOHN	Comp for Scibal Ck 41764		944.43
HANNA, JOHN	Twp Share Scibal ck41764		477.56
JAMES HIGGINS ASSOCIATES	SEPT/NOV 06-STAR ENTERPRISES		218.75
JAMES HIGGINS ASSOCIATES	Landscape Inspection Cedar Vil		62.50
JAMES HIGGINS ASSOCIATES	K & D Assoc reviews		156.25
JOY MAHANA	Return Escrow 2132 Hwy 35 LLC		500.00
LEON S AVAKIAN INC	THRU APR 15,09-1175 DEAL ROAD		570.00
LEON S AVAKIAN INC	THRU APR 15,09-29 NORTHWOODS R		270.00
LEON S AVAKIAN INC	THRU MAY 2009 JANET STUDIO		281.25
LEON S AVAKIAN INC	THRU JUN 09-VARIOUS INSPECTION		12,585.00
LEON S AVAKIAN INC	THRU JUN 09-APPLEBY'S PH "H"		32.50
LEON S AVAKIAN INC	VAR MONTHS-ILVENTO MINOR		820.00
LEON S AVAKIAN INC	THRU JAN 09-70 COLD IND SPRING		65.00
MASER CONSULTING, P.A.	MAY-JUNE 09 VARIOUS INSPECTION		5,138.75
NJ DIVISION OF TAXATION	JUNE 2009 CTGC SALES TAX		694.75
PALATIAL HOMES INC	MAINT REL ON 7 MALLARD LANE		640.20
PAUL GOLDSTEIN	MAINT REL ON 2104 KINGS HWY		7,822.82
STEINBERG, MARK A ESQ	Waldron resolutions		437.50
TEAM VENTURE'S , INC.	PERF REL ON 1003 GRASSMERE AVE		3,024.00
TWP OF OCEAN CURRENT FUND	Off Duty Police Car/Admin Fees		3,282.50
TWP OF OCEAN CURRENT FUND	Off Duty Police Car/Admin fees		3,900.00
TWP OF OCEAN PAYROLL ACCOUNT	Off Duty Police 6/12/09		10,140.00
TWP OF OCEAN PAYROLL ACCOUNT	Police Off Duty 7/10/09		11,250.00
TWP OF OCEAN PAYROLL ACCOUNT	Deferred Vacation paid 7/10/09		3,772.16
<u>Total</u>			71,698.42
<u>Total Trust Other Payments</u>			<u>71,698.42</u>

Total Bill List for July 13, 2009

Appropriation Reserve Total	<u>38,284.39</u>
Current Fund Total	<u>5,083,525.17</u>
General Capital Fund Total	<u>55,245.53</u>
State & Federal Grant Total	<u>17,950.31</u>
Law Enforcement Trust Total	<u>71.80</u>
TORTA Total	<u>3,800.69</u>
Trust Other Total	<u>71,698.42</u>
Animal Control Total	
Bid Deposit Refund	
State Unemployment Trust	
Trust Assessment Fund	
Total of All Funds	<u>5,270,576.31</u>

ROLL CALL:

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

ABSENT: Schepiga

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

Association Advisors

Sanford Brown, Esq.

Jungle Laser LLC

James Higgins Associates

RESOLUTIONS:

09-113 Amend the Inter-local Agreement with the Borough of West Long Branch for Municipal Court Services

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

WHEREAS, N.J.S.A. 40:8A-1 authorizes a municipality to enter into a contract with another municipality for the joint provision of services; and

WHEREAS, the Township of Ocean and the Borough of West Long Branch previously entered into a contract for the Borough of West Long Branch whereby the Borough of West Long Branch would utilize the Municipal Court facilities located at the Township of Ocean Municipal Building for a three (3) year period, pursuant to an Agreement being entered into by both parties; and

WHEREAS, both the Township of Ocean and the Borough of West Long Branch have agreed to amend previously approved Agreement to provide both the use of the Township of Ocean Municipal Court as well as the required office space reducing the term of said Agreement to a two (2) year period commencing on January 1, 2010; and

WHEREAS, the Borough of West Long Branch hereby agrees to pay the Township of Ocean the following rates: \$450.00 per scheduled court session and the exclusive use of the second floor court office space, including the use of common areas, utilities and other features shall be at a rate of \$900.00 per month, with both fees being due the first day of each month commencing on January 1, 2010;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that authorization is hereby given to amend the previously approved Inter-local Agreement between the Township of Ocean and the Borough of West Long Branch for the use of the Township of Ocean court facilities by West Long Branch for a two (2) year period commencing on January 1, 2010 during which the Township of Ocean will receive the payment of \$450.00 per scheduled court session and \$900.00 per month for the use of the office space and related items; and

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute said Agreement between the Township of Ocean and the Borough of West Long Branch; and

FURTHER BE IT RESOLVED that said Agreement shall be maintained in the Office of the Municipal Clerk and available for public inspection during regular business hours; and

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

1. Municipal Court
2. Director of Finance
3. Borough of West Long Branch

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

09-114 Award Professional Services Contract to Leon S. Avakian, Inc. for the following projects:

a. Preparation of the Township of Ocean Flood Damage Prevention Ordinance at a cost not to exceed \$2,000.00

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

WHEREAS, the Federal Emergency Management Agency (FEMA) has mandated that the Township of Ocean revise our Flood Damage Prevention Ordinance to continue participation in the National Flood Insurance Program; and

WHEREAS, the amended Ordinance must adopt the newly revised Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRM); and

WHEREAS, the Township Council of the Township of Ocean has elected to make this appointment pursuant to the provisions of N.J.S.A. 16:44A-20 et seq. for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Pay-to-Play Law; and

WHEREAS, Leon S. Avakian, Inc., Neptune, NJ, is an experienced firm in this field who is available to provide the necessary engineering services for the Township of Ocean at a cost not to exceed \$2,000.00 for the preparation of the flood damage prevention ordinance; and,

WHEREAS, the Township Manager has determined that the value of the services Leon S. Avakian, Inc., Neptune, NJ, will exceed \$17,500.00 for the calendar year 2009; and

WHEREAS, the Director of Finance has certified that there are available sufficient funds for the purpose of the award of this contract in the 2009 Engineering Budget, account # 9-01-20-715-201; and

WHEREAS, Leon S. Avakian, Inc., Neptune, NJ has previously submitted a Business Entity Disclosure Certification certifying that Leon S. Avakian, Inc. has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous one year, and that the contract will prohibit Leon S. Avakian, Inc. from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that authorization is hereby given to execute a contract with Leon S. Avakian, Inc. to prepare the Township of Ocean Flood Damage Prevention Ordinance, as mandated by the Federal Emergency Management Agency, at a cost not to exceed \$2,000.00; and

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute said Agreement between the Township of Ocean and Leon S. Avakian, Inc.; and

FURTHER BE IT RESOLVED that said Agreement shall be maintained in the Office of the Municipal Clerk and available for public inspection during regular business hours; and

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

1. Leon S. Avakian, Inc.
2. Director of Finance
3. Emergency Management Coordinator

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

b. 2009 CDBG Sunset Avenue Improvement Project at a cost not to exceed \$17,400.00

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

WHEREAS, the Township of Ocean is in need of the services of an engineering firm experienced in the field of roadway and sidewalk improvements to provide engineering services related to the 2009 CDBG Grant awarded to the Township of Ocean for sidewalk improvements along portions of Sunset Avenue; and

WHEREAS, the Township Council of the Township of Ocean has elected to make this appointment pursuant to the provisions of N.J.S.A. 16:44A-20 et seq. for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Pay-to-Play Law; and

WHEREAS, the Township of Ocean has solicited proposals for said work from the following engineering firms and received responses as follows:

Leon S. Avakian, Inc.	\$17,400.00
CMX	\$21,750.00
Maser Consulting, P.A.	\$22,650.00

WHEREAS, Leon S. Avakian, Inc., Neptune, NJ, is an experienced firm in this field who is available to provide the necessary engineering services for the Township of Ocean at a cost not to exceed \$17,400.00 for the sidewalks improvements along portions of Sunset Avenue; and,

WHEREAS, the Township Manager has determined that the value of the services Leon S. Avakian, Inc., Neptune, NJ, will exceed \$17,500.00 for the calendar year 2009; and

WHEREAS, the Director of Finance has certified that there are available sufficient funds for the purpose of the award of this contract in the General Capital Budget, account #C-04-55-928-995; and

WHEREAS, Leon S. Avakian, Inc., Neptune, NJ has previously submitted a Business Entity Disclosure Certification certifying that Leon S. Avakian, Inc. has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous one year, and that the contract will prohibit Leon S. Avakian, Inc. from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey hereby authorizes the Township Manager to enter into a contract with Leon S. Avakian, Inc., Neptune, NJ, as described herein at a cost not to exceed \$17,400.00; and

BE IT FURTHER RESOLVED that a notice of this action shall be published according to law; and

BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to:

1. Director of Finance
2. Township Manager
3. Leon S. Avakian, Inc.

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

09-115 Authorized the Shared Services Agreement between the Township of Ocean and the Township of Ocean Board of Education for the two-year period from August 1, 2009 to August 1, 2011

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

WHEREAS, the Township of Ocean and the Board of Education of the Township are desirous of entering into a Shared Services Agreement in accordance with the provisions of N.J.S.A. 40A:65-1 et. seq.; and

WHEREAS, said Agreement stipulates that the Board of Education will provide custodial services to the Township and the Township of Ocean will provide landscape services, collection of recycling and other sundry items to the Board of Education, with the cost to the Township of Ocean not exceeding \$12, 500.00; and

WHEREAS, the said Agreement shall extend from August 1, 2009 to August 1, 2011; and

WHEREAS, the Director of Finance has certified that there are available sufficient funds to enter into the shared services agreement in the 2009 Public Works Budget, account #9-01-26-772-247;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that the Mayor and Municipal Clerk are hereby authorized to execute and deliver the Shared Services Agreement between the Township of Ocean and the Township of Ocean Board of Education for a two year (2) year period extending from August 1, 2009 to August 1, 2011 whereby the Board of Education will provide custodial services to the Township and the Township of Ocean will provide landscape services, collection of recycling and other sundry items to the Board of Education, with the cost to the Township of Ocean not exceeding \$12, 500.00; and

FURTHER BE IT RESOLVED that said Agreement shall be maintained in the Office of the Municipal Clerk and available for public inspection during regular business hours; and

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

1. Township Manager
2. Director of Finance
3. Public Works Director
4. Township of Ocean Board of Education

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

09-116 Appoint Dennis Crawford as a Hearing Officer to handle animal house matters for the Township of Ocean.

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

WHEREAS, the Township Council of the Township of Ocean had passed various ordinances dealing with what is commonly known as "animal houses"; and

WHEREAS, from time to time, issues arise from potential violations in the provisions of these various animal house ordinances that require a proceeding before a Hearing Officer to determine the validity of the potential violation and the respective penalty; and

WHEREAS, the Township Council has elected to make this appointment pursuant to the "non-fair and open" process in accordance with 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 Pay-to-Play Law; and

WHEREAS, Dennis Crawford Esq. has been deemed qualified to be appointed as the Hearing Officer to handle such matters for the Township of Ocean at a cost not to exceed \$7,500.00; and

WHEREAS, as required by law, Dennis Crawford, Esq. will be required to complete and submit a Business Entity Disclosure Certification which certifies that Dennis Crawford, Esq. 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 Dennis Crawford, Esq. from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract; and

WHEREAS, the funds for said contract have been certified by the Director of Finance and are available in the following appropriation: Township Manager – Other Professional Services, account #9-01-20-703-201; and

WHEREAS, the 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, must be available for public inspection;

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 to appoint Dennis Crawford, Esq. as Hearing Officer at a cost not to exceed \$7,500.00; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be published according to law; and

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification shall be filed with this Resolution and Contract; and

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

1. Dennis Crawford, Esq.
2. Director of Finance
3. Township Auditor

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

09-117 Appoint McLaughlin, Gelson, D’Apolito & Stauffer, LLC as Township Bond Counsel for the year July 1, 2009 through June 30, 2010

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

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

WHEREAS, the Township Council desires to enter into a contract for said services within the dollar limits as provided in the Municipal Budget and/or in those bond ordinances containing appropriations for legal services; and

WHEREAS, McLaughlin, Gelson, D’Apolito & Stauffer, LLC has submitted a proposal to perform said services for the year commencing July 1, 2009 through June 30, 2010; and

WHEREAS, the Township Council has elected to make this appointment pursuant to the “non-fair and open” process in accordance with 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 Pay-to-Play Law; and

WHEREAS, as required by law, McLaughlin, Gelson, D’Apolito & Stauffer, LLC will be required to complete and submit a Business Entity Disclosure Certification which certifies that

McLaughlin, Gelson, D'Apolito & Stauffer, LLC 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 McLaughlin, Gelson, D'Apolito & Stauffer, LLC from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract; and

WHEREAS, the Director of Finance has certified that there are adequate funds available for the purpose of this award, specifically under the aforementioned appropriations of Legal Services & Costs – O/E and Various General Capital Ordinances and shall not exceed \$7,500.00; and

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

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 to appoint McLaughlin, Gelson, D'Apolito & Stauffer, LLC as Bond Counsel for the Township of Ocean for the one year term commencing July 1, 2009 through June 30, 2010; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be published according to law; and

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification shall be filed with this Resolution and Contract; and

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

1. McLaughlin, Gelson, D'Apolito & Stauffer, LLC
2. Director of Finance
3. Township Auditor

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

09-118 Approve a Chapter 159 for the following Grants:

a. NJLM Sustainable Jersey Municipal Certification Program – Walmart Grant

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

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2009 BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

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

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

WHEREAS, the Township of Ocean has been awarded \$10,000.00 by the NJLM Educational Foundation, Inc. for the 2009 Sustainable Jersey Municipal Certification Program – Walmart Grant,

NOW, THEREFORE, BE IT RESOLVED, that the Township of Ocean, County of Monmouth, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$10,000.00 which is now available as a revenue from NJLM Educational Foundation, Inc.

BE IT FURTHER RESOLVED, that a like sum of \$10,000.00 be and the same is hereby appropriated under the caption of:

Sustainable Jersey Municipal Certification Program – Walmart Grant 2009
Other Expenses \$10,000.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution are to be filed with:

- 1. Director of the Division of Local Government Services.
- 2. Director of Finance
- 3. Township Auditor

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

b. Clean Communities Grant

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

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

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

WHEREAS, the Township of Ocean initially was awarded \$38,782.69 from the New Jersey Department of Environmental Protection but received \$49,479.51 for the Fiscal Year 2009 Clean Communities Program and

WHEREAS, the 2009 budget needs to be amended to include the \$10,696.82 received in excess of the initial award, a copy of which is attached, and

NOW, THEREFORE BE IT RESOLVED that the Township of Ocean, County of Monmouth hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget year 2009 the sum \$10,696.82 which is now available as revenue from the State of New Jersey Department of Environmental Protection.

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

Clean Communities Grant 2009:
Other Expenses.....\$ 10,696.82

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

- 1. Director, Division of Local Government Services
PO Box 803, Trenton NJ 08625-0803
- 2. Director of Public Works
- 3. Director of Finance
- 4. Township Auditor

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

c. Drunk Driving Enforcement Fund

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

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

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

WHEREAS, the Township of Ocean Police Department has received during 2009 the sum of \$8,444.47 from the State of New Jersey, Department of Law and Public Safety, Office of Highway Traffic Safety,

NOW, THEREFORE BE IT RESOLVED that the Township of Ocean, County of Monmouth hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget year 2009 in the sum \$8,444.47 which is now available as a revenue from:

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

Drunk Driving Enforcement Fund 2009.....\$8,444.47

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

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

Police – S/W –DDEF.....\$5,000.00
 Police – O/E – DDEF.....\$3,444.47

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

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

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

09-119 Approve a Capital Budget Amendment pertaining to solid waste collection and equipment purchases

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

WHEREAS, The Township of Ocean, County of Monmouth in the State of New Jersey desires to amend the 2009 Capital Budget of said municipality by inserting thereon and or correcting the items therein as shown in such budget for the following reasons:

1. A bond ordinance authorizing the expenditure of \$782,000.00 for the acquisition of equipment to automate trash collection in the Township of Ocean.

2. A Capital Ordinance amending Ordinance 2101 to increase the appropriation authorized by \$44,155.00 from the Capital Improvement Fund for the purchase of equipment.

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

SECTION 1. The 2009 Capital Budget of the Township of Ocean, State of New Jersey is hereby amended by adding thereto a schedule to read as follows:

**AMENDMENT NUMBER 1
GENERAL CAPITAL BUDGET
TOWNSHIP OF OCEAN, COUNTY OF MONMOUTH,**

**STATE OF NEW JERSEY
Projects Schedules for 2009
Method of Financing**

PROJECT	EST. COST	BUDGET APPROP	CAPITAL IMPR FUND	DONATION	GENERAL BONDS
Acquisition of equipment to automate trash collection in the Township of Ocean	782,000.00		39,100.00		742,900.00
Amending Ordinance 2101 to provide an additional appropriation of \$44,155 for equipment purchases	44,155.00		44,155.00		0.00
Total	826,155.00		83,255.00		742,900.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution are to be filed with the Director of the Division of Local Government Services.

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

09-120 Award a contract to Fernandez Construction for the 2009 Roadway Improvements at a cost not to exceed \$760,265.00.

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

WHEREAS, the Township Council of the Township of Ocean authorized receipt of bids for the 2009 Road Improvement Program on June 15, 2009; and

WHEREAS, the Township Clerk did duly advertise on June 22, 2009 to receive bids for said project; and

WHEREAS, in connection therewith the following bids were received by the Township of Ocean on July 8, 2009: Fernandes Construction, Inc., South River, NJ; Lucas Brothers, Inc., Morganville, NJ; Earle Asphalt Co., Farmingdale, NJ; Lucas Construction Group, Inc., Morganville, NJ; Defino Contracting, Co., Cliffwood Beach, NJ; R & B Builders, Inc., South River, NJ; Fiore Paving Co., Inc., Oceanport, NJ; and

WHEREAS, the following company picked up bid specifications but failed to submit said bid: P & A Construction, C.J. Hesse and A & A Curbing, Inc.; and

WHEREAS, it was determined that the lowest responsive bidder meeting specifications for the bid was Fernandes Construction, Inc., South River, NJ ; and

WHEREAS, the Township Manager and the Township Engineer have recommended that a contract be awarded to Fernandes Construction, South River, NJ as per their bid proposal for the 2009 Road Improvements at a cost not to exceed \$760,265.00; and

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

G-02-41-871-308	DOT Grant – Sunset Avenue Phase II	\$165,000.00
C-04-55-928-912	Ord. #2127 – Sunset Avenue Phase II	10,000.00
C-04-55-929-901	Ord. #2131 – Assessments	70,000.00
G-02-41-876-303	CDBG Grant	118,250.00
C-04-55-916-920	Ord. #1982	164,011.69
C-04-55-923-927	Ord. #2074	86,342.62
C-04-55-924-918	Ord. #2100	<u>146,660.69</u>
	TOTAL	\$760,265.00

WHEREAS, the award of said Resolution is contingent upon the final passage of Ordinance #2131 and the passage of the 20-day estoppel period related to said Ordinance;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby award a contract to Fernandes Construction, South River, NJ, as per their bid proposal for the 2009 Roadway Improvements as set forth in their bid submitted in the amount of \$760,265.00; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to return all bid bonds and/or certified checks received from unsuccessful bidders for this particular bid item; and

BE IT FURTHER RESOLVED that this award of contract is conditioned upon the delivery and execution thereof within ten (10) days from the date of the within resolution accompanied by such appropriate insurance certificate, Affirmative Action certificate and performance bonds as may be required by the specifications; and

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

1. Township Manager
2. Director of Finance
3. Township Engineer
4. Fernandes Construction

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

09-121 Authorize a contract with Bruno Associates, Inc., to file a grant application for a recording project through KavaCorp, at no cost to the Township

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

WHEREAS, there is a need to retain professional grant writing services; and

WHEREAS, the Township Council is desirous that the Township of Ocean Police Department seeks to file a grant application for a recording project through KovaCorp; and

WHEREAS, the Township Council is satisfied with the terms of the proposed project;

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

1. Bruno Associates, Inc. is authorized to file a grant application for the specified project on behalf of the Township, at no cost to the Township; and
2. That, once awarded, the available grant funds will be used to pay KovaCorp for the goods and services provided to the Township of Ocean, utilizing the New Jersey State Contract for such procurement; and
3. That a certified copy of this resolution shall be provided to Bruno Associates, Inc. and Kovacorp

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

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

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

ORDINANCES:

Announcement

Adoption(s)

Township Clerk read the following Ordinances by Title:

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
(Coaster)

On a motion by Councilmember Schepiga and seconded by Councilmember Hiers, it was moved to open the Public Hearing on Ordinance #2131

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 #2131

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 #2131 and notice of final passage thereof be advertised in The Coaster in accordance with the law.

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin
RECUSE: Garofalo

Introduction(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.
(P.H. 8/17/09 Coaster)

On a motion by Councilmember Schepiga and seconded by Councilmember Garofalo, it was moved to approve Ordinance #2124 on first reading and advertise according to law in

The Coaster together with the notice of the Public Hearing which will be held on August 17, 2009 at 7:00 p.m. in the Township Meeting Room, Monmouth and Deal Roads, Oakhurst, New Jersey.

ORDINANCE NO. 2124

AN ORDINANCE AMENDING CHAPTER XIII, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF OCEAN, 1965 ENTITLED EXCAVATION AND CONSTRUCTION OF PUBLIC STREETS

BE IT ORDAINED by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey, that Chapter XIII, Section 8-5 be and the same is hereby amended and supplemented and Section 8-6 shall be added in the following manner:

8-5 Fire Hydrants.

8-5.1 Minimum Standards.

1. Fire hydrants shall be spaced so that there are a sufficient number of hydrants within a reasonable distance to obtain the quantities of water needed to handle the required fire demand.
2. Fire Hydrant size, type and installation shall conform to the AWWA standard for Dry-Barrel Fire Hydrants. ANSI/AWWA C502.
3. All Fire Hydrants shall conform to NFPA 291.
4. Fire Hydrants shall have at least three (3) outlets; one outlet shall be a pumper outlet size for the appropriate Fire District, and the other outlets shall be at least two-and-one-half (2 1/2) inch nominal size.

8-5.2 Review of Plans.

The appropriate Fire Marshal's Office for Fire District 1 or Fire District 2 shall be responsible for review of plans.

8-5.3 Placement on Cul-de-sac.

No fire hydrant shall be placed at the closed end of a turnaround of a cul-de-sac unless the distance between the open end and the closed end is greater than 500ft, in which event fire hydrants shall be placed at both the open end and closed ends of the turnaround. Whenever a fire hydrant is located in the closed end of a turnaround of a cul-de-sac, the water lines connected to the same shall be looped, and the plans for the same shall be approved by the appropriate fire district.

8-5.4 Inspection and testing.

The water purveyor or privately operated "yard hydrant" owners shall be responsible for all annual inspections. All Fire Hydrants shall be flowed, flushed and lubricated at least once a year, and records shall be maintained on said maintenance, showing date, time, flushing time, maintenance performed and comments, problems, corrections, repairs and the like. Copies of said maintenance records shall be forwarded to appropriate Fire Districts annually.

8-5.5 Pipe Size shall comply with the following requirements.

1. Water mains shall be a minimum diameter of eight (8) inches except at the end of a permanent cul-de-sac, unless another size is required for fire flow and other criteria. A six

(6) inch main may be used when it serves not more than 20 dwelling units and only one fire hydrant.

2. Design capacity of water mains shall be such as to maintain a pressure of 20 pounds per square inch (psi) at street level under all flow conditions.

8-5.6 Out-Of-Service or Private use.

The appropriate Fire District shall be notified when any fire hydrant is taken out-of-service, place back –in-service or used for private use.

8-5.7 Penalty:

Any person, firm or corporation found guilty in the Municipal Court of the Township of Ocean of a violation of the terms of this section shall be subject to a fine of not more than one thousand (\$1,000.00) dollars or imprisonment for a period not exceeding ninety (90) days, or both, in the discretion of the municipal court judge. Any fines collected shall be forwarded to the respective fire district.

8-6 Adoption, Conflict Violations.

8-6.1 Interpretation.

In the interpretation and application of the provisions of this chapter, such provisions of this chapter, such provisions shall be minimum standards, adopted for promoting the health, safety and general welfare of the municipality.

8-6.2 Conflict with Other Laws.

Whenever the requirements of this chapter are in conflict with the requirements of any lawfully adopted rules, regulations or ordinances, the most restrictive or those imposing the higher standards shall govern.

8-6.3 Penalty

Maximum Penalty.

For violations of this chapter or any other ordinance of the Township of Ocean, County of Monmouth, where no specific penalty is provided regarding the section or sections violated, the maximum penalty shall be a fine of one thousand (\$1,000.00) dollars, or imprisonment for ninety (90) days, or both.

Separate Violation.

Except as otherwise provided, every day that a violation of any ordinance shall continue shall be deemed a separate violation.

Application.

The maximum penalty stated in the general clause of this chapter is not intended to state an appropriate penalty for every violation. Any lesser penalty, including a nominal penalty or no penalty at all, may be appropriate for a particular case or particular violation.

8-6.4 Validity.

If any section, subsection, paragraph, clause, phrase or provision of this chapter shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this chapter as a whole or any part of the provisions hereof other than the part so adjudged to be invalid or unconstitutional.

8-6.5 Effective Date

This chapter shall take effect upon enactment and publication in the manner provided by law.

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

Ordinance #2132 – An Ordinance establishes the positions eligible for the Defined Contribution Retirement Program provided by the Pension Reform Act of 2007, N.J.S.A. 43:15C-1 et seq.
(P.H. 8/17/09 Coaster)

On a motion by Councilmember Schepiga and seconded by Councilmember Garofalo, it was moved to approve Ordinance #2132 on first reading and advertise according to law in The Coaster together with the notice of the Public Hearing which will be held on August 17, 2009 at 7:00 p.m. in the Township Meeting Room, Monmouth and Deal Roads, Oakhurst, New Jersey.

ORDINANCE NO. 2132

AN ORDINANCE ESTABLISHES THE POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM PROVIDED BY THE PENSION REFORM ACT OF 2007, N.J.S.A. 43:15C-1 et seq.

WHEREAS, the State Legislature adopted the Pension Reform Act of 2007, Chapter 92 of the Laws of 2007 (N.J.S.A. 43:15C-1 et seq.), to create the Defined Contribution Retirement Program to provide retirement benefits to various county and municipal officials; and

WHEREAS, N.J.S.A. 43:15C-2 requires the governing body of each county, municipality, and other local entity to adopt, as appropriate, either a resolution or ordinance to determine the positions that are substantially similar in nature to those positions for which the advice and consent of the Senate for appointments by the Governor of the State is required, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program, subject to the provisions of law; and

WHEREAS, the Township Council of the Township of Ocean, Monmouth County considered the guidelines issues by the Local Finance Board.

NOW, THEREFORE, BE IT ORDAINED by the Township Council that:

Section 1. Pursuant to N.J.S.A. 43:15C-2, the following positions are deemed to be eligible for and shall participate in the Defined Contribution Retirement Program:

- a) Elected Officials
- b) Township Manager
- c) Municipal Court Judge
- d) Municipal Prosecutor
- e) Public Defender
- f) Township Engineer, if an employee
- g) Township Attorney, if an employee
- h) Director of Community Development
- i) Director of Human Services

Section 2. Pursuant to N.J.S.A.43:15C-2, individuals serving in the following positions are exempt from Defined Contribution Retirement Program membership:

- a) Tax Assessor
- b) Tax Collector
- c) Director of Finance
- d) Construction Code Official

- e) Licensed Uniform Subcode Inspectors, including building, electrical and plumbing subcode inspectors
- f) Principal Public Works Manager
- g) Qualified Purchasing Agent
- h) Registered Municipal Clerk
- i) Township Planner.
- j) Court Administrator

Section 3. If an individual is appointed to one of the positions listed in Section 1 above and the individual is not serving in a position as described in Section 2 above, the Pension Certifying Officer of the municipality may determine that the individual is not required to join the Defined Contribution Retirement Program if that individual:

- a) Was an active participant in the Public Employee Retirement System (PERS) on July 1, 2007 and continuously since that time; or
- b) Has been appointed pursuant to a valid promotional process; or
- c) Is appointed on a temporary, interim, or "acting" basis to a position requiring State Certification as set forth in Section 2 herein, and is in pursuit of the required certification; or
- d) Meets such other exceptions that may be approved by the Local Finance Board or the Division of Pensions and Benefits.

Section 4. This Ordinance shall be implemented, construed and subject to Chapter 92 of the Laws of 2007 (N.J.S.A. 43:15C-1 et seq.) as amended from time to time, and any regulations or guidance documents from the Local Finance Board or the Division of Pensions and Benefits.

Section 5. Should any part or parts of this Ordinance be held to be invalid by any competent court of law, such invalidity shall only affect the part or parts held to be invalid, and all other parts shall remain in effect.

Section 6. A copy of this Ordinance shall be filed with the Director of the Division of Pensions and Benefits of the New Jersey Department of the Treasury.

This Ordinance shall take effect upon its passage and publication as required by law.

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

Ordinance #2133 – A Bond Ordinance providing for the acquisition of machinery and equipment for the Department of Public Works appropriating \$802,000 therefor authorizing the issuance of \$761,900 bonds and notes to finance a portion of the cost thereof
(P.H. 8/17/09 Coaster)

On a motion by Councilmember Schepiga and seconded by Councilmember Garofalo, it was moved to approve Ordinance #2133 on first reading and advertise according to law in The Coaster together with the notice of the Public Hearing which will be held on August 17, 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. 2133

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF MACHINERY AND EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS APPROPRIATING \$802,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$761,900 BONDS AND NOTES TO FINANCE A PORTION 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 general improvements to be undertaken in and by the Township of Ocean, in the County of Monmouth, New Jersey (the "Township"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$802,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$40,100 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 \$761,900, 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 improvements hereby authorized and the purposes for which the obligations are to be issued consist of the acquisition of machinery and equipment for the Department of Public Works together with all items necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Township Clerk, as finally approved by the governing body of the Township.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$761,900, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$802,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$802,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$40,100 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. 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 of this bond ordinance are not a current expense and are improvements or purposes that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted 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 five (5) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township 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 \$761,900 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$20,000 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. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. 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 Township Clerk and is available there for public inspection.

Section 7. 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 8. 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 9. 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

Ordinance #2134 – An Ordinance amending Ordinance 2101 to provide an additional appropriation of \$44,155.00 from the Capital improvement Fund for the purchase of equipment
(P.H. 8/17/09 Coaster)

On a motion by Councilmember Schepiga and seconded by Councilmember Garofalo, it was moved to approve Ordinance #2134 on first reading and advertise according to law in The Coaster together with the notice of the Public Hearing which will be held on August 17, 2009 at 7:00 p.m. in the Township Meeting Room, Monmouth and Deal Roads, Oakhurst, New Jersey.

ORDINANCE # 2134

AN ORDINANCE OF THE TOWNSHIP OF OCEAN AMENDING ORDINANCE 2101 TO PROVIDE AN ADDITIONAL APPROPRIATION OF \$44,155.00 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF EQUIPMENT FOR THE TOWNSHIP OF OCEAN FROM THE GENERAL CAPITAL FUND

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

SECTION 1. Ordinance 2101 for the funding for capital equipment for various departments within the Township of Ocean utilizing funds available in the Capital Improvement Fund in the General Capital Fund is hereby amended to increase the appropriation by \$44,155.00 to a total cost not to exceed \$ 171,509.00, which sum is hereby appropriated for this purpose.

SECTION 2. The total amount of \$ 44,155.00 for said improvements is hereby appropriated from the Capital Improvement Fund in the General Capital Fund to amend the total appropriations to \$171,509.00.

SECTION 3. This ordinance shall take effect after publication and passage as provided by law.

On a motion by Councilmember Siciliano and seconded by Councilmember Garofalo, it was moved to approve Ordinance #2128 on first reading and advertise according to law in The Coaster together with the notice of the Public Hearing which will be held on June 15, 2009 at 7:00 p.m. in the Township Meeting Room, Monmouth and Deal Roads, Oakhurst, New Jersey.

ROLL CALL:

YES: Garofalo, Hiers, Schepiga, Siciliano, Larkin

Council Reports:

Councilmember Garofalo reported that the Board of Education was soliciting resumes for the vacant seat on the Board of Education, which was due to the untimely passing of Jim Wagner.

Deputy Mayor Hiers attended the Ribbon Cutting Ceremony at the Historical Museum on July 2, 2009 and he commended all those who worked so hard to bring this to fruition. Deputy Mayor Hiers reported that he, along with Mayor Larkin, attended the Freeholder Meeting to accept an Open Space Grant for Colonial Terrace Golf Course.

Councilmember Siciliano thanked those involved with putting on a great fireworks display on Memorial Day.

The following gave no reports:

Councilmember(s) Schepiga, Andrew Brannen, Township Manager, and Martin Arbus, Township Attorney.

PUBLIC COMMENTS:

Mitch Nelson asked for an update on the Stop and Shop litigation. Martin Arbus, Township Attorney, reported that we are awaiting a hearing date.

F.K. Hudson inquired about resolution 09-116.

No other public comments were received.

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

Respectfully submitted,

William F. Larkin
Mayor

Vincent Buttiglieri, RMC/CMC
Municipal Clerk