

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

NOVEMBER 9, 2009

OAKHURST, NEW JERSEY

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

Present: Mayor Larkin
Deputy Mayor Hiers, Councilmember(s) Schepiga, Siciliano

Absent: Councilmember Garofalo

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

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

Statement of Compliance with the Open Public Meetings Act:

Mayor Larkin announced that the notice requirements of the Open Public Meetings Act for this meeting have been satisfied; a copy of the Annual Notice was sent to the Asbury Park Press and The Coaster, posted in Town Hall and filed in the Office of the Township Clerk on December 16, 2008 and June 15, 2009.

Fire Exit Procedures:

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

NOTICE:

All cell telephones must be turned off. If you need to make a call, please make your call outside the meeting room.

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

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

Public Questions:

Larry Loigman inquired about following Agenda items:

1. Various vouchers and the nature of the expenditures
2. Resolution #09-176 – asked for clarification on which party owner which parcels of land, the dimensions, the value of each and the reasoning behind the land exchange.

Martin Arbus, Esq., Township Attorney, responded that the Township owns certain parcels and the English Manor owns certain parcels. The latter is actually part of the Colonial terrace Golf Course. Since the acquisition of the golf course, the Township and the English Manor had been in discussion about this very exchange.

Mr. Loigman also inquired about the value of all parcels and had an appraisal been ordered to determine the value. Mr. Arbus explained that the Township was giving up .49 acres and receiving 2 acres but in terms of value, both have value

to the party that is acquiring it and all that an appraisal would do is give a value based on square footage.

Mr. Loigman further inquired if there were any other properties like this. Mr. Arbus explained that there was another piece in the same vicinity that the Township is negotiating with the owner to acquire and this too, will be a land swap.

3. Resolution 09-184 – asked how much the Township was paid by the Village of Loch Arbour in 2008 and 2009 and how much was the cost to the Township to provide these services.

Andrew Brannen, Township Manager, responded that the fees being received by the Township for 2010 are exactly the same as in 2008 and 2009 and the cost was minimal. Mr. Brannen further explained that the reason there was no increase from prior years was that this is for just one year and the hope is that the Township would be successful in securing a long term agreement subsequent to 2010.

4. Resolution #09-185 – why are these amounts being refunded and not credited for subsequent payments.

Mr. Brannen will look into whether these overpayments could be credited or did they need to be refunded, according to State Statute.

Brian Lefferson, inquired as follows:

1. Resolution #09-176 – who are the owners of the English Manor and will they be required to maintain the roadway.

Mr. Brannen explained that the property owners, Bob and Lisa Truesdale, will be eliminating the roadway in order to increase the size of the parking lot.

Mr. Lefferson also inquired as to the owners of the other parcel that the Township needs to do a land swap Mr. Arbus stated that the property owner is Mecchia and the Township is still negotiating with him regarding the parcel in question.

Robert Ades, inquired as follows:

1. Resolution #09-181 – asked for clarification for the appointment

Mr. Brannen explained that this individual was to be reappointed as Alternate I effective July 1, 2009 but was omitted from Resolution #09-086.

2. Resolution #09-187 – asked for clarification for this expenditure

Mr. Brannen explained that the fee being paid to the Township Engineer will be for the design, bid preparation and construction management of the renovations to the tennis courts at the Oakhurst Fireman's Field.

3. Resolution #09-188 – asked for clarification regarding the COAH litigation

Mr. Arbus explained that the Township has been served with three separate lawsuits all relating to COAH and Mount Laurel. The Township has hired an attorney who specializes in this type of litigation, and Resolution #09-188 hires a professional planner, who also specializes in these types of matters. Mr. Arbus reiterated that this process has just begun and could become quite lengthy and costly. Mr. Arbus also explained about the various remedies that could be awarded to the litigants, all depending on whether the Township is successful in

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proving their case that litigant number 1 was the “catalyst for change” and the other two were not.

4. With reference to Vouchers, Mr. Ades inquired about the fees paid for animal control and also a fee paid for an ethics conference registration.
5. Mr. Ades also asked when he could expect to see the financial statements for Colonial Terrace Golf Course for this past year. Mr. Brannen stated that they should be ready by the beginning of December.

Don Geiger inquired about a number of vouchers including fees for credit card payments made to the Township and whether the Township should include a surcharge for anyone using a credit card.

CONSENT AGENDA

Mayor Larkin announced that Resolution #09-180a was being removed from the Agenda and will be acted on at a future meeting.

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

MINUTES:

October 19, 2009 – Workshop, Public and Closed

October 26, 2009 – Special Public

November 3, 2009 – Workshop and Closed

RESOLUTIONS:

09-176 Authorize the Manager and Township Clerk to execute documents related to the submission of the Planning Board application related to the effect of a subdivision of Block 139, Lot 1 and Block 140, Lots 65.02, 67.01 and 69

WHEREAS, the Township of Ocean is owner of property known as Block 140, Lot 69; and

WHEREAS, the English Manor, LLC is the owner of property known as Block 139, Lot 1 and Block 140, Lots 65.02 and 67.01; and

WHEREAS, the Township of Ocean is desirous of submitting an application before the Township of Ocean Planning Board to subdivide these parcels of land to create three (3) lots;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Ocean County of Monmouth, State of New Jersey that the Township Manager and Municipal Clerk are hereby authorized to execute all applicable documents related to the submission of an application before the Township of Ocean Planning Board to effect a subdivision of Block 139, Lot 1 and Block 140, Lots 65.02, 67.01 and 69; and

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

1. Township of Ocean Planning Administrator
2. Township Manager
3. Township Engineer

09-177 Accept the Performance Guarantee for the following:**a. Block 10, Lot 18 – 4 Saxony Drive – Maurice Zekaria**

WHEREAS, the Township of Ocean has approved a development project on Block 10, Lot 18 also known as 4 Saxony Drive; and

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

WHEREAS, Maurice Zekaria has posted cash performance guarantees totaling \$14,364.00 along with engineering inspection fees totaling \$2,995.00 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. Maurice Zekaria

b. Block 12.03, Lot 4 – 155 Larchwood Avenue – Monmouth Custom Builders, Inc.

WHEREAS, the Township of Ocean has approved a development project on Block 12.03, Lot 4 also known as 155 Larchwood Avenue; and

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

WHEREAS, Monmouth Custom Builders, Inc. has posted cash performance guarantees totaling \$4,608.00 along with engineering inspection fees totaling \$1,540.00 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. Monmouth Custom Builders, Inc.

09-178 Authorize the Release of Performance Guarantees for the following:**a. Block 130, Lot 6.01 – 1320 Vina Avenue – Palatial Homes, Inc.**

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

WHEREAS, Palatial Homes, Inc. Construction has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$2,772.00 to guarantee the completion of all improvements on premises located on Block 130, Lot 6.01 also known as 1320 Vina Avenue; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated October 21, 2009, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially completed and said representative of the Township Engineer recommends the acceptance of same and the release of the aforementioned cash performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% of the cost of the improvements and any outstanding engineering and administrative fees; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the performance guarantees totaling \$2,772.00 are hereby released, canceled and discharged.

BE IT FURTHER RESOLVED by the Township Council that this resolution shall not become effective unless and until the Township of Ocean is furnished with the posting of a maintenance guarantee in the amount of 15% (\$1,555.00) of the cost of the improvements and payment of any outstanding engineering and administrative fees; and

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

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

b. Block 10, Lot 25 – 200 Park Avenue – Kitchell Contracting, LLC

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

WHEREAS, Kitchell Contracting, LLC has heretofore deposited with the Township of Ocean cash performance guarantees totaling \$12,672.00 along with engineering inspection fees totaling \$2,960.00 to guarantee the completion of all improvements on premises known as Block 10, Lot 25 also known as 200 Park Avenue;

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer has advised the Township Manager by letter dated October 21, 2009 a copy of which is on file in the Office of the Township Clerk and made a part hereof, that since a replacement guarantee by another developer has been posted with the Township, the said representative of the Township Engineer recommends the release of the aforementioned performance guarantees and waiver of the maintenance guarantees subject to the payment of any outstanding engineering and administrative fees; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the performance guarantees hereinbefore referred to be and the same are hereby released, canceled and discharged as per the aforesaid memorandum of Gregory S. Blash.

BE IT FURTHER RESOLVED that the inspection escrows shall be held pending payments for engineering and administrative fees.

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

1. Kitchell Contracting, LLC
2. Township Engineer
3. Director of Finance
4. Director of Community Development
5. Construction Official

c. Block 3, Lots 7, 8 and 9 – 2121-2123 Highway 35 North – Gold Coast Automotive

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

WHEREAS, the Township Council did authorize and enter into a developer's agreement dated December 4, 2008 with Gold Coast Automotive, LLC for minor site plan, use variance and bulk variance approvals described as Block 3, Lots 7, 8 & 9 located at 2121-2123 Highway 35 North; and

WHEREAS, Gold Coast Automotive, LLC has heretofore deposited with the Township of Ocean performance guarantees totaling \$149,280.00, in the form of Performance Bond No. 863606 issued by Universal Underwriters Insurance Company in the amount of \$134,352.00 and cash in the amount of \$14,928.00 to guarantee the completion of all improvements on premises known as Block 3, Lots 7, 8 & 9; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer has advised the Township Manager by letter dated October 21, 2009, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that Gold Coast Automotive, LLC recently posted a new performance guarantee which replaces this guarantee with the Township and the said representative of the Township Engineer recommends the release of the aforementioned performance guarantee and the waiver of the maintenance guarantees subject to the payment of any outstanding engineering and administrative fees; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the performance guarantees hereinbefore referred to be and the same are hereby released, canceled and discharged as per the aforesaid memorandum from Gregory S. Blash subject to the payment of any outstanding engineering and administrative fees.

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

1. Township Engineer
2. Director of Finance
3. Construction Official
4. Director of Community Development
5. Gold Coast Automotive, LLC
6. Universal Underwriters Insurance Company

d. Block 62.02, Lot 9.01 – 35 Bruns Road – Olde Monmouth Builders, LLC

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

WHEREAS, Olde Monmouth Builders, LLC has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$7,416.00 to guarantee the

completion of all improvements on premises located on Block 60.02, Lot 9.01 also known as 35 Bruns Road; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated November 9, 2009, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially completed and said representative of the Township Engineer recommends the acceptance of same and the release of the aforementioned cash performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% of the cost of the improvements and any outstanding engineering and administrative fees; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the performance guarantees totaling \$7,416.00 are hereby released, canceled and discharged.

BE IT FURTHER RESOLVED by the Township Council that this resolution shall not become effective unless and until the Township of Ocean is furnished with the posting of a maintenance guarantee in the amount of 15% (\$3,090.00) of the cost of the improvements and payment of any outstanding engineering and administrative fees; and

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

1. Olde Monmouth Builders, LLC
2. Director of Finance
3. Construction Official
4. Director of Community Development
5. Township Engineer

09-179 Authorize a Time Extension with No Reduction for the following:

a. Block 1.02, Lot 39- 2128 Kings Highway – Central Jersey Radiologists

WHEREAS, on January 29, 2001, the Planning Board of the Township of Ocean did approve the application of Central Jersey Radiologists for preliminary and final site plan approval on property described as Block 1.02, Lot 39 located at 2128 Kings Highway; and

WHEREAS, the Township Council did authorize and enter into a developer's agreement dated June 13, 2001 with Central Jersey Radiologists for preliminary and final site plan approval on property described as Block 1.02, Lot 39 located at 2128 Kings Highway; and

WHEREAS, performance guarantees were posted totaling \$169,313.58 in the form of performance bond No. 13BCSAB1871 issued by Hartford Fire Insurance Company in the amount of \$152,382.22 together with cash in the amount of \$16,931.36; and

WHEREAS, the Township Council granted a time extension with no reduction of the performance guarantees by resolution dated March 22, 2006; and

WHEREAS, Louis J. Lobosco, P.E., P.P., representing the Township Engineer, has advised the Township Clerk by letter dated March 13, 2009, a copy of which is on file in the Office of the Township Clerk and made a part hereof, denying the request for release; 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 Central Jersey Radiologists and the Township of Ocean expressly subject to the following conditions:

1. Payment of any outstanding inspection fees
2. All required certificates of insurance be properly filed with the Office of the Township Clerk

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

1. Township Engineer
2. Director of Finance
3. Construction Official
4. Director of Community Development
5. Central Jersey Radiologists
6. The Hartford Fire Insurance Company

09-180 Authorize Amendments to the Release of Performance Guarantees for the following:

b. Block 35, Lot 88 – 38 Brandywine Road – MGO Group, Inc.

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

WHEREAS, the MGO Group, Inc. had deposited with the Township of Ocean a cash performance guarantee in the amount of \$4,669.20 to guarantee the completion of all improvements on premises located on Block 35, Lot 88 also known as 38 Brandywine Road; and

WHEREAS, the Township Council authorized the release of performance guarantees by way of a resolution dated October 19, 2009; and

WHEREAS, Louis J. Lobosco, P.E., P.P., representing the Township Engineer has advised the Township Manager by letter dated October 28, 2009, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that because the bonded work included only clearing and re-establishing the vegetation which is complete, said representative of the Township Engineer recommends the waiver of the maintenance guarantees; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the maintenance guarantees are hereby waived per the memorandum of Louis J. Lobosco, P.E., P.P.; and

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

1. MGO Group, Inc.
2. Director of Finance
3. Construction Official
4. Director of Community Development
5. Township Engineer

09-181 Amend appointments to the Township of Ocean Environmental Commission

WHEREAS, on March 16, 2009, per Resolution #09-032, the Township Council of the Township of Ocean appointed members to the Environmental Commission to replace those that had resigned; and

WHEREAS, Resolution #09-086 was passed on June 15, 2009 appointing members to said Commission whose terms were set to expire as of June 30, 2009; and

WHEREAS, a subsequent review was done regarding the Environmental Commission and it was determined that revisions were needed in order to properly reflect the members and their appropriate terms;

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

ENVIRONMENTAL COMMISSION	Member	Starting	Ending
2 year term	Marc Rogoff – Alternate #1	July 1, 2009	June 30, 2011

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

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

ROLL CALL (on all Consent Items):

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

INDIVIDUAL ACTION:

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

VOUCHERS: \$ 10,268,368.60

**Township of Ocean
 Department of Finance
 Voucher List for November 9, 2009**

Vendor Name	Description	Amount	Contract
<u>2009 Current Fund Appropriation Payments</u>			
ACCURINT FOR LAW ENFORCEMENT	PD- BACKGROUND SEARCHES- OCT	31.50	
ACUSHNET CO	RETAIL ITEMS CTGC	276.19	
AFLAC - NEW YORK	OCT 2009 MEDFLEX ADMIN CHARGES	25.00	
ALL AMERICAN TURF INC	June misc lawm mower parts	323.82	
ALLIED OIL LLC	October unlead & diesel fuel	32,116.12	
AMERICAN UNIFORM & SUPPLY CO	PD- DISPATCHER UNIFORM PANTS	239.94	
AMERICAN WEAR INC	October uniform rental	919.67	
AMERICAN WEAR INC	October rags for shop use	48.00	
ANJR	Registration one day seminar	179.00	
ANKIEWICZ, ALISON	FINGERPRINT REIMBURSEMENT	26.25	
ARBUS, MARTIN ESQ	SEP/OCT RETAINER,AUG-OCT LEGAL	14,036.66	C9-0007
ASSOCIATION ADVISORS	2009 GARBAGE REIMBURSEMENT	2,168.10	
ASSOCIATION ADVISORS	2009 STREETLIGHT REIMBURSEMENT	122.04	
ATLANTIC GLASS CO	Windshield for sani truck #9	425.00	
ATLANTIC PLUMBING SUPPLY CORP	October misc plumbing supplies	104.97	
BELL, W T	Fee for conducting Nature Walk	100.00	
BOARD OF FIRE COMMISSIONERS	4TH QTR 2009M SUBCODE INSP SVS	6,250.00	
BOARD OF FIRE COMMISSIONERS	2009 SUPPLEMENTAL FIRE SERVICE	7,902.00	
BOARD OF FIRE COMMISSIONERS	2009 SUPPLEMENTAL FIRE SERVICE	4,844.00	
BROWN, SANFORD ESQ	PB Reviews, Resolutions Sept	1,100.00	
BULLET LOCK & SAFE CO INC	October misc keys	192.75	

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Vendor Name	Description	Amount	Contract
BUTTIGLIERI, VINCENT CMC	REIMBURSE FOR MEETING EXPENSES	68.05	
BUTTIGLIERI, VINCENT CMC	OCTOBER 2009 PETTY CASH	147.72	
CALABRO, PHIL	SUPERVISOR ADULT BB OCTOBER	104.00	
CASO, SHERRY	SUPERVISE INSTR SOCCER SEPT/OC	161.25	
CASO, SHERRY	SUPERVISE INSTR SOCCER OCTOBER	166.62	
CITY OF LONG BRANCH	3q09 ANIMAL CONTROL SERVICES	7,743.75	
CLASSIC TOURS	SENIOR TRIP SEPT. 24	800.00	
COAST CITIES EQUIP SALES INC	Diesel emission inspection	2,595.00	
CONCEPT PROFESSIONAL	SERVICE CALL POOL pa system	125.00	
CONNEY SAFETY PRODUCTS	REC FIRST AID SUPPLIES	814.12	
CONTINENTAL LAND DEVELOPERS	2009 GARBAGE REIMBURSEMENT	15,154.80	
COTSWOLD GREEN CONDO ASSOC	2009 STREETLIGHT REIMBURSEMENT	183.06	
DELTA DENTAL PLAN OF NJ	November Dental Insurance	10,460.91	
DEPOSITORY TRUST COMPANY	NOV 2 BOND INTEREST PYMT DUE	113,262.50	
DIAMOND M LUMBER CO INC	BOARDS/BOLTS	904.34	
EAST COAST EMERGENCY LIGHTING	PD- NEW VEHICLE EQUIPMENT	2,834.08	
EAST COAST FLAG & BANNER CO IN	Flags for Municipal bldgs.	934.80	
EAST COAST SOD & SEED LLC	CTGC MISC SUPPLIES-	225.00	
EDWARDS TIRE CO INC	October recap & service tires	5,119.35	
EDWARDS TIRE CO INC	October tires Twp vehicles	1,938.87	
EMERGENCY COM NETWORK INC	PD- CODERED ADDITIONAL MINUTES	1,696.20	
FALCO, GARRET	SUPERVISE TEEN WREST. OCT.	78.00	
FLAGSHIP HEALTH SYSTEMS INC	November Dental Insurance	791.70	
FORT DEARBORN LIFE INS CO	Life Insurance Nov 2009	709.20	
GANN LAW BOOKS	2010 Edition NJ Court Rules	105.50	
GANNETT NJ NEWSPAPERS	A/C9459 10/17 DISMISSALS	51.30	
GANNETT NJ NEWSPAPERS	A/C9459 OCT/NOV LEGAL ADS	159.84	
GARCIA, MARIA	Spanish Intpr 10-06-09 Court	120.00	
GARIFINE, JACK	SUPERVISE SOCCER ASSIGNMENTS	500.00	
GEESE CHASERS LLC	GEESE CONTROL OCTOBER	862.33	
GEORGE WALL LINCOLN MERCURY	October misc parts	508.76	
GILES & RANSOME INC	Sept misc loader parts	32.88	
GILES & RANSOME INC	October misc loader parts	601.89	
GOLF CAR SPECIALITIES LLC	UTILITY VEHICLES CTGC OCTOBER	140.00	
GOLF CAR SPECIALITIES LLC	GOLF CAR LEASE 6TH PAY OCT.	1,900.00	
GOLF CAR SPECIALITIES LLC	REPAIR DAMAGED GOLF CAR	118.25	
GOVCONNECTION INC	PD- PRINTER TONER	698.00	
GOVCONNECTION INC	PD- USB CABLE	8.00	
GRAMCO BUSINESS	Liberty Recording Support	850.00	
GRAYBAR ELECTRIC CO	Sept misc supplies	1,251.79	
GRILL, ANTHONY	SUPERVISE TEEN WRESTLING OCT	104.00	
HALSEY, MATTHEW	SUPERVISE ADULT VOLLEYBALL OCT	144.00	
HARBOR SALES	Misc supplies for signs	800.00	
HCAA	CONTINUING EDUCATION-7 CREDITS	125.00	
HEARTLAND SERVICES INC	OCT PYMT FOR CREDIT CARD SALES	405.56	
HIDDEN MEADOWS CONDO ASSOC	2009 STREETLIGHT REIMBURSEMENT	732.24	
IDEAL LUMBER & SUPPLY CO	October misc lumber supplies	70.50	
INGENITO, NEIL CAPT	PD- PETTY CASH REIMBURSEMENT	188.59	
JAMES HIGGINS ASSOCIATES	COAH MEETING 9/18/2009	62.50	
JERSEY CENTRAL POWER & LIGHT	October electric general usage	19,698.98	
JERSEY CENTRAL POWER & LIGHT	October street lighting	19,545.69	
JIM CURLEY PONTIAC GMC TRUCK	October misc parts	16.66	
JIM CURLEY PONTIAC GMC TRUCK	Fuel tank needed for trk #17	900.87	
JOHN M DECKER	REFUND OF HOMESTEAD REBATE	1,182.54	
JOHNNY ON THE SPOT INC	ADA UNIT PALAIA PK/CTGC OCT	159.71	
KELLY WINTHROP, LLC.	Remove dead deer	50.00	
L & S CONTRACTING & RECYCLING	Compost turning	16,200.00	
L3 MOBILE-VISION INC	PD- NEW VEHICLE EQUIP	390.00	
LAGER GLASS CO INC	Replace broken glass panels	445.00	
LAKWOOD AUTO/ASBURY NAPA	October misc parts	2,319.30	
LANGUAGE LINE SERVICES	September Telephone Interpret	79.90	
LANIGAN ASSOCIATES INC	PD- SAFETY SUPPLIES - OCTOBER	98.42	
LEADERSHIP SEMINARS	ETHICS CONFERENCE REGISTRATION	712.00	
LEON S AVAKIAN INC	COPIES OF PLANS - 40 MONMOUTH	21.00	
LEON S AVAKIAN INC	COPIES OF PLANS	35.00	
LESCO - PROX	October misc supplies	318.89	

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Vendor Name	Description	Amount	Contract
LESCO - PROX	Paint for soccer fields	492.83	
LINE SYSTEMS, INC.	OCT 2009 PHONE SERVICE CHGS	3,903.93	
LL ENTERPRISES LLC	PD- CAR CHARGER	12.76	
LOWES INC	October misc building supplies	167.11	
MANOR @ WAYSIDE CONDO ASSOC	2009 STREETLIGHT REIMBURSEMENT	610.20	
MARTURANO RECREATION CO	ENCLOSED TOT SEATS	327.04	
MC KENNA, DU PONT, HIGGINS &	MAR-AUG 2009 TAX APPEALS	9,993.75	
MCAA OF MONMOUTH COUNTY	MCAA November '09 Meeting	25.00	
MCAA OF NJ	MCAA of NJ Dues	45.00	
MCAA OF NJ	League of Municipalities Conv.	50.00	
MIAMI SYSTEMS INC	Mailers	304.24	
MIDDLEBROOK AT MONMOUTH	2009 GARBAGE REIMBURSEMENT	20,060.40	
MILWIN FARMS HOMEOWNERS ASSOC	2009 STREETLIGHT REIMBURSEMENT	305.10	
MODERN EQUIPMENT SALES &	October msic parts	1,687.58	
MON CTY POLICE ACADEMY	PD- BCPO TRAINING / WALKER	390.00	
MONMOUTH COUNTY TREASURER	4TH QTR 2009 GENERAL CTY TAXES	3,161,599.21	
MONMOUTH COUNTY TREASURER	4TH QTR 2009 OPEN SPACE TAXES	204,110.94	
MONMOUTH COUNTY TREASURER	4TH QTR 2009 LIBRARY TAXES	183,128.55	
MONMOUTH COUNTY TREASURER	SENIOR RIDES 3 RD QUARTER 09	3,432.00	
MONMOUTH PAPER CO	ENVELOPES	91.51	
MOORE, MICHAEL	REIMBURSE FINGERPRINTING	26.25	
MORPHO TRAK	PD- LIVESCAN MAINTENANCE/UPGRD	2,146.00	
NEOPOST, INC.	POSTAL MACHINE INK CARTRIDGE	129.00	
NEPTUNE AUTO SUPPLY	Sept misc parts	1,643.85	
NJ NATURAL GAS CO	Sept gas usage Twp buildings	1,598.14	
NJ SEM	INITIAL MEMBERSHIP FEE FOR	600.00	
NJ ST LEAGUE OF MUNICIPALITIES	badges	540.00	
NJ ST LEAGUE OF MUNICIPALITIES	MUNICIPAL LIENS 12/2/09	100.00	
NJ STATE ASSOC OF CHIEFS OF	PD- DOMMAND & LEADERSHIP PROG	1,000.00	
NJAWC	Sept water usage	3,884.77	
OAK MEWS CONDO ASSOC	2009 STREETLIGHT REIMBURSEMENT	91.53	
OLD DOMINION BRUSH CO	Misc parts for street sweepers	1,304.00	
O'SHEA TRUCK CENTER	October misc parts	166.04	
P F PETTIBONE & CO	MINUTE BOOK COVER/RED & BLACK	309.75	
POWERHOUSE SIGNWORKS	Lettering for enforecemnt vehi	150.00	
PROVIDENT CT CONDOMINIUM ASSOC	2009 STREETLIGHT REIMBURSEMENT	61.02	
QSCEND TECHNOLOGIES INC	Qscend Yearly support	3,417.00	
RALPH CLAYTON & SONS	Concrete for generator at Gym	346.00	
REALTY APPRAISAL CO	EXAM, APPRAISAL, PREP 2009 ADDED	8,625.00	C9-0008
RECCHIA, CORRIE-ROSE	REIMBURSEMENT FINGERPRINTING	26.25	
RED THE UNIFORM TAILOR	PD- DAMAGE SHIRT/TONGRING	64.50	
RELIABLE WOOD PRODUCTS LLC	September recycle brush	9,048.00	
ROGER HANKE	REFUND OF ADULT VOLLEYBALL REG	10.00	
ROLLING MEADOWS AT WAYSIDE	2009 STREETLIGHT REIMBURSEMENT	945.81	
ROY PRESS INC	Work sheets for mechanics	205.00	
RUTGERS THE STATE UNIVERSITY	Registration for seminar	600.00	
SEA BREEZE FORD INC	October misc parts	1,000.24	
SEABOARD FIRE & SAFETY	PD- CO2 REFILLS - OCTOBER	34.70	
SEABOARD WELDING SUPPLY INC	PD- OXYGEN REFILLS - OCTOBER	279.60	
SEABOARD WELDING SUPPLY INC	October propane for patch trk	281.30	
SEACOAST CHEVROLET OLDSMOBILE	October msic parts	359.11	
SHAH, NAVNITLAL	Urdu Intrpr-Court sess 10-20-09	103.00	
SHEARON ENVIRONMENTAL DESIGN	MAINTENANCE CONTRACT CTGC	23,178.64	
SIPERSTEIN'S PAINT	October misc paint & supplies	235.16	
SPRINT PO MANAGEMENT	Service for Sept 27 - Oct 26	49.99	
STATE TOXICOLOGY LABORATORY	PD- RANDOM DRUG TESTING	210.00	
STAVOLA ASPHALT CO INC	October 1st half patch program	386.70	
STAVOLA ASPHALT CO INC	October 2nd half patch program	129.29	
STEINBERG, MARK A ESQ	BOA meeting and resolutions	812.50	
STORR TRACTOR CO	October misc parts	441.44	
STORR TRACTOR CO	Misc parts for sand pro	996.90	
SUPPLY KING INC	FLOOR MAINTENANCE SUPPLIES	538.87	
TAYLOR FENCE CO INC	Split rail fence for stock	925.00	
TERRY GRIBBEN'S TRANSCRIPTION	SEPT 16 TRANSCRIBER SERVICES	634.50	
THATCHER, LINDA	SUPERVISOR BIDDY SOCCER-OCT	188.00	
THE BANK OF NEW YORK	MON CTY IMPROV AUTH BOND/INT	933,421.70	

MEETING MINUTES

NOVEMBER 9, 2009

Vendor Name	Description	Amount	Contract
THE DETAIL PROFESSIONAL	PD- VEH CLEANING/DETAILING #43	150.00	
THE NEW COASTER LLC	OCT 29 LEGAL ADVERTISEMENTS	88.04	
TOWNE HARDWARE	October misc maint supplies	148.94	
TRAP ROCK	Misc drainage supplies	1,539.39	
TREASURER COUNTY OF MONMOUTH	October dumping fees	54,845.63	
TREASURER OF SCHOOL MONIES	NOV 2009 SCHOOL TAXES PAYABLE	4,460,128.65	
TREASURER STATE OF NJ	Pesticide license fees	160.00	
TREASURER STATE OF NJ	Annual inspection fees	572.00	
TRICO EQUIPMENT INC	Misc parts for tink claws	2,038.30	
US 1 AUTO PARTS	October misc parts	784.98	
US POSTAL SVS(NEOPOST ON CALL)	REPLENISH POSTAGE METER	5,000.00	
VAN CLEEF, KYMME	Sign Language Intrpr 10-06-09	120.00	
VANTAGEPOINT TRANSFER AGENTS	Retiree Health Benefits	2,811.69	
VERIZON BUSINESS FIOS	FIOS SERVICE FOR AUG., 2009	99.99	
VERIZON BUSINESS FIOS	FIOS SERVICE FOR SEPT., 2009	99.99	
VERIZON BUSINESS FIOS	FIOS SERVICE FOR OCT., 2009	199.98	
VERIZON ONLINE	ISDN SERVICES FOR 7/09	121.20	
VERIZON ONLINE	ISDN SERVICES FOR 8/09 & 9/09	228.71	
VERIZON ONLINE	ISDN SERVICES FOR 10/09	115.13	
VERIZON WIRELESS	PD- MODEM SERV PLAN- OCTOBER	380.10	
VERIZON WIRELESS	PD- MODEM SERV PLAN- OCTOBER	380.10	
W B MASON CO INC	OFF. SUPPLIES AS PER ATTACHED	370.18	
W B MASON CO INC	OFF. SUPPLIES AS PER ATTACHED	987.49	
W B MASON CO INC	OFF. SUPPLIES AS PER ATTACHED	253.18	
W B MASON CO INC	OFF. SUPPLIES AS PER ATTACHED	122.87	
W W GRAINGER INC	October misc supplies	62.69	
WANAMASSA GARDEN ASSOCIATES	2009 GARBAGE REIMBURSEMENT	1,445.40	
WEST PARK MANOR APARTMENTS	2009 GARBAGE REIMBURSEMENT	7,533.60	
WILENSKY, MARIANNE	Medical Reimbursement	694.80	
WINTER EQUIPMENT CO INC	Misc parts for tink claws	877.55	
WM RECYCLE AMERICA LLC	Tip fee for single stream	1,329.50	
WOODS END LABORATORIES INC	Testing of leaves	515.00	
WPCS INT'L INC - LAKEWOOD	PD- DATALUX KEYBOARD	320.00	
Total		9,447,671.00	
	Total 2009 Current Fund Appropriations Payments	9,447,671.00	
	General Capital Payments		
CDW GOVERNMENT INC	Canon Powershot A1100/ Memory	138.00	
CDW GOVERNMENT INC	Sandisk 16g Flash Drive	96.00	
FERNANDES CONSTRUCTION INC	PMT #1 2009 ROAD IMPR PROGRAM	224,440.83	C9-0015
GOVCONNECTION INC	PD- VIDEO CARD / IVEY	74.00	
MOTOROLA C/O WPCS INTL INC LKW	PD-DIGITAL RADIO - PHASE I&II	404,060.54	
STAVOLA ASPHALT CO INC	Pave Monroe Avenue	20,634.94	C9-0011
STAVOLA ASPHALT CO INC	Pave Camp Avenue	4,022.72	C9-0011
STAVOLA ASPHALT CO INC	Pave Runyan Avenue	2,124.14	C9-0011
WPCS INT'L INC - LAKEWOOD	PD/CAP- DIGITAL RADIO SYSTEM	2,880.00	
WPCS INT'L INC - LAKEWOOD	PD/CAP- DIGITAL RADIO SYSTEM	2,685.30	
Total		661,156.47	
	Total General Capital Payments	661,156.47	
	Grants Payments		
ALLGOR, CAROLE	Reimbursement for supplies	245.27	
BENDINER & SCHLESINGER INC	DRUG SCREENS SEPTEMBER	1,148.50	
BUTTIGLIERI, VINCENT CMC	OCTOBER 2009 PETTY CASH	30.05	
CLOTHES MADE FROM SCRAP INC	Tee shirts for Clean Sweep	1,881.44	
CONCORD ENGINEERING GROUP INC	SEPT 09-ENERGY AUDIT PROF SVS	2,968.10	C9-0010
DELTA DENTAL PLAN OF NJ	November Dental Insurance	111.65	
FERNANDES CONSTRUCTION INC	PMT #1 2009 ROAD IMPR PROGRAM	100,951.00	C9-0015
W B MASON CO INC	KIDDE COMBO SMOKE/CO DETECTORS	475.08	
Total		107,811.09	
	Total Grants Payments	107,811.09	
	TORTA Payments		

MEETING MINUTES**NOVEMBER 9, 2009**

Vendor Name	Description	Amount	Contract
BRAD COMER	TORTA REFUND PROGRAM	20.00	
CHRISTINE CAMPBELL	REFUND POWER YOGA	60.00	
DEBBIE SAMILOW	REFUND BABYSITTING CLINIC	25.00	
G & M TROPHY INC	TROPHY FOR SPECIAL EVENT	25.00	
MUSICAL ME LLC	FALL CYCLE OF DRAMA-OCT PYMT	175.00	
MUSICAL ME LLC	INSTRUCT MUSICAL ME OCTOBER	300.00	
NASCO	SENIOR ART CLASS SUPPLIES	667.47	
NJ STATE GOLF ASSOC	GHIN HANDICAP SERVICE CTGC	133.00	
PATTI MC KELVEY	REFUND PILATES CLASS REGIST.	60.00	
TIME & SPACE CONSULTING	INSTRUCTOR SENIOR YOGA 1ST PAY	500.00	
TWP OF OCEAN PAYROLL ACCOUNT	TORTA 10/30/09 payroll	1,702.62	
<u>Total</u>		3,668.09	
	<u>Total TORTA Payments</u>	<u>3,668.09</u>	
	<u>Trust Other Payments</u>		
A S BUILDERS	PERF REL ON 104 CROSBY AVE	5,439.00	
ALAN & MICHELLE KARP	MAINT REL ON 512 MYRTLE AVE	1,418.25	
BROWN, SANFORD ESQ	PB reviews & resolutions	237.50	
CELLER, PHILIP & CELIA	RELEASE OF REMAINING INSP FEES	175.00	
CMX	JUNE 06-MECCIA WANAMASSA	325.75	
CRUSADER SERVICING CORP	REDEMP T B34 1 -C155 07-00001	19,070.43	
HOLLYWOOD GOLF CLUB	Return unused escrow	3,955.00	
JAMES HIGGINS ASSOCIATES	REZONING OAKHURST COUNTRY	281.25	
LEON S AVAKIAN INC	THRU OCT 09-VARIOUS INSPECTION	1,283.75	
MASER CONSULTING, P.A.	SEPT/OCT 09-CEDAR VILLAGE I,II	227.50	
MASER CONSULTING, P.A.	OCT 09-MECCIA SUBDIVISION	248.75	
NJ DIVISION OF TAXATION	OCT/NOV 2009 SALES & USE TAX	501.52	
TWP OF OCEAN CURRENT FUND	Off Duty Police car/admim fees	2,278.75	
TWP OF OCEAN PAYROLL ACCOUNT	Off Duty Police 10/30/09	8,985.00	
WAYSIDE HILLS I LLC	ADDL PERF REL ON 27 FRAMINGHAM	874.13	
<u>Total</u>		45,301.58	
	<u>Total Trust Other Payments</u>	<u>45,301.58</u>	
	<u>State Unemployment Insurance Trust Payments</u>		
NJ DEPT OF LABOR & WORKFORCE	3RD QTR 2009 UNEMPLOYMENT	2,760.37	
<u>Total</u>			2,760.37
	<u>Total State Unemployment Insurance Trust Payments</u>	<u>2,760.37</u>	
<u>Total Bill List for November 9, 2009</u>			
	Appropriation Reserve Total		
	Current Fund Total	9,447,671.00	
	General Capital Fund Total	661,156.47	
	State & Federal Grant Total	107,811.09	
	Law Enforcement Trust Total		
	TORTA Total	3,668.09	
	Trust Other Total	45,301.58	
	Animal Control Total		
	Bid Deposit Refund		
	State Unemployment Trust	2,760.37	
	Trust Assessment Fund		
	Total of All Funds	10,268,368.60	

ROLL CALL:

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

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

Association Advisors
Sanford Brown, Esq.
James Higgins Associates

RESOLUTIONS:**09-182 Authorizing a Road Opening Permit, with penalty, for New Jersey American Water for property located at 22 Eaton Avenue**

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

WHEREAS, a request has been received from New Jersey American Water for the granting of a street opening permit at Block 37.08, Lot 3, more commonly known as 22 Eaton Place; and

WHEREAS, the Township Manager and the Director of Public Works have fully investigated this request and determined that this roadway was paved in April 2008 and informed New Jersey American Water Company in October 2009 of the five-year moratorium for the opening of the street following resurfacing; and

WHEREAS, under the provision of Chapter 8 of the Revised General Ordinances of the Township of Ocean, 1965, the Township Council can authorize the granting of a road opening permit within five years from the point in time when a street is resurfaced providing certain penalties are paid;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that the Township Manager or his designee is hereby authorized to grant a road opening permit for the minimum opening, as noted in the request from New Jersey American Water Company for Block 37.08, Lot 3, commonly known as 22 Eaton Place, to repair the water service providing the penalty assessment is paid pursuant to section 8-1.8C of the Revised General Ordinances of the Township of Ocean, 1965 prior to the issuance of the permit; and

BE IT FURTHER RESOLVED that the additional requirement of full restoration is that there shall be an infrared treatment performed on the final patched surface to minimize the impact on the structural integrity of the roadway and to provide a level driving surface

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

1. William McMahon, Public Works Director
2. Joe W. Pawlak, New Jersey American Water
3. Director of Finance

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

09-183 Authorize the Department of Human Services to provide services of parent-child visitation and associated services

Councilmember Schepiga offered the following Resolution and moved its adoption; seconded by Councilmember Hiers

WHEREAS, the people of the Township of Ocean are concerned about child welfare and seek to promote a positive environment for children and

WHEREAS, the Township of Ocean is desirous of working with the State of New Jersey Department of Children and Families to provide positive alternatives for parent-child visitations and services associated with them and

WHEREAS, the State of New Jersey Department of Children and Families is desirous of entering into a contractual relationship the Department of Human Services of the Township of Ocean for the provision of parent-child visitations and associated services

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth that the Township of Ocean Department of Human Services is authorized to provide services of parent-child visitation and associated services as stipulated in Contract # 10SKNC

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 above named contract.

BE IT FURTHER RESOLVED, that the Mayor affix his signature to the 2009-2010 contract and it be forwarded with a certified true copy of this resolution to the New Jersey Department of Children and Families.

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

09-184 Extend contract with Village of Loch Arbour for Police and Municipal Court Services

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

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

WHEREAS, the Township of Ocean and the Village of Loch Arbour had entered into an agreement whereby the Township provided Police and Municipal Court services to the Village since January 1, 1997; and

WHEREAS, the Village of Loch Arbour wishes to extend said Agreement for a one-year period commencing January 1, 2010 and ending on December 31, 2010 and would pay the Township of Ocean a fee of \$156,000 for Police and \$9,000 for Court services; and

WHEREAS, the Inter-local Services Act requires the execution of any such agreement be authorized by resolution by both municipalities; and

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 said Agreement with the Village of Loch Arbour for the provision of Police and Municipal Court services, at a fee of \$156,000 for Police and \$9,000 for Court services for a one year period commencing on January 1, 2010 and ending on December 31, 2010; and

FURTHER BE IT RESOLVED that said Agreement shall be maintained on file in the Office of the Township Clerk and available for public inspection; and

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

1. Director of Finance
2. Township Auditor
3. Village of Loch Arbour

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

09-185 Authorize refunds to property owners due to overpayments resulting from homestead rebates.

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

WHEREAS, The State of New Jersey remitted Homestead Rebate Payments on properties with delinquent taxes to the Tax Collector, and

WHEREAS, the delinquent taxes reported have been paid and the Homestead Rebate creates a tax overpayment.

WHEREAS, the tax overpayment refund has been requested by and should be refunded to the property owners.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Tax Collector and the Director of Finance to refund the said tax overpayment to the payer listed below.

Block	Lot	Qual	Owner/Payer Name	Amount	Reason
34	47		Gangemi, Stephen P. II & Barbara J	1,111.37	Homestead Rebate on Delinquent Account
152	1.01	C1107	Estate of George A. Repetti	1,064.06	Homestead Rebate on Delinquent Account
34.03	9	C1501	Estate of George T. Sodini	1,317.72	Homestead Rebate on Delinquent Account
26	73		Fary, Alberta E.	1,147.31	Homestead Rebate on Delinquent Account
137	7.01		Grivas, Marios	1,200.00	Homestead Rebate on Delinquent Account
Total Taxes Overpaid				\$5,840.46	

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

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

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

09-186 Authorize the waiver of the fees associated with the Board of Adjustment application filed by Ocean Senior Citizens Housing Corporation

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

WHEREAS, Ocean Senior Citizen Housing Corporation, commonly known as Poplar Village, wishes to relocate residents to higher elevations due to ongoing flooding along portions of Block 22, Lot 32; and

WHEREAS, the Township of Ocean has filed a grant application with the Federal Emergency Management Agency to secure funds for said demolition and relocation of certain residences of Poplar Village; and

WHEREAS, by letter dated November 5, 2009, Charles P. Stone, Esq., attorney for Ocean Senior Citizen Housing Corporation, is requesting a waiver of any and all fees associated with the Board of Adjustment application filed on behalf of said project;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that the application fees associated with the above referenced Zoning Board application filed by Ocean Senior Citizen Housing Corporation be and are hereby waived; and

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

1. Charles P. Stone, Esq.
2. Marianne Wilensky, Director of Community Development
3. Director of Finance

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

09-187 Authorize Professional Services contract with Leon S. Avakian, Inc. to perform engineering services for renovations at Fireman's Field at a cost not to exceed \$10,000.00

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

WHEREAS, the Township of Ocean is in need of the services of an engineering firm for the reconstruction of the tennis courts at Fireman's Field; and

WHEREAS, the Township Council of the Township of Ocean has elected to make this appointment pursuant to the provisions of N.J.S.A. 19:44A-20 et seq. for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Pay-to-Play Law; and

WHEREAS, the Township of Ocean Engineer, Leon S. Avakian, Inc., has submitted a proposal to provide said services at a cost not to exceed \$10,000.00

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey hereby authorizes the Township Manager to enter into a contract with Leon S. Avakian, Inc., Neptune, NJ, as described herein at a cost not to exceed \$10,000.00; 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. Leon S. Avakian, Inc.

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

09-188 Authorize Professional Services contract with Clarke Caton Hintz to provide planning services related to Mount Laurel litigation at a cost not to exceed \$45,000.00

Councilmember Schepiga offered the following Resolution and moved its adoption; seconded by Councilmember Hiers

WHEREAS, the Township of Ocean requires the services of a professional planner, licensed in the State of New Jersey, to provide planning services to the Township of Ocean in a matter of litigation relative to their Mount Laurel obligation; and

WHEREAS, the Township of Ocean solicited a proposal from the firm of Clarke Caton Hintz, Trenton, NJ to provide said service to the Township at a cost not to exceed \$45,000.00; and

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

WHEREAS, the Township Manager has recommended that a contract be awarded to the Firm of Clarke Caton Hintz, Trenton, NJ at a cost not to exceed \$45,000.00; and

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

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

WHEREAS, Clarke Caton Hintz, Trenton, NJ has previously submitted a Business Entity Disclosure Certification certifying that Clarke Caton Hintz 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 Clarke Caton Hintz from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Ocean, County of Monmouth that authorization is hereby given for the Mayor and Municipal Clerk to execute the Agreement with Clarke Caton Hintz to provide planning services to the Township of Ocean in a matter of litigation relative to its Mount Laurel obligations at a cost not to exceed \$45,000.00; and

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

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

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

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

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

ORDINANCES:

Announcement

Adoption(s)

Township Clerk read Ordinance #2127 by Title:

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

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

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

Brian Lefferson inquired as to whether this ordinance included the purchase of any garbage trucks that would be utilized for the automated pickup.

Larry Loigman inquired if any of the equipment mentioned in the ordinance had been purchased and if so, how was it paid for. Did the Council have the authority to spend money for these items. If so, how much was spent for each category mentioned in the ordinance.

Mr. Brannen explained that this ordinance merely gives the Township authority to borrow the funds for these purchases. Mr. Brannen stated that he could provide the spending breakdown subsequent to the meeting but he did not believe that much, if any, had been spent. He also stated that the Township had passed an ordinance at the time of the adoption of the budget that authorized the purchase of these items.

MEETING MINUTES**NOVEMBER 9, 2009**

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

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

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

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

Township Clerk read the following Ordinances by Title:

Ordinance #2130 - An ordinance amending and supplementing Chapter II of the "Revised General Ordinances of the Township of Ocean, 1965" entitled:
(P.H. 11/9/09 Coaster) Department of Administration to remove Civil Defense and Disaster Control Council and replace it with Emergency Management

On a motion by Councilmember Hiers and seconded by Councilmember Siciliano, it was moved to open the Public Hearing on Ordinance #2130

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

Robert Ades inquired as to whether the Office of Emergency Management would be handling spills along Township roadways.

Mr. Brannen stated that it currently does and will continue to do so, along with whatever other agency needs to be present.

Larry Loigman inquired about the cost of the Department, including the amount of salary this Coordinator would be receiving. Mr. Logman also asked what equipment would need to be purchased and the projected cost of such.

Mr. Brannen explained that this function is currently existing in the Township but the ordinance was necessary so that the Township would be eligible to receive grants as well as reimbursements from other agencies.

On a motion by Councilmember Hiers and seconded by Councilmember Siciliano, it was moved to close the Public Hearing on Ordinance #2130

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

On a motion by Councilmember Hiers and seconded by Councilmember Siciliano, it was moved to adopt Ordinance #2130 and notice of final passage thereof be advertised in The Coaster in accordance with the law.

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

MEETING MINUTES**NOVEMBER 9, 2009**

Township Clerk read the following Ordinances by Title:

Ordinance #2140 - An ordinance amending and supplementing Chapter 21 – The
(P.H. 11/9/09 Coaster) Comprehensive Land Development Ordinance of the Township of Ocean

On a motion by Councilmember Hiers and seconded by Councilmember Siciliano, it was moved to open the Public Hearing on Ordinance #2140

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

There were no public comments at this time.

On a motion by Councilmember Hiers and seconded by Councilmember Siciliano, it was moved to close the Public Hearing on Ordinance #2140

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

On a motion by Councilmember Hiers and seconded by Councilmember Siciliano, it was moved to adopt Ordinance #2140 and notice of final passage thereof be advertised in The Coaster in accordance with the law.

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

Introduction(s)

Ordinance #2141 - An ordinance amending and supplementing various sections of Chapters II, (P.H. 11/9/09 Coaster) V, VI, VII and XI of the “Revised General Ordinances of the Township of Ocean, 1965” dealing with fees collected by the Township of Ocean

On a motion by Councilmember Hiers seconded by Councilmember Siciliano, it was moved to approve Ordinance #2141 on first reading and advertise according to law in The Coaster together with the notice of the Public Hearing which will be held on December 7, 2009 at 7:00 p.m. in the Township Meeting Room, Monmouth and Deal Roads, Oakhurst, New Jersey.

ORDINANCE #2141

ORDINANCE AMENDING AND SUPPLEMENTING
THE REVISED GENERAL ORDINANCES
OF THE TOWNSHIP OF OCEAN

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

1. The Revised General Ordinances of the Township of Ocean are hereby amended and supplemented to read as follows:

Section 2-10 *Public Records* shall be amended in part to read:

2-10.2 *Fees for Copy*. The following fees shall be charged for copies of public documents:

a. The fee for supplying copies of public records shall be based upon the total number of pages or parts thereof to be purchased for each individual report of separate record filed with

the Township, not upon the ultimate number of pages provided.

1. First page to tenth page \$.75 per page
2. Eleventh to twentieth page \$.50 per page
3. All pages over twenty \$.25 per page

- (1) Special service charge: If printed matter cannot be copied by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request the public agency may charge a special service charge that is reasonable and based upon the actual direct cost of making the copies. Such charges are in excess of those referenced in the above. The requester shall have the right to review the charges in advance.
- b. Where documents in question are more than 100 pages in length, the Clerk may permit the person requesting copies to use his own photocopying machine, provided that there is no risk of damage or mutilation of the documents, that the documents are not removed from the municipal offices and that the copying of said documents will not interfere with the transaction of public business. Such determination shall be made completely within the discretion of the Township Clerk. The fee in such case shall be twenty-five (\$25.00) dollars/day.
- c. The fee for the copying of architectural plans which exceed 11" X 14" in size shall be at the rate of forty (\$40.00) dollars for the first page. Each additional page shall be at the per-page rate set by the outside copy shop used for the purpose of reproduction.
- d. Requests made for copies of public records in electronic format shall be provided by the Township in accordance with the following fee schedule:

Disc Number	Fee
1	\$25.00
2 and above	\$ 5.00 for each additional disc

Advance Notice of Fees, Special Service Charges, and Special Charges: Prepayment Required:

The Township Clerk or his/her designee shall give advanced notice of the amount of any special service charge or fee to the requestor before any work is started. The Township Clerk shall require pre-payment of such charges prior to the commencement of any work. Cash or check shall be the only acceptable payment method for any costs or estimated fees.

- e. Zoning map - \$5.00
- f. Street map - \$5.00
- g. Ordinance book (codification) - \$150.00
(Future codifications to be prorated to include direct cost plus administrative cost.)
- h. Tax map - \$3.00
- i. Election map - \$5.00
- j. Statements from Township relating to flood hazard determination - \$25.00
- k. Master Plan - \$50.00 (All amendments to the Master Plan will be charged at the rate of copy fees – see RGO 2-10.2 Fees for Copy.)
- l. Comprehensive Land Use Ordinance - \$55.00
(Future codifications to be prorated to include direct cost plus administrative costs.)

Certification of filing of registration statement by the owner of residential property –

- m. \$5.00
- n. Charge for bank deposit return items - \$25.00
- o. Written statements from Municipal Court as to disposition to a Municipal Court case - \$5.00
- p. Charge for notary services – Non-residents of the Township will be charged \$2.00 for notary services not in connection with any other service. Residents will not be charged for notary services and there will be no fee for notary services for non-residents when used in connection with applications where fees are already paid to the Township and in connection with employment applications.
- q. Duplicate tax bills - \$5.00
(Each subsequent duplicate tax bill of the same tax bill in the same fiscal year - \$25.00)
- r. Duplicate tax sale certificate - \$100.00

Section 5-1 *Peddlers, Solicitors, Canvassers, Vending Machines and Mercantile License* is amended in part to read:

5-1.13 *License and Registration Fees.* The fees to be paid annually, unless otherwise specified, for conducting a business herein described shall be as follows:

a. Automobile rental and leasing agency.....	\$ 100.00
b. Bowling Alley – per alley.....	\$ 20.00
c. Coal, oil, wood, fuel, gasoline, petroleum, dry cleaners, laundries – running less than three vehicles.....	\$ 50.00
running three and not more than six vehicles.....	\$ 75.00
running more than six vehicles.....	\$ 110.00
d. Hotel, motel, motor lodges and motel efficiency units- per unit.....	\$ 15.00
minimum fee.....	\$ 100.00
e. Jukebox or other music vending machines.....	\$ 60.00
f. Vending machines (non-food) - using slot of up to \$.25.....	\$ 35.00
using slot of \$.26 to \$1.00.....	\$ 45.00
using slot of \$1.01 or more.....	\$ 60.00
g. Amusement arcades.....	\$ 135.00
h. Auctioneers license.....	\$ 100.00
i. Automobile dealers.....	\$ 175.00
j. Bottling works.....	\$ 100.00
k. Department store.....	\$ 150.00
l. Junk dealers and junkyards including automobile junkyards.....	\$ 100.00
m. All businesses not classified or enumerated, each.....	\$ 50.00
n. Industrial uses.....	\$ 100.00
o. Automatic amusement devise for - 1 to 30 machines (per machine).....	\$135.00
for each machine thereafter.....	\$ 85.00

which is described as follows:

Any machine which upon the insertion of any type of currency, slug, token plate or disc, may be operated by the public generally for the use as a game, entertainment, or amusement, whether or not registering a score, including but not limited to such devices as pinball machines, skill ball, and all games, operations or transactions similar thereto. It shall also include video type games or machines, or similar devices that use a display screen for point line and dots or light that can be manipulated to simulate games or other types of entertainment. It should not include nor shall this definition apply to music playing devises. This provision shall not apply to devices located in charitable or non-profit organizational facilities.

Section 6-1 *Uniform Construction Code Enforcing Agency* shall be amended in part to read:

6-1.3 *Fees*

The fee for a construction permit shall be the sum of the subcode fees listed in Paragraphs "1" through "8" hereof and shall be paid before the permit is issued. The total of all subcode fees shall be rounded to the nearest dollar with fifty (\$.50) cents or more being rounded to the next higher dollar and forty-nine (\$.49) cents or less to the lower dollar.

1. Building Sub-Code fees shall be:
 - (a) For new construction, per cubic foot of building or structure volume as follows:

Use Group R (residential):	\$10.00 plus \$ 0.25 per cubic ft.
Use Group A (assembly), B (business), E (educational), I (institutional), H (high hazard), M (mercantile), F (factory), S (storage) and U (utility)	\$10.00 plus \$ 0.22 per cubic ft.
 - (b) For renovations, alterations and repairs including decks, porches, fireplaces and enclosures shall be: \$10.00 plus \$25.00 per \$1,000.00 of estimated cost of work.
 - (c) Permit fee for above ground swimming pools – R-5 \$85.00
 Permit fee for in ground swimming pools - R-5 \$225.00
 Commercial Pools, Hot Tubs and Spas other than R-5 \$300.00
 - (d) Permit fee for fences around pools or over 4ft in height \$75.00
 - (e) The fee for tent structures \$100.00
 - (f) The fee for asbestos abatement shall be described by the UCC plus \$10.00
 - (g) The fee for lead abatement shall be described by the UCC plus \$10.00
 - (h) For combinations of renovations and additions, the sum of the fees shall be computed separately as renovations and additions.
 - (i) Moving and demolition fees shall be as follows:

The permit fee for the moving of a building or structure from one lot to another or to a new location on the same lot shall be \$5.00 plus \$25.00 per \$1,000.00 of the estimated cost of work. (For moving, new foundations and for placement in a completed condition in a new location.)

The permit fee for the demolition or removal of a residential accessory structure less than 500 Square Feet shall be	\$125.00
All structures larger than 500 Square Feet	\$525.00
 - (j) Sign permits for signs greater than 25 square feet in surface area on one side or higher than 6 ft. mounted height above the ground shall be \$5.00 plus \$2.00 per square feet of the surface area of the sign. (In the case of double-faced signs, only the area of one side shall be used to compute the permit fee.)
 - (k) The minimum sign permit fee shall be \$75.00
 - (l) The minimum for Building Subcode permits shall be \$75.00

2. Plumbing Sub-Code fees shall be:

- (a) The plumbing sub-code fee shall be \$25.00 (twenty-five dollars) per plumbing fixture, device or plumbing stack to be installed, except as set forth hereinafter. For the purpose of computing this fee, fixture or stack shall include, but not be limited to, lavatories, kitchen sinks, slop sinks, sinks, urinals, water closets, bathtubs, shower stalls, laundry tubs, floor drains, roof drains, drinking fountains, dishwashers, garbage disposals, clothes washers, individual gas appliances, condensate drain, or other similar devices.
- (b) The fee shall be \$55.00 (fifty-five dollars) per special device for the following: grease traps, oil separators, gas piping (from meter), solar systems, refrigeration units, sewer pumps, interceptors, fuel oil piping, water filter systems and pool drains.

(c) The fees for the following items shall be:

Hot water heaters	\$50.00
Sewers	\$55.00
Water lines	\$55.00
Heaters, boilers and pool heaters	\$55.00
Air conditioning units	\$50.00
Back flow preventors install and test all sizes – Residential and Commercial	\$76.00
Private service water mains (per 100')	\$55.00
Private service sewer mains (per 100')	\$55.00
Commercial HVAC (other than residential)	\$75.00

- (d) Discontinuation of fixtures, appliances and piping \$55.00
- (e) Backflow preventor requiring inspection every 12 months \$76.00
- (f) The minimum fee for Plumbing SubCode permits shall be \$50.00

3. Electrical Sub-Code fees shall be:

- (a) Fixtures and Devices: including lighting outlets, wall switches, fluorescent fixtures, convenience receptacles, fire, burglar or combination alarm systems, or similar motor or devices up to 1hp or 1 kilowatt

1 to 50 receptacles or fixtures	\$60.00
Each additional 25 receptacles or fixtures	\$15.00
- (b) For each motor or electrical device greater than 1hp and less than or equal to 10hp and for transformers and generators greater than 1 kilowatt and less than or equal to 10 kilowatts \$30.00
- (c) For each motor or electrical device greater than 10 hp and less than or equal to 50 hp, and for each service panel, service entrance or panel boards less than or equal up to 200 amperes. All generators greater than 10 kilowatts and less than or equal to 50 kilowatts \$60.00
- (d) For each motor or electrical device greater than 50 hp and less than or equal to 100 hp, for each service panel, service entrance or panel board greater than 200 amperes and less than and equal 400 amperes, for transformers and generators greater than 50 kilowatts and less than or equal to 100kw \$155.00

(e)	For each motor or electrical device greater than 100 hp, transformers and generators greater than 100 kilowatts	\$510.00
(f)	For service panels or service entrance or panel boards 400 to 600 amperes	\$310.00
(g)	For service panels or service entrance or panel boards Over 600 amperes	\$610.00
(h)	For the purpose of computing these fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electrical current.	
(i)	The permit fee for residential (R-5) above-ground or in-ground swimming pools, hydro-massage tubs, hot tubs and spas, air tubs	\$60.00
(j)	Commercial pools, spas, hot tubs and hydro-massage tubs:	
	New Commercial Pools and Spas	\$100.00
	5 Year Bonding Certificate	\$125.00
	Annual visual inspection	\$85.00
	Above ground pools (dismantled at end of season)	\$55.00
(k)	Satellite Dish Communication Devices – Residential	\$30.00
	Satellite Dish Communication Devices – Commercial	\$100.00
(l)	The fee for utility load management devices shall be 30 percent of the estimated cost of work	
(m)	Discontinuation of electrical fixtures, appliances, circuits and devices	\$60.00
(n)	Irrigation rain sensor for R-5.	\$40.00
	Irrigation rain sensor for all others	\$75.00
(o)	Solar Power System for Use Group R-5	\$210.00
	All others as per fee schedule	
(p)	Replacement of HVAC equipment Residential / Commercial – each	\$50.00
(q)	The minimum fee for Electrical Subcode permits shall be	\$60.00
4.	Fire Protection Subcode fees shall be:	
(a)	Sprinkler Heads, Detectors, Supervisory and Signaling devices:	
	1 - 10	\$75.00
	11 - 20	\$100.00
	21 - 100	\$140.00
	101 – 200	\$300.00
	201 – 400	\$700.00
	401 – 1000	\$900.00
	Over 1000	\$1200.00
(b)	Standpipes (each)	\$175.00
(c)	Fire department connection	\$125.00
(d)	Fire pump	\$250.00

(e)	Fire alarm panel	\$75.00
(f)	Smoke control system	\$175.00
(g)	Commercial kitchen exhaust hood	\$75.00
(h)	Commercial kitchen suppression system	\$100.00
(i)	Fireplace venting / Metal Chimney	\$60.00
(j)	Gas / Oil fired appliance	\$60.00
(k)	Incinerator	\$350.00
(l)	Crematorium	\$400.00
(m)	Underground fire service main – Per 100 ft	\$75.00
(n)	Fire service pit	\$150.00
(o)	Storage Tank Abandonment – flammable and combustible liquids	
	Up to 1000 gallons	\$90.00
	Over 1000 gallons	\$175.00
(p)	Storage Tank Removal – flammable and combustible liquids	
	Up to 1000 gallons	\$90.00
	Over 1000 gallons	\$175.00
(q)	Storage Tank Installation – flammable and combustible liquids	
	Up to 1000 gallons	\$90.00
	Over 1000 gallons	\$175.00
(r)	Gasoline Service Stations	
	Up to 3 gasoline tanks of up to 10,000 gallons each and 6 gasoline pumps	\$350.00
	Each additional gasoline tank of up to 10,000 gallons	\$150.00
	Each additional gasoline pump	\$150.00
5.	Fees for Plan Review shall be 25 percent of the amount that would be charged for the construction permit.	
6.	The fee for an application for a variance shall be:	
	Use Group R	\$75.00
	All other Use Groups	\$125.00
	Resubmission of an application	\$50.00
7.	Certificate of Occupancy fees shall be as follows:	
(a)	The fee for a Certificate of Occupancy shall be calculated as 12% (twelve percent) of the new construction permit fees plus \$10.00	
(b)	Minimum Certificate of Occupancy for Use Group R	\$75.00
(c)	Minimum Certificate of Occupancy for all other Use Groups	\$125.00
(d)	Continued Certificate of Occupancy fee	\$100.00

- | | | |
|-----|---|----------|
| (e) | Certificate of Occupancy granted for a change of Use | \$125.00 |
| (f) | The fee for multiple Certificates of Occupancy per unit | \$75.00 |
| (g) | Temporary Certificate of Occupancy fee shall be the minimum fee set forth by the State of New Jersey plus \$10.00 | |
| (h) | Temporary Certificate of Occupancy renewal fee | \$30.00 |
8. Elevator Subcode fees shall be:
 These inspections are conducted by the State of New Jersey.
 Refer to state fee schedule.

Section 7-2 *Inspection of Rooms, Dwellings, and Apartments offered for Rent or Sale* is amended in part to read:

7-2.8 Cost of Inspection

- a. A nonrefundable fee of one hundred ten (\$110.00) dollars shall be charged to cover the cost of inspection in connection with a resale of a detached dwelling unit.
- b. A nonrefundable fee of eighty-five (\$85.00) dollars shall be charged to cover the cost of inspection in connection with a resale of an attached single-family dwelling unit.
- c. A nonrefundable fee of one hundred ten (\$110.00) dollars shall be charged to cover the cost of inspection in connection with the rental of a single-family dwelling, whether attached or detached.
- d. A nonrefundable fee of one hundred ten (\$110.00) dollars shall be charged to cover the cost of inspection in connection with the re-occupancy of a single-family dwelling, whether attached or detached by the owner after a change in tenancy.
- e. A nonrefundable fee of thirty (\$30.00) dollars shall be charged to cover the cost of inspection in connection with the rental of a multifamily dwelling unit.
- f. A nonrefundable fee of fifteen (\$15.00) dollars shall be charged to cover the cost of inspection in connection with the rental of a dwelling unit owned by a non-profit corporation.
- g. There shall be no charge for the first re-inspection of any unit which fails inspection for one or more items if all utilities are operational. A re-inspection fee of \$25.00 shall be required for all re-inspections where the utilities are not operational and for all second and subsequent re-inspections for sales, rentals, and re-occupancy of single family dwellings.

Section 11-8 *Food and Beverage Vending Machine Code* shall be amended in part to read:

11-8.4 *Permit and License Fee.*

The fee for permits and licenses under this section shall be forty five (\$45.00) dollars per annum. All licenses and permits issued under this section shall expire on the 31st day of December each year.

Section 14 *Swimming Pools* shall be amended in part to read:

14-5 *License Fees.*

No license fee shall be paid for private swimming pools. All other swimming pools shall have a license fee of one hundred twenty-five (\$125.00) dollars annually, which license shall expire on December 31st of each year and application for renewal thereof shall be submitted together with the required fee prior to January 1st of each year.

2. All other ordinances or parts of ordinances inconsistent thereof are hereby repealed to the extent of such inconsistencies.
3. If any section, paragraph, subparagraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subparagraph, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.
4. This ordinance shall take effect upon its final passage and publication provided by law.

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

Ordinance #2142 - An ordinance amending and supplementing Chapters IV, XIV, and XVI of (P.H. 11/9/09 Coaster) "Revised General Ordinances of the Township of Ocean, 1965" dealing with fees collected by the Township of Ocean

On a motion by Councilmember Hiers seconded by Councilmember Siciliano, it was moved to approve Ordinance #2142 on first reading and advertise according to law in The Coaster together with the notice of the Public Hearing which will be held on December 7, 2009 at 7:00 p.m. in the Township Meeting Room, Monmouth and Deal Roads, Oakhurst, New Jersey

ORDINANCE # 2142**AN ORDINANCE AMENDING THE FOLLOWING CHAPTERS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF OCEAN, 1965**

CHAPTER IV	ALCOHOLIC BEVERAGE CONTROL
CHAPTER XIV	SWIMMING POOLS
CHAPTER XVI	PARKS AND PLAYGROUNDS

BE IT ORDAINED, by the Township Council of the Township of Ocean, County of Monmouth and State of New Jersey that the following be and are hereby amended to read as follows:

CHAPTER IV ALCOHOLIC BEVERAGE CONTROL**SECTION 4-3 Types of Licenses****4-3.3 Plenary Retail Distribution License**

The fee for a plenary retail distribution license shall be two thousand five hundred (\$2,500.00) dollars effective January 1, 2010 and the holder of such license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages for consumption off the licensed premises but only in original containers.

CHAPTER XIV SWIMMING POOLS

SECTION 14-10 Municipal Swim Pool Complex

14-10.3 Membership

d. *Other Fees*

1. Daily fees for Township of Ocean residents, guests of members and guests of Township of Ocean resident nonmembers:

(a)	<i>Weekday</i>	<i>Weekend</i>
Children (birth through 23 months)	Free	Free
Children (2 years through 4 years)	\$3.00	\$4.00
Children (2 years through 4 years)	\$5.00	\$7.00
Age 12 – 61	\$6.00	\$8.00
Senior residents (62 years and over and registered into the computerized identification system)	\$4.00	\$5.00

2. Guests: Holders of facility memberships may purchase guest pass tickets having five guest passes per ticket at the rate of twenty-five (\$25.00) dollars per ticket. These tickets may be purchased any time during the season. Guest passes may be used only during the season of issue. The Township Manager or his/her designee is authorized to provide four get passes upon the occasion to promote membership at the facility.

CHAPTER XVI PARKS AND PLAYGROUNDS

SECTION 16-5 Fees

The following fees are hereby designated and established and the recreation office is hereby authorized to charge and collect said fees:

16-5.1 Rental Fees for Indoor Facilities.

- a. West Park Recreation Center – Downstairs (per six hours of use) Residents: \$165.00; Nonresidents: \$190.00
- b. West Park Recreation Center – Upstairs (per six hours of use) Residents: 95.00; Nonresidents: 135.00
- c. Oakhurst Park Meeting Room (per six hours of use) Residents: \$110.00; Nonresidents: \$160.00
- d. Municipal Gymnasium.
 1. One (1) side court per hour – Resident group: \$30.00; Nonresident group:\$45.00; Township of Ocean Board of education: *\$15.00 (*May be applied as a credit toward Township of Ocean use of board of education facilities); Nonresident Board of education: \$45.00
 2. Game court and/or multiple side courts per hour - Resident group: \$50.00; Nonresident group:\$75.00; Township of Ocean Board of education: *\$15.00 (*May be applied as a credit toward Township of Ocean use of board of education facilities); Nonresident Board of education: \$75.00

16-5.2 Program Fees.

- a. Teen and adult sports (per activity):
Residents - \$15.00 to \$75.00 per participant
Nonresidents - \$20.00 to \$85.00 per participant
- b. Youth sports (per activity):
Residents - \$20.00 to \$75.00 per participant
Nonresidents - \$30.00 to \$85.00 per participant
- c. Youth/adult instruction (per activity):
Residents - \$15.00 to \$90.00 per participant
Nonresidents - \$20.00 to \$100.00 per participant
- d. Youth/adult activities (per activity):
Residents - \$10.00 to \$75.00 per participant
Nonresidents - \$15.00 to \$85.00 per participant
- e. Summer Recreation (per two week session):
Residents - \$35.00 to \$80.00 per participant
Nonresidents - \$40.00 to \$100.00 per participant

16-5.3 Other Fees

- a. Reserved
- b. There shall be a ten (\$10.00) dollar service fee for all cancelled registrations and facility rentals.
- c. Entities who are granted use of the festival grounds in the south-east quadrant of the Joe Palaia Park shall pay a six hundred (\$600.00) dollar fee per day, be responsible for all electrical usage charges, and be responsible for all labor costs associated with clean-up, special set-up, crowd control and traffic control.
- d. A park vendor's permit maybe issued to vendors who apply to the Department of Human Services. The permit shall authorize vendors to sell food and beverages on park sites, in accordance with the regulations established by the Department of Human services. The permit fee shall be one hundred fifty (\$150.00) dollars per six month season (January 1 to June 30 and July 1 to December 31) or any part thereof.

16-5.4 Exception to Fees

- a. The recreation office may at its discretion waive the fee for recreation programs for those individuals demonstrating financial hardship.
- b. The recreation office may waive the fee for public service organizations desiring to utilize any picnic or indoor recreation facility.

BE IT FURTHER ORDAINED, that all other ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistencies; and

BE IT FURTHER ORDAINED, if any section, paragraph, subparagraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subparagraph, clause or provision or adjusted and the remainder of the ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, This ordinance shall take effect after publication and passage as provided by law.

ROLL CALL:

YES: Hiers, Schepiga, Siciliano, Larkin

ABSENT: Garofalo

Council Reports:

Councilmember Siciliano commended all those involved with the Mayor's Charity Ball. It was extremely successful and he's looking forward to the next one.

The following gave no reports:

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

PUBLIC COMMENTS:

Barbara Hudson asked the following questions related to COAH:

1. How many affordable units has the Township been mandated to provide?
2. Is the Township planning on dealing with the Court to settle the pending litigation?
3. Who are the litigants?

Mr. Arbus responded that the Township has been mandated to provide approximately 1,200 affordable units however, this number may be reduced based on credits received for housing that is currently available in the Township. Mr. Arbus went into some detail regarding the particular remedies that could be awarded to the litigants in these types of cases.

Mr. Arbus also stated that the Township has three pending lawsuits. The litigants are: BVB II Associates, AvalonBay Communities, Inc., and Martelli at Wayside, LLC. Mr. Arbus went further to explain the process and reiterate the fact that we are very early in the process and this litigation has the potential to be very costly and could take a long time to be completed. He explained that the Township has hired professionals who specialize in this type of litigation and the Township is doing everything possible to limit the exposure.

Don Geiger inquired about whether the Township had considered contracting out for garbage removal.

Mr. Brannen explained that the Township had looked into contracting of these services previously, but it was not financially beneficial for the Township.

Joseph Contreras, Chairperson for the Quality of Life Committee from Monmouth University, reported that they had delivered letters to all the students who were renting homes in the Township in hopes that the situations that have plagued the Township would become more tolerable.

Mr. Contreras also informed the Township that Monmouth University will be having a "Giving Tree" to help the needy families in the area.

Brian Lefferson asked the following questions:

1. What was the hourly rate for the Police Department personnel that patrol Loch Arbour.

Mr. Brannen stated that it was anywhere between \$11.00 to \$20.00 per hour.

2. Inquired about whether the Township had knowledge about COAH litigation.
3. Inquired about what the Apple Farms property is currently zoned for and the size of the parcel.

Mayor Larkin responded that the parcel is 80 acres, however, due to wetlands, only about 40 acres are developable.

Bob Ades asked if the Township were to receive a lawsuit asking for the Master Plan to be redone, would that delay the litigation.

Mr. Arbus did not believe that would have any impact on the existing litigation.

Cheryl Miller reported that she was very disturbed to see that an Eagle Scout project was approved by the Township that would cause trees and groundcover to be removed from the brook at Joe Palaia Park. She also asked what the extent of the project is.

Mr. Brannen reported that the project had received all the appropriate approvals from the New Jersey Department of Environmental Protection and that all that was occurring was that the Eagle Scout was cleaning the brook from the overgrowth and then a footbridge would be installed that would enable people to safely navigate that area.

Ms. Miller also inquired about the petition submitted regarding the overpopulation of deer at Palaia Park. She vehemently urged the Council to not do anything that would harm the wildlife, especially the deer.

Mr. Brannen reported that a meeting has been set up for November 13, 2009 with representatives from the State of New Jersey, who will visit Joe Palaia Park and other areas to determine the extent of the issue and what would be the best course of action. Mr. Brannen stated that the process has just begun and the Township will be looking to handle this issue in the most humane way possible, as no one wishes to harm any wildlife that may reside in the parks.

Pamela Larson inquired about the status of the Budget Inn.

Mr. Brannen reported that the property owner has received the approvals for the reconstruction of the establishment and been deemed structurally safe by the Township's Construction Official.

Ms. Larson was also concerned about what the Township was planning on doing to alleviate the deer problem in the Township. Ms. Larson requested that the wildlife be allowed to remain and asked that the Township does not do anything that would harm them. She also believes that the problem we are experiencing is a direct result of the development in the area.

Mike Conti inquired as to how the Township planned on informing the residents of updates related to the COAH litigation. Mr. Conti also inquired if utilizing Green Acres funding would be an option to purchase the Martelli property. He also asked how many homes developer was approved.

Mr. Arbus stated that updates would be available through word of mouth, but posting updates on the Township website would not be a viable option. Mr. Arbus also stated that the developer had been approved for 12 single family homes and now the developer is proposing 120 multi-family units.

MEETING MINUTES**NOVEMBER 9, 2009**

Jeff Green inquired if having all the apartments included in the Township's affordable housing plan would make sense in achieving compliance. Mr. Green also stated that he believed it would be beneficial to make the public aware of any updates to this litigation.

Al Kerecman concurred with comments made about the wildlife at Joe Palaia Park and feels that his proposal of promoting interconnectivity throughout the Township would help achieve the goal of preserving open space while creating a Township that all species could co-exist.

No other public comments were received.

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

Respectfully submitted,

William F. Larkin
Mayor

Vincent Buttiglieri, RMC/CMC
Municipal Clerk