

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

APRIL 11, 2011

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
Councilmember(s) Evans, Garofalo, Schepiga, Siciliano

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

Statement of Compliance with the Open Public Meetings Act:

Mayor 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 6, 2010.

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.

ORDINANCES:

Adoption(s)

Township Clerk read Ordinance #2168 by Title:

Ordinance #2168 - An ordinance to exceed the Municipal Budget Appropriation Limits (Coaster) and to establish a CAP Bank

The following vote was taken to open the Public Hearing on Ordinance #2168

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

Mr. Brannen explained that this Ordinance deals with the appropriations side of the municipal budget and the Township needs to adopt this ordinance each year to preserve the CAP Bank. This ‘bank’ can be utilized to offset appropriation increases in future years.

Public Comments:

Bob Ades asked for an additional explanation on the purpose of this Ordinance

Mr. Brannen stated that this ‘Bank’ remains until the Township wishes to exceed the appropriations limits in effect at the time.

Seeing that there were no additional comments on Ordinance #2168, the following vote was taken to close the Public Hearing:

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

The following vote was taken to adopt Ordinance #2168 and advertise according to law:

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

PUBLIC HEARING and ADOPTION – 2010 Municipal Budget

B1 Resolution – Authorizing the Budget to be read by title

WHEREAS, the 2011 Local Municipal Budget of the Township of Ocean was duly published in The Coaster on March 10, 2011 and the Public Hearing thereon was scheduled for April 11, 2011 at 7:00 p.m., or soon thereafter; and

WHEREAS, N.J.S.A. 40A:4-8 provides that the Budget, as advertised, may be read by title if at least one week prior to the date of the hearing it shall be posted in the Municipal Building, a copy of Budget be delivered to the Township of Ocean Public Library and made available to any person requesting same during said week and during the Public Hearing; and

WHEREAS, the Township Clerk has advised that the forgoing conditions have been met;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that it does hereby find that the conditions set forth in N.J.S.A. 40A:4-8 have been met and, accordingly, the Municipal Budget may be read by title:

**“LOCAL BUDGET OF THE TOWNSHIP OF OCEAN,
COUNTY OF MONMOUTH FOR THE FISCAL YEAR 2011”**

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

Motion to open the Public Hearing on the 2011 Municipal Budget:

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				x	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

At this juncture, Mayor Larkin opened up the Public Hearing for the 2011 Municipal Budget. He introduced Andrew Brannen, Township Manager and Stephen Gallagher, Director of Finance, who conducted a powerpoint presentation on the 2011 Municipal Budget.

Mr. Brannen discussed the following:

- Five Objectives:
 - Less Personnel
 - Less Reliance on Surplus
 - Increase Shared Services
 - Increase Operating Efficiency
 - Maintenance of the Quality of Life
- Personnel:

Twenty-three positions have been eliminated through attrition since 2009
- Health Benefits:
 - Eliminated Spouses and Family coverage for new hires in the Clerical Technical unit
 - Employees now pay a portion of their health insurance coverage
- Less Reliance on Surplus:
 - Township has reduced the amount of surplus used in the Budget to only what is generated in any one year
- Increase Shared Services:
 - Township has taken advantage of this option as a way to reduce costs and bring about efficiency. Currently the Township has the following Agreements:
 - 9-1-1 Dispatch with West Long Branch
 - Electricity and Natural Gas Cooperative Purchasing
 - Management of Fireman's Field
 - Municipal Court Services with West Long Branch
 - Township is also exploring shared services for vehicle maintenance with the Board of Education
- Increase Operating Efficiencies:
 - Combining the Township Clerk and the Tax Collector's offices
 - On-line registrations for the recreation programs

- On-line tax/sewer billing and inquiry
- Auto telephone attendant
- Alarm registration and false alarm management
- Enhancement to the Township website
- Energy Audits
- Automated garbage collection
- Maintenance of the Quality of Life:
 - Colonial Terrace Golf Course – purchased mainly through Grants
 - Poplar Village Flood Control – Grant received
 - Active/Alternative Transit Network – Grant received
 - Wanamassa Sidewalk Project – Grant received
 - Sunset Avenue recycling Center – mostly through a Grant
 - Sunset Avenue Reconstruction Project – Grant received

Mr. Brannen also discussed the changes that have been made since the Budget was introduced:

- Council lowered Budget by \$101,500.00
- Tax Rate has been decreased from 1.9 cents per \$100 of assessed value to 1.7 cents
- The Budget is currently \$310,950.00 below the allowable Property Tax Levy CAP
- In excess of \$2,000,000.00 in appropriations have been eliminated

Additionally, Mr. Brannen discussed that, even though the Township had a reassessment done in 2010, assessed values still decreased by \$20,000,000.00.

Appropriations have increased by almost \$675,000.00, and is largely due to three areas:

- | | |
|--------------------------------|--------------|
| ○ Increases in Insurance Costs | \$294,984.00 |
| ○ Increases in Pensions | \$294,924.00 |
| ○ COAH Litigation Costs | \$ 80,809.00 |

Mr. Brannen discussed the Budget pressures the Township faces:

- Salary & Wages – salaries have been reduced and will continue to be reduced
- Health and Liability Costs – continues to be an issue
- Pension Costs – continues to be an issue
- State Aid – decreased by \$1,500,000.00
- Interest Income – decreased by \$800,000.00
- UCC Fees – have continued to fluctuate due to the volatile real estate market
- Debt Service – has remained constant over the years

This concluded the Presentation.

Councilmember Garofalo stated that he is impressed over his 4 year tenure on the Governing Body that, even with the constant pressures, the Governing Body has never waived from their planning and policies, which has enabled the Township to remain fairly stable in their spending. As someone with over 28 year's as a CMFO, Councilmember Garofalo commended everyone involved in this process.

Mayor Larkin thanks all the Department Heads, Employees and the Township Auditor's, Suplee Clooney & Company.

PUBLIC COMMENTS on the Budget ONLY:

Joe Maloney inquired if the Department Heads were mandated to reduce their budgets:

Mr. Brannen stated that most of the Departments that may have asked for increases in their budgets were largely for new equipment. There were no requests for additional personnel.

Mr. Maloney asked if the Township had considered merging any departments

Mr. Brannen stated that the Township is going to combine the Township Clerk and the Tax Collector departments, creating one "general services" area.

Mr. Maloney asked how the Union's were reacting to the changes

Mr. Brannen stated that the Township is trying to balance all aspects of the operations, including the need's of the employee's but it has been a struggle.

Bob Ades inquired as follows:

1. Where do the total salaries appear in the Budget document

Mr. Gallagher stated it was on Page 17, and the total amount is \$12,528,168.00.

2. Where do the totals for Health Benefits and Pensions appear in the Budget document

Mr. Gallagher stated that Pensions were on Page 19 and Health Benefits appear on Page 14 of the Budget document.

3. What was the Profit/Loss for Colonial Terrace Golf Course

Mr. Brannen stated that the Golf Course lost approximately \$10,000.00 last year.

4. Why would the Township allow the Departments to ask for more money in their budgets knowing the economic times we are in

Mr. Brannen stated that many times the Department Heads are not aware of all the circumstances surrounding the Budget and are concerned with their individual departments. It is up to him and Mr. Gallagher to decipher what is necessary and what is not necessary in the individual budgets.

No additional comments were received with regard to the 2011 Municipal Budget.

Motion to Close the Public Hearing on the 2011 Municipal Budget:

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				x	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

B2 Resolution – Amend the previously approved 2011 Municipal Budget

WHEREAS, the local municipal budget for the year 2011 was approved on the 7th day of March, 2011; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said approved budget;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that that following amendments to the approved budget of 2011 be made:

RECORDED VOTE:

Ayes:	(Larkin (Evans (Garofalo (Schepiga (Siciliano	Nays:	(((((Absent:	(((
		Abstained:	(

	FROM	TO
6. Amount To Be Raised By Taxes For Support Of Municipal Budget:		
A) Local Tax For Municipal Purposes Including Reserve For Uncollected Taxes	19,273,488.00	19,171,988.00
Total Amount To Be Raised By Taxes For Support Of Municipal Budget	19,273,488.00	19,171,988.00
7. Total General Revenues	37,379,827.00	32,278,327.00
8. General Appropriations		
Employee Health Insurance Waiver	50,000.00	54,000.00
Police – Salary & Wages	6,138,001.00	6,119,624.00
Garbage & Trash Removal	1,191,127.00	1,157,972.00
Board of Health – Other Expenses	195,550.00	190,550.00
Matching Funds for Grant – Alliance – Other Expenses		7,047.00
Sewerage Processing and Disposal	14,500.00	13,960.00
Fuel Gas & Diesel	502,000.00	500,050.00
Landfill/Solid Waste Costs	931,500.00	911,500.00
Municipal Court – Salary & Wages	241,707.00	237,707.00
Reimbursement T Multi-Family Dwellings–(N.J.S.A. 40A:4-25.3kk) – Other Expenses	280,000.00	270,000.00
Total Operations (Items 8(A)) Within “CAPS”	21,778,770.00	21,696,795.00
Total Operations Including Contingent – within “CAPS”	21,873,770.00	21,701,795.00
Detail:		
Salary & Wages	12,583,700.00	12,528,168.00
Other expenses (Including Contingent)	9,200,070.00	9,173,627.00
(E) Deferred Charges and Other statutory Expenditures – Municipal Within “CAPS” (Continued)		
(2) Statutory Expenditures:		
Social Security System (O.A.S.I.)	595,997.00	576,472.00
Total Deferred Charged & Statutory Expenditures – Municipal Within “CAPS”	2,757,814.00	2,738,289.00
Total Other Operations – Within “CAPS”	24,541,584.00	24,440,084.00
(L) Subtotal General Appropriations {Items (h-1) and (o)}	28,585,621.00	28,484,121.00
9. TOTAL GENERAL APPROPRIATIONS	32,379,827.00	32,278,327.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Division of Local Government Services for his certification of the local municipal budget so amended.

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

Resolution – Adopt the 2011 Municipal Budget, as amended

Vincent Buttiglieri, Township Clerk, read the following Budget Resolution:

**SECTION 2 – UPON ADOPTION FOR YEAR 2011
(ONLY TO BE INCLUDED IN THE BUDGET AS FINALLY ADOPTED)**

BE IT RESOLVED BY THE **MAYOR AND COUNCIL** OF THE **TOWNSHIP OF OCEAN**, COUNTY OF **MONMOUTH** THAT THE BUDGET HEREIN BEFORE SET FORTH IS HEREBY ADOPTED AND SHALL CONSTITUTE AN APPROPRIATION FOR THE PURPOSES OF THE SUMS THEREIN AS SET FORTH AS APPROPRIATIONS, AND AUTHORIZATION OF THE AMOUNT OF

- (a) \$ 19,171,988.00 (ITEM 2 below) for municipal purposes,
- (b) \$ 0.00 (ITEM 3 below) for school purposes in type 1 school districts only (N.J.S. 18A:9-2) to be raised by taxation
- (c) \$ (ITEM 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School District only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following Summary of General Revenues and Appropriations.
- (d) \$ Open Space, recreation, Farmland and Historic Preservation Trust Fund Levy

RECORDED VOTE

(Insert last name) { Larkin { ABSTAINED {
 { Evans {
 AYES { Garofalo NAYS {
 { Schepiga { ABSENT {
 { Siciliano {

1. General Revenues

Surplus Anticipated	08-100	7,249,437.00
Miscellaneous Revenues Anticipated	40004-10	5,356,902.00
Receipts for Delinquent Taxes	15-499	500,000.00

2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (item 6(a), Sheet 11) 07-190 19,171,988.00

3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:

Item 6, Sheet 41	07-195	
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	0.00
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		0.00

4. To Be Added to the Certificate for Amount to be Raised by Taxation for Schools in Type II School Districts Only:

Item 6(b), Sheet 11 (N.J.S. 40A:4-14)		
TOTAL REVENUES		32,278,327.00

5. GENERAL APPROPRIATIONS

Within "CAPS"		
(a&b) Operating Including Contingent		21,701,795.00
(e) Deferred Charges and Statutory Expenditures – Municipal		2,738,289.00

Excluded from "CAPS"		
(a) Operations – Total Operations Excluded from "CAPS"		1,213,781.00
(b) Capital Improvements		140,680.00
(d) Municipal Debt Service		2,635,576.00
(e) Deferred Charges – Municipal		54,000.00
(f) Judgments		
(n) Transferred to Board of education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)		

(g) Cash Deficit
 (k) For Local District School Purposes
 (m) Reserve for Uncollected Taxes (Included Other reserves if Any) 3,794,206.00

6. SCHOOL APPROPRIATIONS – TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)

TOTAL APPROPRIATIONS 32,278,327.00

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

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

The purpose of this public portion is solely to ask questions to understand Resolutions and 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 COMENTS:

F.K. Hudson inquired about the following Resolutions:

1. Resolution #11-074 – Capital Budget Amendment

Mr. Brannen stated that this amendment was necessary so that the Capital Budget agrees to the Capital Ordinance.

2. Resolution #11-073 – does the amount stated cover just the engineering portion of the project and if so, what is the projected cost of the project

Mr. Brannen stated that the fee is just for the engineering aspect and the total projected cost is about \$350,000.00.

There were no additional questions at this time.

CONSENT AGENDA:

MINUTES:

March 21, 2011 – Workshop, Public and Closed Meeting

RESOLUTIONS:

11-058 Authorize a Developer’s Agreement for the following:

- a. Block 140, Lots 105, 106, 107, 109 – 733 Highway 35 – Ocean 733 Associates, LLC

WHEREAS, the Ocean 733 Associates, LLC (hereinafter referred to as "Developer") is the owner of certain property known as Block 140, Lots 105, 106, and 107, as shown on the official tax map of the Township of Ocean which property is located at 733 Highway 35 in the C-3 (General Commercial) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

WHEREAS, the Developer has permission to act on behalf of Ocean 35 Developers, LLC as owners of property known as Block 140, Lot 109, which property is located at 735 Highway 35; and

WHEREAS, the Developer was granted Site Plan and Bulk Variance Approvals from the Township of Ocean Planning Board by way of resolution dated October 25, 2010 to interconnect two separate sites and to make several minor modifications to the building and site for the northern site and to eliminate green banked parking which was originally approved for the northern site (Lots 105, 106 & 107); and

WHEREAS, this Agreement relates to a Site Plan Map entitled Preliminary and Final Site Plans, Ocean 733 Associates, LLC, Tax Block 140, Lots 105, 106, 107 & 109, Township of Ocean, Monmouth County, New Jersey by Robert A. Nelson, P.E. of Nelson Engineering Associates, Inc., consisting of four (4) sheets dated May 4, 2010 and last updated December 17, 2010 and the Map entitled Façade and Tenant Fit Up, Ocean 733 Building, 733 Route 35 North, Ocean Township, New Jersey, Lots 105, 106 and 107, Block 140 by James J. Monteforte, AIA of Monteforte Architectural Studio, LLC consisting of four (4) sheets dated May 27, 2010 and last updated September 29, 2010; and

WHEREAS, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated January 17, 2011 prepared by the Township of Ocean Engineer, Louis J. Lobosco, P.E., P.P. of Leon S. Avakian, Inc.

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

1. It hereby authorizes the Mayor to execute and the Township Clerk to attest to a Developer's Agreement between the Township of Ocean and Ocean 733 Associates, LLC, subject to the following conditions first being met:
 - a. All required certificates of insurance be properly filed with the Office of the Township Clerk
 - b. Posting of Performance Guarantees in the total amount of \$52,200.00 and Inspection Fees in the amount of \$3,175.00

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

1. Township Engineer
2. Construction Official
3. Director of Community Development
4. Ocean 733 Associates, LLC
5. Ocean 35 Developers, LLC

11-059 Authorize the Acceptance of Performance Guarantees for the following:

a. Block 20, Lot 18 – 3 Greenbrier Road – AS Builders

WHEREAS, the Township of Ocean has approved a development project on Block 20, Lot 18 also known as 3 Greenbrier Road; and

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

WHEREAS, AS Builders has posted cash performance guarantees totaling \$8,604.00 along with engineering inspection fees totaling \$2,195.00 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. AS Builders

b. Block 9.03, Lot 1 – 231 Perrine Avenue – Lensu, Inc.

WHEREAS, the Township of Ocean has approved a development project on Block 9.03, Lot 1 also known as 231 Perrine Avenue; and

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

WHEREAS, Lensu, Inc. has posted cash performance guarantees totaling \$4,608.00 along with engineering inspection fees totaling \$1,568.00 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 a certified copy of this resolution be forwarded to the following:

1. Township Engineer
2. Construction Official
3. Director of Community Development
4. Lensu, Inc.

11-060 Authorize a Time Extension with No Reduction for the following:

a. Block 1.05, Lots 1 & 2 – 2108 Kings Highway – Sprint Spectrum, L.P.

WHEREAS, Sprint Spectrum, L.P. (hereinafter referred to as "Developer") received Preliminary and Final Site Plan Approval from the Zoning Board of Adjustment of the Township of Ocean by way of resolution dated September 30, 2004 for a "D" variance for deviation from minimum side yard set back and minimum rear yard set back which requirements for a conditional use for cell towers in the within C-3 (General Commercial) Zone on June 10, 2004, as memorialized by resolution dated July 8, 2004 for property located at Block 1.05, Lots 1 and 2, 2108 Kings Highway; and

WHEREAS, the Township Council did authorize and enter into a developer's agreement dated June 6, 2005 with Sprint Spectrum, L.P. to construct a wireless communications facility with an associated 150 foot monopole and attached wireless antennae on premises known and designated as 2108 Kings Highway, Block 1.05, Lots 1 and 2; and

WHEREAS, performance guarantees were posted totaling \$159,922.80 in the form of Performance Bond #104468350 issued by Travelers Casualty and Surety Company of America, Hartford, CT in the amount of \$143,930.52 together with cash in the amount of \$15,992.28; and

WHEREAS, the Township Clerk is in receipt of a letter from Asset Management Consultants on behalf of Sprint Spectrum, L.P. dated March 10, 2011 requesting a final inspection of the aforementioned project as well as release of the performance guarantees upon completion of the project; and

WHEREAS, under the provisions of N.J.S.A. 40:55D-53(b) of the Municipal Land Use Law, the governing body may extend the time period in which the improvements may be completed; and

WHEREAS, the Township Clerk is in receipt of a memorandum from the Township Engineer's representative Louis J. Lobosco, P.E., P.P. dated March 22, 2011 denying the performance guarantee; and

WHEREAS, in instances such as this, consideration is given to the granting of a time extension with no reduction of the performance guarantee; and

WHEREAS, the Township Council is in agreement with said extension and consents to same.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean in the County of Monmouth, that it does hereby authorize and approve a time extension to the developer's agreement between Sprint Spectrum, L.P. and the Township of Ocean to April 11, 2012 expressly subject to the following conditions:

1. Payment of any outstanding inspection fees
2. Consent of Surety from Travelers Casualty and Surety Company of America
3. All required certificates of insurance be properly filed with the Office of the Township Clerk

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

1. Township Engineer
2. Construction Official
3. Director of Community Development
4. Sprint Spectrum, L.P.
5. Asset Management Consultants
6. Travelers Casualty and Surety Company of America

11-061 Approve the extension of time for the placement of a trash dumpster on the property known as Block 140, Lot 104 (602 Lakeview Avenue).

WHEREAS, Classon Z, LLC had requested approval to place a trash dumpster on their property, commonly known as Block 140, Lot 104 (602 Lakeview Avenue), to be utilized during the renovation of their building; and

WHEREAS, approval was granted by the Township Zoning Officer on March 2, 2011 and all appropriate fees were paid by the applicant; and

WHEREAS, the applicants requested a seven-day extension of the time that said trash dumpster could be located on said property which was granted by the Township Zoning Officer on March 29, 2011 and all appropriate fees were paid by the applicants; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that approval is hereby granted to extend the approval of the location of a trash dumpster on property known as Block 140, Lot 104 (602 Lakeview Avenue) as requested by Classon Z, LLC for a period not to extend past June 30, 2011; and

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

1. Classon Z, LLC
2. Director of Community Development
3. Zoning Official

11-062 Approve the placement of three (3) storage container(s) on the property known as Block 8, Lot 19 (49 Monmouth Road)

WHEREAS, the Chapter 5, Section 5-3.2 prohibits the placement of more than one (1) storage container on private property at the same time; and

WHEREAS, Asa Carlton, Inc. performed renovations on said building located on Block 8, Lot 19 (49 Monmouth Road) and had requested approval for locate three storage containers on the property for a period ended on April 23, 2011; and

WHEREAS, this request is necessary as the business will remain open during said renovations; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that approval is hereby granted to allow Asa Carlton, Inc. to place 3 storage containers on Block 8, Lot 19 (49 Monmouth Road) for a period ended April 23, 2011; and

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

1. Asa Carlton, Inc.
2. Director of Community Development
3. Zoning Official
4. Code Enforcement Official

11-063 Authorize the submission of the 2011 Elderly and Persons with Disabilities Capital Assistance Program Grant application

WHEREAS, the Township of Ocean is aware of the transportation needs of residents who are seniors and those with special needs; and

WHEREAS, the Township of Ocean is an active member of the statewide network United We Ride, which develops resources for affordable transportation services throughout the state; and

WHEREAS, funding is available to municipalities through New Jersey Transit for the acquisition of vehicles to support transportation programs;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean in the County of Monmouth that the Township of Ocean Human Services Department is authorized to prepare and submit the Elderly and Persons with Disabilities Capital Assistance Program Grant for 2011; 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 a certified copy of this resolution be forwarded to:

1. Director of Human Services
2. Director of Finance

11-065 Designate representatives to serve on the Green Team Advisory Committee

WHEREAS, the Township Council of the Township of Ocean strives to save tax dollars, assure clean air and water, improve working and living environments, and build a community that is economically, environmentally and socially sustainable; and

WHEREAS, the Township Council of the Township of Ocean wishes to build a sustainable community that benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on "Green" issues, the Township Council, in cooperation with the Township Environmental Commission, wish to establish a Green Team Advisory committee (GTA); and

WHEREAS, the Township Council of the Township of Ocean wants to begin the process of focusing on "Green" issues by working to achieve the sustainable Jersey certification; and

WHEREAS, the Township Council of the Township of Ocean has begun the process of making its operations greener, and more environmentally friendly beginning with energy audits of the Township's facilities to determine the most cost effective ways to reduce energy consumption; and

WHEREAS, increased recycling, changes to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the Township moves to do their share to lessen the environmental impact of its operations;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that we do hereby establish a Green Team Advisory Committee consisting of Representatives from the following organizations: Township of Ocean Museum, Township of ocean Garden Club, Environmental Commission, Township Council, Rotary Club of Asbury Park, League of Woman Voters, Ocean Township High School Environmental Club, and the Ocean Township Board of Education; and

BE IT FURTHER RESOLVED by the Township Council of the Township of Ocean that the Mission, Goals and Objectives for the GTA through December 31, 2011 are established as follows:

Mission:

The Township of Ocean Green Team Advisory Committee will advise the Township Council on ways to improve municipal operations with "Green" initiatives which are economically and environmentally sound through research and evaluation.

Goals:

Submit a report and recommendations to the Township Council by December 31, 2011 to include:

1. An update on the implementation of the Energy Conservation Measures recommended in the recently completed Energy Audits

2. Completion of the Sustainable Jersey certification
3. A report of suggested best practices for "greener" municipal operations

Objectives:

1. Collaborate with township employees, service providers and other governmental agencies to share resource information and ideas consistent with the Mission of the GTA
2. Encourage participation of all employees and residents to solicit ideas on green initiatives.
3. Research and analyze green initiatives which make practical environmental and financial sense.
4. Develop strategies for sustainable green initiatives in municipal operations.

BE IT FURTHER RESOLVED by the Township Council of the Township of Ocean that the above-named organizations are hereby included in the GTA for the remainder of 2011.

11-066 Authorize the Release of the Performance Guarantee for the following:

a. Block 1.02, Lot 72 – 20 Hidden Meadows Drive – Ocean Seniors, LLC

WHEREAS, on October 26, 2009 Ocean Seniors, LLC (hereinafter referred to as "Developer") received Conditional Use Approval with Variances by the Township of Ocean Planning Board by way of resolution dated October 26, 2009 to construct an additional 20 units to be added above the existing two-story section of the building on the south side of the 3-story building and other site improvements. A total of 19 of the 20 units will be affordable units with additional parking to accommodate the additional units for property located on Block 1.02, Lot 72, 20 Hidden Meadows Drive; and

WHEREAS, the Township Council did authorize and enter into a Developer's Agreement dated April 19, 2010 with Ocean Seniors, LLC; and

WHEREAS, Ocean Seniors, LLC has heretofore deposited with the Township of Ocean performance guarantees totaling \$504,480.00 in the form of Performance Surety Bond No. FP0015320 issued by First Indemnity of America Insurance Company, Parsippany, NJ in the amount of \$454,032.00 and cash in the amount of \$50,448.00 to guarantee the completion of all improvements on premises known as Block 1.02, Lot 72, 20 Hidden Meadows Drive; and

WHEREAS, the Township Clerk is in receipt of a request from Arthur J. Corsini, Jr., on behalf of Ocean Seniors, LLC dated March 4, 2011 requesting release of the performance guarantees; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated April 1, 2011, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially completed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the performance guarantees in the amount of \$504,480.00 are hereby released, canceled and discharged subject to the following:

1. Receipt of a maintenance bond in the sum of \$63,060.00, said maintenance bond to run for a period of two (2) years to cover maintenance on all improvements constructed under the original performance guarantee
2. Payment of pending and future engineering inspection and administrative fees the amount to be determined by the Township Engineer to cover the estimated inspection fees

in

3. All required certificates of insurance be properly filed with the office of the Township Clerk

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

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Ocean Seniors, LLC
6. First Indemnity of America Insurance Company

Vote on all Consent Agenda Items:

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

INDIVIDUAL ACTION:

VOUCHERS: \$ 7,631,301.08

**Township of Ocean
Department of Finance
Voucher List for April 11, 2011**

Vendor Name	Description	Amount	Contract
<u>Appropriation Reserves Payments</u>			
BOARD OF FIRE COMMISSIONERS	PD- 50% SHARED MAINTENANCE	2,832.50	
FOUR DIRECTIONS INC	Street light repair	294.13	
FYR FYTER SALES & SERVICE INC	Fire Extinguishers for Twp.	790.57	
GOVCONNECTION INC	Network Equipment	50.00	
LAKWOOD AUTO/ASBURY NAPA	Misc parts Twp vehicles	102.49	
LAWMAN SUPPLY CO OF NJ INC	PD-FIREARMS INSTRUCTOR	2,059.96	
NEXTEL-SPRINT PO MANAGEMENT	AIR CARDS 11/27/10 - 12/26/10	49.99	
NJ GANG INVESTIGATORS ASSOC	PD- LAW ENFORCEMENT	200.00	
STORR TRACTOR CO	Nov misc parts for toro mowers	661.00	
VERIZON WIRELESS	Air Cards for public Works	120.05	
<u>Total</u>		7,160.69	
<u>Total Appropriation Reserves Payments</u>			
<u>2011 Current Fund Appropriation Payments</u>			
A R COMMUNICATIONS	Program DPW radios	170.00	
ACCURINT FOR LAW ENFORCEMENT	PD-BACKGROUND SEARCHES- MAR 11	32.00	
ADP INC	March Payroll Services	1,181.06	
ALL AMERICAN TURF INC	March misc lawn mower parts	32.89	
AM/PM SERVICES	SEMINAR - J. JOSEPH 3/11/11	99.00	
AMBASSADOR MEDICAL SERVICE INC	Random drug/alcohol test	270.00	
AMERICAN WEAR INC	March uniform rental	887.00	
AMERICAN WEAR INC	March rags for shop use	60.00	
ATLANTIC DETROIT DIESEL-	Repair flywheel truck 3.	8,007.20	

MEETING MINUTES

APRIL 11, 2011

ATLANTIC PLUMBING SUPPLY CORP	March misc plumbing supplies	497.40
BENDINER & SCHLESINGER INC	DRUG SCREENS JANUARY	1,555.00
BENDINER & SCHLESINGER INC	DRUG SCREENING FEBRUARY	1,717.50
BROWN, SANFORD ESQ	Comart Litigation	1,575.00
BROWN, SANFORD ESQ	Attend PB meeting / General	574.00
BULLET LOCK & SAFE CO INC	March misc keys etc. for Twp.	174.60
BUTTIGLIERI, VINCENT CMC	April 2011 Petty Cash	265.36
CABLEVISION	Gargage Internet	137.89
CABLEVISION	Gargage Internet	74.90
CABLEVISION	Gargage Internet	74.90
CALABRO, PHIL	SUPERVISOR ADULT BB MARCH	78.00
CDW GOVERNMENT INC	Barracuda Energize Updates	420.00
CDW GOVERNMENT INC	Symantec Endpoint/Exch Renewal	1,231.00
CENTRAL JERSEY SEPTIC INC	Annual septic service	235.00
CLAYTON SAND CO INC	100 TONS OF ROCK SALT FOR ROAD	7,903.41
CLEARVIEW SPRING WATER	March bottled water for Bldgs.	216.00
COUNTRY CLEAN INC	CTGC PAPER PRODUCTS	119.03
COUNTY OF MONMOUTH	Salt used for Twp Roads	9,018.52
CRAFT OIL CORP	Grease/oil for all vehicles	6,776.93
DELTA DENTAL OF NJ INC	April Dental Insurance	10,372.88
EAST COAST EMERGENCY LIGHTING	PD- NEW VEHICLE EQUIPMENT	4,452.27
EDMUNDS & ASSOCIATES INC	2011 ANNUAL SOFTWARE SUPPORT	7,678.00
EDWARDS TIRE CO INC	March recap & service tires	1,816.14
EDWARDS TIRE CO INC	March tires for Twp vehicles	1,467.56
EILEEN ROGERS	Reimbursement for mailbox	50.00
F & C AUTOMOTIVE SUPPLY INC	Feb. misc parts for Twp.	1,545.05
FLAGSHIP DENTAL PLANS	April Dental Insurance	599.79
FORT DEARBORN LIFE INS CO	April Life Insurance	641.52
FOUR DIRECTIONS INC	Street light repaired.	858.25
GALETON GLOVES INC	Work gloves for sanitation	281.10
GANNETT NJ NEWSPAPERS	A/C9459 FEB/MAR 2011 LEGAL ADS	1,897.00
GANNETT NJ NEWSPAPERS	A/C9459 3/26 SURPLUS EQUIP/VEH	102.00
GARDEN STATE ROOFING & SIDING	Labor and Material for roof	5,135.00
GARIFINE, JACK	SUPERVISE INSTRUCT.SOCCER	136.50
GEESE CHASERS LLC	GEESE CONTROL MARCH	862.33
GEORGE WALL LINCOLN MERCURY	March misc parts for Twp.	527.59
GEORGE WALL LINCOLN MERCURY	Chip key for pool car 26	132.81
GLOBE PETROLEUM INC	2000 GAL FUELOIL-240 WHALEPOND	6,209.23
GOLF CAR SPECIALITIES LLC	CTGC UTIL CARS FOR MARCH	140.00
GRASS ROOTS TURF PRODUCTS	MISC CTGC SUPPLIES	49.50
GRAYBAR ELECTRIC CO	March misc supplies	611.35
GREATER OCEAN TOWNSHIP	2011 MEMBERSHIP DUES	150.00
HALSEY, MATTHEW	SUPERVISE VOLLEYBALL FEB/MAR	216.00
HEARTLAND SERVICES INC	MARCH 2011 CREDIT CARD SVS FEE	529.15
HEARTLAND SERVICES INC	MAR AUTHNET GATEWAY SVS CHGS	28.66
HEARTLAND SERVICES INC	MAR AUTHNET GATEWAY SVS CHGS	30.25
HOFFMAN SERVICES INC	Lift in bay area	750.00
IDEAL LUMBER & SUPPLY CO	March misc lumber & support	322.23
IDESCO CORP	Thermal Overlamine	121.41
INGENITO, NEIL CAPT	PD- PETTY CASH REIMBURSEMENT	153.19
JAMES HIGGINS ASSOCIATES	PB Mtg 02/28/11 / in-house mtg	325.00
JERSEY CENTRAL POWER & LIGHT	Feb. street lighting	19,290.99
JOHNNY ON THE SPOT INC	MARCH ADA UNIT AT PALAIA PK	98.45
KELLY WINTHROP, LLC.	Remove dead deer on Poplar Rd.	45.00
KEPWEL SPRING WATER CO	WATER MARCH HSD	112.00
KEPWEL SPRING WATER CO	CTGC RETAIL WATER	80.00
KRISTIN GRAULICH	Reimbursement for mailbox	49.97
KROSNEY BERG TALANSKY & TURTEL	REFUND OF 4TH GARBAGE CART	60.00
L3 COM MOBILE-VISION INC	PD- SERVICE CALLS - MARCH 2011	298.75
LANIGAN ASSOCIATES INC	PD- SAFETY SUPPLIES - MAR 2011	206.00
LAWSON PRODUCTS INC	Misc shop supplies/materials	960.83
LEON S AVAKIAN INC	COPIES OF THE MANOR PLANS	25.00
LEON S AVAKIAN INC	THUR MAR-	2,820.00
LEON S AVAKIAN INC	THRU MAR 2011-777 WPA	1,332.50
LEON S AVAKIAN INC	THRU MAR 2011-FANWOOD ST IMPRO	1,507.50
LIBERTY PRINTING CO LLC	BUSINESS CARDS - BLDG DEPT.	168.00
LORENZO ARMSTRONG JR	REIMBURSE FINGERPRINTING	26.25

C1100003

MEETING MINUTES

APRIL 11, 2011

LOWES INC	March misc building supplies	632.81	
MAZZA & SONS INC	March dump fees for bulk	5,967.14	
McHEFFEY, DR DINA A	MEDICAL CONSULT 1ST QUARTER	300.00	
MERCHANT CARD SERVICES NJ	MARCH 2011 MERCHANT BANK SVS F	18.17	
MGL PRINTING SOLUTIONS	5000 WINDOW ENVELOPES	225.00	
MID JERSEY MUN JOINT INS FUND	4TH INSTALLMENT 2011 ASSMT	237,583.75	
MITCHELL CAPLAN	Mailbox reimbursement	25.00	
MODERN GROUP LTD	March misc parts	605.31	
MON CTY CLERK - MARKET YARD	REPLENISH CTY CLERK'S ESCROW	400.00	
MONMOUTH PAPER CO	ENVELOPES	177.52	
NECI	PD- 9-1-1 TRAINING MATERIALS	1,966.95	
NEOPOST, INC.	POSTAL INK CARTRIDGES	306.99	
NEW JERSEY GRAVEL & SAND CO	BUNKER SAND CTGC	430.00	
NEXTEL-SPRINT PO MANAGEMENT	AIR CARDS 1/27/11 - 2/26/11	49.99	
NEXTEL-SPRINT PO MANAGEMENT	AIR CARDS 12/27/10 - 1/26/11	49.99	
NJ LEAGUE OF MUNICIPALITIES	JOB ADVERT - COLLECTIONS CLERK	80.00	
NJ NATURAL GAS CO	Feb. gas usage	18,964.22	
NJ ST LEAGUE OF MUNICIPALITIES	AGB 4/26/11 PROF. DEVEL. SEMI.	75.00	
NJAWC	Feb. water usage	2,568.94	
NJMMA	RENEWAL MEMBERSHIP A. BRANNEN	210.00	
NJPSAC	PD- ANNUAL MEMBERSHIP RENEWAL	300.00	
NJR HOME SERVICES	REFUND OF PERMIT FEE B34, L29	100.00	
NORCIA CORP	Plow Skids for restock	4,463.87	
NOVOBILSKY, DIANE	REIMBURSE CTGC SUPPLIES	47.66	
NOVOBILSKY, DIANE	REIMBURSE CTGC SUPPLIES (MTG)	130.85	
PECCI, MARK	PYMT FOR FEB 18 ATTENDENT AT	56.00	
QUIKIE PRINT & COPY SHOPS	PERSONNEL CHANGE FORMS	1,002.50	
QUIKIE PRINT & COPY SHOPS	BUSINESS CARDS - WATERS	37.00	
R&H AUTO SPRING & TRUCK	March misc alignments for Twp	74.99	
RED THE UNIFORM TAILOR	PD- DAMAGED UNIFORM/#274	29.00	
RESNICK DISTRIBUTORS	CTGC RETAIL SNACKS	966.98	
ROBIN MALIK	FINGERPRINT REIMBURSEMENT	26.25	
RUTGERS THE STATE UNIVERSITY	Registration one day seminar	165.00	
SANITATION EQUIPMENT CORP	March misc truck parts	1,463.82	
SEA BREEZE FORD INC	March misc parts for Twp	1,361.50	
SEA BREEZE FORD INC	Bumper cover for PD car 49	483.31	
SEABOARD FIRE & SAFETY	PD- CO2 REFILLS - MARCH 2011	34.70	
SEABOARD FIRE & SAFETY	March fire extinguishers	7.91	
SEABOARD WELDING SUPPLY INC	PD- OXYGEN REFILLS - MAR 2011	470.50	
SEABOARD WELDING SUPPLY INC	March propane	267.20	
SEACOAST CHEVROLET OLDSMOBILE	March misc parts for Twp	202.43	
SPRINT PO MANAGEMENT	Service for Jan 27 - Feb 26	49.99	
SPRINT PO MANAGEMENT	Service for Feb 27 - March 26	49.99	
STEINBERG, MARK A ESQ	BOA March mtg and resolutions	700.00	
STEWART BUSINESS SYSTEMS	Printing Services	578.92	
STORR TRACTOR CO	Clutch cover tractor #46	3,901.10	
STORR TRACTOR CO	March misc parts	138.78	
SUPERIOR OFFICE SYSTEMS INC	PD- COPIER SERVICE - FEB 2011	186.75	
SUPERIOR OFFICE SYSTEMS INC	PD- COPIER SERVICE - MAR 2011	530.50	
SUPERIOR OFFICE SYSTEMS INC	SERVICE CALL CANON COPIER	162.00	
TAX COLL & TREAS ASSOC OF NJ	SPRING CONFERENCE MAY 17 - 19	255.00	
THE COMPLETE PRACTITIONER	ANNUAL SUBSCRIPTION	89.00	
THE NEW COASTER LLC	FEB/MAR 2011 LEGAL ADVERTISEME	202.12	
TREASURER COUNTY OF MONMOUTH	March dumping fees	47,706.58	
TREASURER COUNTY OF MONMOUTH	PD-MUNICIPAL MOCERT ASSESSMENT	377.36	
TREASURER STATE OF NJ	Environmental regulation fees	9,000.00	
TRICO EQUIPMENT INC	Diagnose Trans loader 50	604.79	
TRICO EQUIPMENT SERVICES LLC	March misc parts	471.23	
TWP OF OCEAN PAYROLL ACCOUNT	2011 PFRS EMPLOYER PENSION CON	1,491,232.00	
TWP OF OCEAN PAYROLL ACCOUNT	2011 PERS EMPLOYER PENSION CON	659,604.00	
UNITED STATES POSTAL SERVICE	Postage 2011 Spring Newsletter	1,958.09	
UP TITE FASTENERS INC	March misc maint supplies	105.00	
US 1 AUTO PARTS	March misc parts for Twp.	174.65	
VALLEYCREST GOLF COURSE MAINT	MARCH 2011 CTGC MAINTENANCE	23,197.33	C1100005
VANTAGEPOINT TRANSFER AGENTS	April Retiree Health Benefits	4,889.52	
VERIZON	TELEPHONE & ISDN SERVICE 4/11	616.25	
VERIZON COMMUNICATIONS	BROADBAND SERVICES FOR 4/11	114.99	

MEETING MINUTES

APRIL 11, 2011

VERIZON COMMUNICATIONS	BROADBAND SERVICES 4/11	173.32
VERIZON WIRELESS	PD- AIRCARD SERV PLAN - MAR 11	440.11
VERIZON WIRELESS	PD- AIRCARD SERV PLAN - MAR 11	400.10
VERIZON WIRELESS	Air Cards for public Works	120.07
W B MASON CO INC	OLYMPUS WS-700M RECORDER EC/ST	95.54
W W GRAINGER INC	January misc supplies	281.31
WILENSKY, MARIANNE	Telephone reimbursement	75.00
WILENSKY, MARIANNE	Postage Reimbursement	68.39
WITTEK GOLF SUPPLY CO INC	CTGC SUPPLIES	41.94
WPCS INT'L INC - LAKEWOOD	PD- SERV/MAINTAINANCE-FEB 2011	302.50
WPCS INT'L INC - LAKEWOOD	PD- VERTEX LED LIGHTING	1,400.62
WPCS INT'L INC - LAKEWOOD	PD-2nd QRT CONSOLE MAINTENANCE	5,100.00
Total		2,656,379.68

Non Budget Account Payments

LAURA DOLL	REFUND OF WPA ROOM RENTAL FEE	175.00
MONAHAN, ROBERT C & STELLA M	TAX REFUND TDV ON BL 123 L 52	3,436.76
REISER, KATHY	POOL PETTY CASH	200.00
SITAR LAW OFFICES,LLC ATTORNEY	TAX APPEAL REFUNDS SEAVIEW COR	34,084.03
TREASURER OF SCHOOL MONIES	APR 2011 SCHOOL TAXES PAYABLE	4,633,418.56

Total Non Budget Account Payments

4,671,314.35

Total 2010 Current Fund Appropriations Payments

7,327,694.03

General Capital Payments

FEDEX	OVERNIGHT ENV TO MCLAUGHLIN	23.10
GOVCONNECTION INC	Barracuda 1yr Updates	668.00
HUNTER TECHNOLOGIES	Network/Rack Equipment	1,420.29
INDUSTRIAL PETROLEUM SUPPLY CO	PETRO flash Drive #20-7083	995.00
LEON S AVAKIAN INC	ENGINEERING FOR 2010 ROAD PROG	22,848.75
LEON S AVAKIAN INC	SUNSET AVENUE RECYCLING	4,222.50
OLD DOMINION BRUSH CO	New Leaf Vacuum Unit	138,800.00
SOFTWARE HOUSE INT'L INC	PD- VGA VIDEO EXTENDER REMOTE	216.00
STEWART BUSINESS SYSTEMS	Printing Services	141.96
THE NEW COASTER LLC	3/17 CONTRACT AWARD-AVAKIAN	11.16
WPCS INT'L INC - LAKEWOOD	PD- RADIO PROJECT PHASE II	2,526.00

Total

171,872.76

Total General Capital Payments

171,872.76

Grants Payments

DELTA DENTAL OF NJ INC	April Dental Insurance	171.57
LEON S AVAKIAN INC	THRU MAR 2011-OCEAN GLADES	765.00
TREASURER COUNTY OF MONMOUTH	PD-MUNICIPAL MOCERT ASSESSMENT	622.64

Total

1,559.21

Total Grants Payments

1,559.21

Law Enforcement Trust Payments

PROFESSIONAL DIVERS INC	PD/LETF - METAL DETECTORS	3,610.00
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Total

3,610.00

Total Law Enforcement Trust Payments

3,610.00

TORTA Payments

MAGHAN, DAWN RYT	YOGA INSTRUCTOR FEB/MARCH	500.00
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NASCO	SUPPLIES SENIOR PAINTING	684.54
THERESA GILVARY	TORTA REFUND KIDS FITNESS	25.00
TWP OF OCEAN PAYROLL ACCOUNT	TORTA for 3/25/2011 payroll	1,075.00
TWP OF OCEAN PAYROLL ACCOUNT	TORTA for 4/8/2011 payroll	200.00

Total

2,484.54

Total TORTA Payments

2,484.54

Trust Other Payments

MEETING MINUTES

APRIL 11, 2011

CELLI, MICHAEL G JR ESQUIRE	MAR 2011 ST V JONES, V WHEELER	250.00	
CHRYSLER FINANCIAL CO &	DED. REIMB. 2/2/11 MVC	500.00	
CLARKE CATON HINTZ	FEB 2011 AFFORDABLE HOUSING MA	56.10	
CLARKE CATON HINTZ	FEB 2011 AFFORDABLE HOUSING	2,817.00	C9-00016
CLARKE CATON HINTZ	FEB 2011 AFFORDABLE HOUSING	11,605.00	C0-00004
FITZGERALD, WILLIAM	PB and BOA Reviews	4,758.75	
JOAN DARNELL	DEDUCT. REIMB. 12/30/10 MVC	1,000.00	
LEON S AVAKIAN INC	THRU MAR 2011-VARIOUS INSPECTI	4,328.75	
LEON S AVAKIAN INC	THRU MAR 2011-SYNAGOGUE OF OAK	31.25	
RANT, THOMAS	W.Comp for Scibal Ck 46285	688.02	
RANT, THOMAS	Twp Share Scibal Ck 46285	253.22	
RICH'S AUTO BODY	REPAIR 2008 FORD CV/ 10/28/10	628.75	
RYAN'S AUTO BODY	REP.CLMT.'S 01 VW 1/19/11 MVC	450.80	
RYAN'S AUTO BODY	SUPPLEMENTAL DMG. 3/2/11 MVC	346.70	
TWP OF OCEAN CURRENT FUND	Off Duty Admin/Police Car Use	1,775.00	
TWP OF OCEAN CURRENT FUND	Off Duty Admin Fees/Police Car	1,922.50	
TWP OF OCEAN PAYROLL ACCOUNT	Off Duty Police 3/25/11	3,900.00	
TWP OF OCEAN PAYROLL ACCOUNT	Deferred Sick Pay 3/25/11	35,822.45	
TWP OF OCEAN PAYROLL ACCOUNT	Deferred Vacation 3/25/2011	5,970.02	
TWP OF OCEAN PAYROLL ACCOUNT	Off Duty Police 4/8/11	7,650.00	
US BANK CUST CCTS CAP.LLC	REDEMPTION 09-00111 B25.33 L2	32,062.94	

Total **116,817.25**

Total Trust Other Payments **116,817.25**

Animal Control Trust Payments

NJ STATE DEPT OF HEALTH	MARCH '11 STATE DOG REPORT	102.60
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Total **102.60**

Total Animal Control Trust Payments **102.60**

Total Bill List for April 11, 2011

Appropriation Reserve Total	7,160.69
Current Fund Total	7,327,694.03
General Capital Fund Total	171,872.76
State & Federal Grant Total	1,559.21
Law Enforcement Trust Total	3,610.00
TORTA Total	2,484.54
Trust Other Total	116,817.25
Animal Control Total	102.60
Bid Deposit Refund	
State Unemployment Trust	
Trust Assessment Fund	
Total of All Funds	7,631,301.08

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X (*)
Opposed					
Not Voting/Recuse					
Absent/Excused					

*Yes, except to those in which I may have a conflict:
 Sanford Brown, Esq.
 James Higgins Associates
 Kepwel Spring Water Co.

RESOLUTIONS:

11-067 Authorize the Consideration of Bids for the following:

a. Abandoned Vehicles

WHEREAS, the Township of Ocean Governing Body authorized the receipt of bids for the sale of the following Abandoned Vehicle on February 23, 2011;

YEAR	MAKE	MODEL	VIN #	MINIMUM BID
1978	Mercedes	450S Convertible	10704412045014	\$3,066.00

WHEREAS, the Township Clerk did duly advertise the sale of the aforementioned abandoned vehicle(s) on March 10, 2011 in The Coaster, to receive bids for the Township's sale of the aforementioned vehicles on March 15, 2011; and

WHEREAS, it is the recommendation of the Township Manager and Police Department, since their were no responses to said bid, the title was turned over to Central Towing in lieu of towing and storage charges; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Ocean, County of Monmouth that authorization is hereby given to award the title of the aforementioned vehicle(s) to Central Towing Company; and

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

1. Ocean Township Traffic Bureau
2. Central Towing Company

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

11-068 Authorize submission of the 2010 Municipal Recycling Tonnage Grant Application.

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2010 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township of Ocean to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of Township of Ocean that the Township of Ocean hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates William McMahon to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

11-069 Authorize a Uniformed Shared Services and Consolidated Agreement with the Borough of West Long Branch for 9-1-1 Emergency Dispatch Services

WHEREAS, the Uniformed Shared Services and Consolidation Act, N.J.S.A. 40:65-1, et. seq. authorizes joint activities among municipalities and was enacted with the intent to facilitate and promote shared services agreements; and

WHEREAS, the Township of Ocean and the Borough of West Long Branch are desirous of entering into an agreement whereby the Borough of West Long Branch will utilize the Township of Ocean's Emergency Dispatch Services for a three (3) year period from July 1, 2011 through June 30, 2014, pursuant to an Agreement being entered into by both parties; and

WHEREAS, the said Agreement provides that the Township of Ocean shall provide all 9-1-1 calls to the Recipient by call relay, transfer, or direct emergency dispatch; and

WHEREAS, the Borough of West Long Branch hereby agrees to pay the Township of Ocean the following rates: Year #1 - \$6,000.00, Year #2 – \$7,000.00, and Year #3 - \$8,000.00;

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 Inter-local Services Agreement between the Township of Ocean and the Borough of West Long Branch for the use of the Township of Ocean Emergency Dispatch Services for a three (3) year period running from July 1, 2011 through June 30, 2014 during which the Township of Ocean will receive the payment as noted above; and

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

BE IT FURTHER 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

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

11-070 Authorize the implementation of the alarm services Web Inquiry and Payment Program provided through Paymentech, LLC

WHEREAS, the Township of Ocean desires the residents to have the ability to review alarm billing and payment information through a link on the Township’s web site and allow residents to make credit card and check payments through the internet, and

WHEREAS, a new software application from ATB Services (Alarm Tracking & Billing), which currently provides Alarm Management Services to the Township of Ocean, allows residents to inquire about their alarm accounts and make credit card and check payments through the internet via their software program; and

WHEREAS, the payment portal is provided through Paymentech, LLC; and

WHEREAS, it is the recommendation of the Township Manager and the Director of Finance that credit card processing services provided through the Web via Paymentech, LLC, be authorized and that the Alarm Inquiry and Payment Program provided by ATB Services be implemented by the Township of Ocean;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that the Township Manager is hereby authorized to execute and deliver all necessary documents related to the implementation of the Web Inquiry and Payment Program provided by ABT Services with credit card processing on-line provided through Paymentech, LLC; 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. Director of Finance
2. Paymentech, LLC

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

11-071 Authorize the Tax Collector to issue a refund to property owners who have received a favorable State Tax Appeal judgments

AUTHORIZING THE CANCELATION OF 2010 TAXES AND REFUNDING THE TAX OVERPAYMENTS FROM 2010 RESULTING FROM NEW JERSEY STATE TAX COURT JUDGMENT TO THE TAXPAYER

WHEREAS, the State of New Jersey Tax Court has rendered judgments on appeals made by a tax payer regarding the property assessment of their property, and,

WHEREAS, the property owner had their property assessment reduced by the State of New Jersey Tax Court resulting in a reduction in the total taxes to be paid to the Township of Ocean for the year 2010,

WHEREAS, proper procedures require that the 2010 tax assessments be adjusted and refunds be made for taxes overpaid in 2010 that resulted from New Jersey Tax Court judgments reducing the property assessment reflected in the Tax Assessor’s Field Book for 2010.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth and State of New Jersey that it does hereby authorize the Tax Collector to adjust the 2010 tax assessment based on the State Tax Board Judgment and refund the tax overpayments for 2010 taxes as listed below:

Block/Lot	Property Owner	Property Address	2010 Tax Overpayments	Total Refund
149 01 1 01	SEAVIEW CORP. PARK, LTD % US REALTY	2603 ROUTE 66	34,084.03	34,084.03
Totals			34,084.03	34,084.03

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

1. Tax Collector
2. Township Auditor

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

11-072 Authorize the Tax Collector to issue refund check(s) in the amount of \$3,436.to the owner of Block 123, Lot 52, who has been declared 100% disabled veteran.

AUTHORIZING CANCELLATION AND REFUND OF REAL ESTATE TAXES PAID FOR TOTALLY DISABLED VETERANS

WHEREAS, the following individual filed an application with the Assessor for a Total Disabled Veteran and was given approval effective January 1, 2011:

Owner Name	Block	Lot	Qual.	Address
Monahan, Robert C. & Stella M.	123	52		38 Ballard Drive

WHEREAS, the following 2011 taxes should be canceled and payments made on canceled taxes be refunded:

Owner Name	1 st Quarter 2011	2 nd Quarter 2011	3 rd Quarter 2011	4 th Quarter 2011	Total Refund
Monahan, Robert C. & Stella M.	2,936.76	500.00	0	0	3,436.76

WHEREAS, Taxes for the first half of 2011 levied on this property are \$5,873.51, of which Mr. Monahan paid \$2,936.76 and the State of New Jersey provided a Homestead Credit in the amount of \$500.00 and is now entitled to a refund and the first half of 2011 taxes assessed at \$5,873.51 should be canceled.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth, that the Tax Collector is hereby authorized to cancel the Real Estate Taxes for the 2011 tax year and refund the 2011 taxes already paid by the individual listed above.

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

1. Director of Finance/Tax Collector
2. Township Auditor

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

11-073 Authorize the award of a Professional Services Contract to Johnson & Urban, LLC to provide engineering services related to the replacement of the chiller and boiler at the Municipal Building at a cost not to exceed \$65,000.00

WHEREAS, the Township of Ocean is in need of the services of an engineering firm to provide engineering design and construction administration services associated with the replacement of the chiller and boiler at the Municipal Building; and

WHEREAS, the Township of Ocean solicited Professional Services Proposal from engineering firms that specialize in said services and the following responded to said solicitation:

Johnson & Urban, LLC, Holmdel, NJ	\$65,000.00
Birdsall Services Group, Eatontown, NJ	\$79,730.00
Concord Engineering Group, Inc., Voorhees, NJ	\$98,840.00

WHEREAS, 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, Johnson & Urban, LLC, Holmdel,, 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 \$65,000.00 for engineering design and construction administration services associated with the replacement of the chiller and boiler at the Municipal Building; and,

WHEREAS, the Director of Finance has certified that there are available sufficient funds for the purpose of the award of this contract in Ordinance #2145, Account #C-04-55-931-995; and

WHEREAS, Johnson & Urban, LLC, Holmdel, NJ has previously submitted a Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form certifying that Johnson & Urban, LLC 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 Johnson & Urban, LLC 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 Johnson & Urban, LLC, Holmdel, NJ, as described herein with a not to exceed provision of \$65,000.00; 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. Johnson & Urban, LLC
4. Director of Public Works

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

11-074 Amend the 2011 Capital Budget

**RESOLUTION AMENDING THE CAPITAL BUDGET
PURSUANT TO N.J.A.C. 5:30-4.4B**

WHEREAS, The Township of Ocean, County of Monmouth in the State of New Jersey desires to amend the 2011 Capital Budget of said municipality by inserting thereon and or correcting the items there in as shown in such budget for the following reasons:

1. A bond ordinance authorizing the expenditure of \$2,569,280.00 and the issuance of Bonds or Bond Anticipation Notes in the amount of \$1,898,670.00 for the purchase of public works equipment, computer equipment, police department improvements, recreation improvements, reconstruction of various streets and purchases of equipment.

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

SECTION 1. The 2011 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 2011
Method of Financing**

PROJECT	EST. COST	BUDGET APPROP	CAPITAL IMPR FUND	DONATION	GENERAL BONDS
Public Works Equipment	128,000.00		6,400.00		166,250.00
Computer Equipment	20,000.00		1,000.00		19,000.00
Police Dept Improvements & Equipment	-14,500.00		-725.00		-13,775.00
Recreation Improvements	-50,000.00		-2,500.00		-47,500.00
OEM Equipment	-14,000.00		-700.00		-13,300.00
Equipment purchased from Capital Improvement Fund	10,680.00		10,680.00		0.00
Total	80,180.00		14,155.00		66,025.00

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.

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recues					
Absent/Excused					

ORDINANCES:

Adoption(s):

Ordinance #2169 – An Ordinance amending and supplementing Chapter 21 of the Comprehensive Land Development Ordinance of the Township of Ocean establishing regulations for Outdoor Lighting
(P.H. 4/11 Coaster)

The following vote was taken to open the Public Hearing on Ordinance #2169

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve	X				
Motion to Second		X			
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

Mr. Brannen explained that this Ordinance was a collaboration between the Environmental Commission and the Planning Board, and the purpose was to bring the requirements up to today's standards and requirements.

Public Comments:

Seeing that there were no other public comments on Ordinance #2169, the following vote was taken to close the Public Hearing:

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve	X				
Motion to Second		X			
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

The following vote was taken to adopt Ordinance #2169 and advertise according to law:

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve	X				
Motion to Second		X			
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

Introduction(s):

Ordinance #2167 - An Ordinance amending and supplementing Chapter 21 of the Comprehensive Land Development Ordinance of the Township of Ocean establishing regulations for the Affordable Housing Development Fees
(P.H. 5/16/11 Coaster)

ORDINANCE #2167**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 21 OF THE COMPREHENSIVE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF OCEAN**

BE IT ORDAINED by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey that the following be and is hereby added:

ARTICLE III. be and is hereby amended to include the following:

21-9A. Affordable Housing Development Fees.**SECTION I**1. *Purpose*

- a) In Holmdel Builder's Association v. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.
- b) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction may retain fees collected from non-residential development.
- c) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

2. *Basic requirements*

- a) This ordinance shall not be effective until approved by the Superior Court or COAH pursuant to N.J.A.C. 5:96-5.1.
- b) Ocean Township, Monmouth County, shall not spend development fees until the Superior Court or COAH has approved a plan for spending such fees in conformance with N.J.A.C. 5:97-8.10 and N.J.A.C. 5:96-5.3.

3. *Definitions*

- a) The following terms, as used in this ordinance, shall have the following meanings:

- i. "Affordable housing development" means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.
 - ii. "COAH" or the "Council" means the New Jersey Council on Affordable Housing established under the Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.
 - iii. "Development fee" means money paid by a developer for the improvement of property as permitted in *N.J.A.C. 5:97-8.3*.
 - iv. "Developer" means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
 - v. "Equalized assessed value" means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).
 - vi. "Green building strategies" means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.
4. *Residential Development fees*
- a) Imposed fees
 - i. Within all zoning districts, residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of one and a half percent (1.5%) of the equalized assessed value for residential development, provided no increased density is permitted.
 - ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers may be required to pay a development fee of six percent (6%) of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal one and a half percent of the equalized assessed value on the first two units; and the specified higher percentage up to six percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.
 - b) Eligible exactions, ineligible exactions and exemptions for residential development
 - i. Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality,

and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.

- ii. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
- iii. Owner-occupied residential structures demolished and replaced as a result of a fire, flood, or natural disaster shall be exempt from paying a development fee.
- iv. Developers of new single-family detached dwelling units built on an in-fill lot or as part of a minor subdivision that does not involve the creation of more than one new lot shall be exempt from paying a development fee.

5. *Non-residential Development fees*

a) Imposed fees

- i. Unless otherwise prohibited by law, within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
- ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
- iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

b) Eligible exactions, ineligible exactions and exemptions for non-residential development

- i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.
- ii. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
- iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New

Jersey Non-Residential Development Certification/Exemption” Form. Any exemption claimed by a developer shall be substantiated by that developer.

- iv. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time as the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
- v. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by Ocean Township as a lien against the real property of the owner.

6. *Collection procedures*

- a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF “State of New Jersey Non-Residential Development Certification/Exemption” to be completed as per the instructions provided. The developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.
- d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
- f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- g) Should Ocean Township fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).

- h) Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.
- i) Appeal of development fees
 - 1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by Ocean Township. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
 - 2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by Ocean Township. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

7. *Affordable Housing trust fund*

- a) There is hereby created a separate, interest-bearing housing trust fund to be maintained by the chief financial officer for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - 1. payments in lieu of on-site construction of affordable units;
 - 2. developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
 - 3. rental income from municipally operated units;
 - 4. repayments from affordable housing program loans;
 - 5. recapture funds;
 - 6. proceeds from the sale of affordable units; and
 - 7. any other funds collected in connection with Ocean Township's affordable housing program.
- c) Within seven days from the opening of the trust fund account, Ocean Township shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, the bank, and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).
- d) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

8. *Use of funds*

- a) The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the housing trust fund may be used for any activity

approved by COAH to address Ocean Township's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.

- b) Funds shall not be expended to reimburse Ocean Township for past housing activities.
- c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.
 - i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.
 - ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.
 - iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d) Ocean Township may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.
- e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

9. *Monitoring*

- a) Ocean Township shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing

affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with Ocean Township's housing program, as well as to the expenditure of revenues and implementation of the plan approved by the court. All monitoring reports shall be completed on forms designed by COAH.

10. *Ongoing collection of fees*

- a) The ability for Ocean Township to impose, collect and expend development fees shall expire with its judgment of compliance unless Ocean Township has filed an adopted Housing Element and Fair Share Plan with COAH or the Superior Court, has petitioned for substantive certification or filed a declaratory action seeking a judgment of repose, and has received COAH or a court's approval of its development fee ordinance. If Ocean Township fails to renew its ability to impose and collect development fees prior to the expiration of its judgment of compliance it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). Ocean Township shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall Ocean Township retroactively impose a development fee on such a development. Ocean Township shall not expend development fees after the expiration of its substantive certification or judgment of compliance.

SECTION II. Non-Residential Fee Provisions.

This Ordinance and the provisions set forth in Article I above are being adopted in accordance with Section 8 of P.L. 2008, c. 46 (N.J.S.A. 52:27D-329.2(a)) and the policies, procedures and requirements of the New Jersey Council on Affordable Housing ("COAH"). Pursuant to COAH's requirements for approval of a municipal development fee ordinance and the model ordinance promulgated by COAH, the Township is required to, and has, included provisions for the assessment and collection of non-residential development fees. Notwithstanding the inclusion of such provisions as required by COAH, the Township notes and acknowledges that recently there have been legislative enactments impacting upon the collection of non-residential development fees, including but not limited to, Sections 32 through 38 of P.L. 2008, c. 46 (N.J.S.A. 40:55D-8.1 through 40:55D-8.7), known as the "Statewide Non-Residential Development Fee Act," and Sections 36 through 41 of P.L. 2009, c. 90, known as the "Economic Stimulus Act of 2009." The Township shall continue to abide by the applicable law concerning the collection of non-residential development fees.

SECTION III.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION IV.

This Ordinance will take effect upon passage and publication according to law.

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve	X				
Motion to Second		X			
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

Ordinance #2170 - An Ordinance amending in part Bond Ordinance No. 2127 adopted (P.H. 5/16/11 Coaster) on November 9, 2009, providing for various improvements in order to more fully describe the improvements and equipment authorized thereby, authorized in and by the Township of Ocean, in the County of Monmouth, New Jersey

No. 2170

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 2127 ADOPTED ON NOVEMBER 9, 2009, PROVIDING FOR VARIOUS IMPROVEMENTS IN ORDER TO MORE FULLY DESCRIBE THE IMPROVEMENTS AND EQUIPMENT AUTHORIZED THEREBY, AUTHORIZED IN AND BY THE TOWNSHIP OF OCEAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Township of Ocean, in the County of Monmouth, New Jersey (the "Township") adopted Bond Ordinance No. 2127 on November 9, 2009 (the "Bond Ordinance") authorizing various improvements; and

WHEREAS, the Bond Ordinance is the subject of a prerogative writ action known as Ocean Open Government v. Ocean Township, Docket No. MON-L-4495-09PW, which, among other things, alleges that the Bond Ordinance does not adequately describe the improvements and equipment authorized therein; and

WHEREAS, the Township has determined that the improvements authorized by the Bond Ordinance should be set forth in greater detail without changing the aggregate appropriation or debt authorization for said purposes, by amendment of the Bond Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the TOWNSHIP 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 One. Section 3 (a) of Bond Ordinance No. 2127 shall be amended in its entirety to read as follows:

Section 3 (a). The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the projects listed below, together with all purposes 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, and the estimated cost of each project, estimated maximum amount of bonds or notes, and the period or average period of usefulness of the improvements are as follows:

(i) the acquisition of Public Works equipment and vehicles, including two (2) automated trash trucks; replacement of roof top chiller at Town Hall; and the acquisition of one (1) mason dump truck, with a total appropriation and estimated cost of \$794,000, estimated maximum amount of bonds or notes therefor of \$754,300, and an average period of usefulness of 10.47 years;

(ii) the acquisition of computers, monitors, servers and other computer related items, with a total appropriation and estimated cost of \$60,020, estimated maximum amount of bonds or notes therefor of \$57,018, and an average period of usefulness of 5 years;

(iii) the acquisition of equipment for the Police Department, including MobilVision digital mobile video recording systems and police digital radio system, with a total appropriation and estimated cost of \$635,010, estimated maximum amount of bonds or notes therefor of \$603,259, and an average period of usefulness of 15 years;

(iv) recreation improvements, including the resurfacing of tennis courts, with a total appropriation and estimated cost of \$28,177, estimated maximum amount of bonds or notes therefor of \$22,927, and an average period of usefulness of 15 years; and

(v) roadway improvements, including reconstruction of various streets, with a total appropriation and estimated cost of \$486,720, estimated maximum amount of bonds or notes therefor of \$193,298, New Jersey Department of Transportation grant funds of \$283,250, and an average period of usefulness of 10 years.

Section Two. The appropriation (\$2,003,927), debt authorization (\$1,630,802) and other authorizations of the Bond Ordinance remain unchanged and are ratified hereunder.

Section Three. All ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section Four. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final passage, as provided in the Local Bond Law, N.J.S.A. 40A:2-1 et seq.

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve	X				
Motion to Second		X			
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

Ordinance #2171 – A Bond Ordinance for various improvements and appropriating (P.H. 5/16/11 Coaster) \$2,569,280 therefor and authorizing the issuance of \$1,898,670 bonds or notes to finance a portion of the costs thereof, authorized in and by the Township of Ocean, in the County of Monmouth

Bond Ordinance No. 2171

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$2,569,280 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,898,670 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 TOWNSHIP 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 \$2,569,280, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$110,610 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., \$400,000 available from the General Capital Fund balance, and \$160,000 grant funds expected to be received by the Township from the New Jersey Department of Transportation. 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 \$1,898,670, 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 projects listed below, together with all purposes 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, and the estimated cost of each project, estimated maximum amount of bonds or notes, and the period or average period of usefulness of the improvements are as follows:

(i) the acquisition of Public Works equipment and vehicles, including one (1) automated trash collection truck; one (1) Cat Loader; Case Loader improvements; one (1) ten (10) cubic yard dump truck; office renovations to Town Hall; fencing for Wanamassa & Oakhurst ball field; acquisition of two (2) snow plows; replacement of chiller and boiler at Town Hall; one (1) landscape trailer; garage doors for Public Works buildings; and fire and security alarms for various buildings, with a total appropriation and estimated cost of \$1,165,100, estimated maximum amount of bonds or notes therefor of \$1,106,845, and an average period of usefulness of 10.97 years;

(ii) the acquisition of computers, monitors, servers and other computer related items, with a total appropriation and estimated cost of \$60,000, estimated maximum amount of bonds or notes therefor of \$57,000, and an average period of usefulness of 5 years;

(iii) the acquisition of vehicles for the Police Department, including two (2) emergency sports utility vehicles and equipment, with a total appropriation and estimated cost of \$71,500, estimated maximum amount of bonds or notes therefor of \$67,925, and an average period of usefulness of 5 years;

(iv) recreation improvements, including the reconstruction of Wayside tennis court and resurfacing of the Township pool, with a total appropriation and estimated cost of \$312,000, estimated maximum amount of bonds or notes therefor of \$296,400, and an average period of usefulness of 15 years;

(v) road improvements, including the 2011 Road Improvement Program and Sunset Avenue Reconstruction Phase IV, with a total appropriation and estimated cost of \$950,000, estimated maximum amount of bonds or notes therefor of \$370,500, \$400,000 available from the General Capital Fund balance, and New Jersey Department of Transportation grant funds of \$160,000, and an average period of usefulness of 10 years; and

(vi) equipment purchased from Capital Improvement Fund, including equipment for the police department, municipal court and recreation department, with a total appropriation and estimated cost of \$10,680 and an average period of usefulness of 5 years.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,898,670, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,569,280, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$2,569,280 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$110,610 down payment, \$400,000 available from the General Capital Fund balance, and the New Jersey Department of Transportation Grant in the amount of \$160,000.

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 10.77 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 \$1,898,670 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$302,000 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, excluding the grant funds referenced in Section 1 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized 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.

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Evans	Mayor Larkin
Motion To Approve	X				
Motion to Second		X			
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

Council Reports:

Councilmember Schepiga reminded everyone that the Memorial Day Parade is scheduled for May 30, 2011. Also, Project Clean Sweep was held on April 10, 2011 and was a great success. Councilmember Schepiga thanked all of the volunteers that assisted.

Councilmember Siciliano stated that Colonial Terrace Golf Course is running a special where it will only cost \$12.00 per round of golf.

The following Councilmember(s) offered no report:

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

PUBLIC COMMENTS:

Mark Rogoff thanked the Governing Body for Resolution #11-065. Also, they held the first-ever Greenfest and it was very successful. Mr. Rogoff wanted to thank Wegmans for supplying all the bird food.

Mirco Kaja inquired as follows:

1. Status of the red light cameras

Mr. Brannen stated that the contracts are still being reviewed and will be on for the May 16, 2011 meeting.

Mayor Larkin gave a brief history of these red light cameras and informed those in attendance that the Township will be the first municipality in Monmouth County to have them installed. Mayor Larkin also gave a brief synopsis of how they will work.

2. With regard to the Newsletter, why do they get delivered to PO Boxes?

Mr. Brannen stated that the post office goes by zip code and so anybody with an Ocean Township zip code will get a copy.

3. With regard to automated garbage collection, Mr. Kaja was concerned about the difference in the projected cost of the tippers and the actual cost of same, which resulted in a savings of approximately \$150,000.00. Mr. Kaja felt that the projected cost helped inflate the potential savings.

Mr. Brannen, explained how the projections were determined and the variations in costs, which resulted in a savings to the Township.

4. Recycling Tonnage Grant – asked for an explanation

Mr. Brannen stated that the funds received from this Grant are used to fund certain projects/purchases.

5. Personnel Savings - should the savings go towards the budget

Mr. Brannen explained that the savings were a result of more senior employees retiring, as opposed to new one's, which resulted in a savings of approximately \$115,000.00.

Also, Mr. Kaja inquired as to why the Township did not do any furlough's to reduce the Budget.

6. Status of the reimbursement from the State for snow removal

Mr. Brannen stated that the Township had received partial reimbursement and is waiting for the balance to be received.

F. K. Hudson inquired about status of the COAH litigation

Mr. Arbus explained that the Township's Affordable Housing Plan needs to be submitted by May 10, 2011 and must be passed by the Township by July 2011.

Mr. Hudson also stated that perhaps the Township should look into having an escape clause in the Red Light Camera contract. Also, who will be mailing the violation notices?

Mr. Brannen stated that the contract will have an escape clause. The Company will be responsible for mailing the notices but the violators will be heard in the Township's Court.

Bob Ades inquired if a sample can be shown of what the violation notice will look like, so as to avoid any misunderstanding when received

Mr. Brannen will look into having one available.

Mitch Nelson also discussed the alarm revisions and inquired as follows:

1. Will the previously registered alarms be billed

Mr. Brannen stated that everyone will be sent a notice stating that they must register their alarm prior to May 31, 2011 and billing will be based on that registration.

Seeing that there were no other questions, the meeting was adjourned.

Record of Vote	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Councilman Siciliano	Mayor Larkin
Motion To Approve			X		
Motion to Second		X			
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

Respectfully submitted,

William F. Larkin
Mayor

Vincent Buttiglieri, RMC/CMC
Municipal Clerk