

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

**APRIL 19, 2010**

**OAKHURST, NEW JERSEY**

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

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

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

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

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

Mayor Larkin announced that the notice requirements of the Open Public Meetings Act for this meeting have been satisfied; a copy of the Annual Notice was sent to the Asbury Park Press and The Coaster, posted in Town Hall and filed in the Office of the Township Clerk on December 9, 2009.

**Fire Exit Procedures:**

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

**NOTICE:**

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

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**CERTIFICATES OF ACCOMPLISHMENT:** *Alliance Slogan Contest Winners*

At this juncture, Mayor Larkin called each winner up individually to present them with a Certificate of Accomplishment. Mayor Larkin requested that each winner announce their slogan. They were as follows:

**Logan D. Wechselblatt**

Age 10

Ocean Township Intermediate School

Slogan: **Underage and Drinking?....You're Not Thinking!!!**

**Brandon Kilroy**

Age 9

Ocean Township Elementary School

Slogan: **Alcohol Free is the way to be!**

Mayor Larkin, on behalf of the entire Council, commended the winners for their commitment to staying alcohol free.

**PROCLAMATION:** Police Sergeant Charles B. Weinkofsky  
26 Years of Service

At this time, Mayor Larkin announced that the Township had prepared a Proclamation honoring the service of Police Sergeant Charles B. Weinkofsky.

# PROCLAMATION

Honoring

## *SGT. CHARLES B. WEINKOFSKY*

*26 years of Service*

- WHEREAS,** *Charles B. Weinkofsky was hired by the Township of Ocean Police Department as a Patrolman on August 29, 1983; and*
- WHEREAS,** *due to a tremendous work ethic, sense of compassion for the community and his fellow officers, as well as his strong analytical skills, Sergeant Weinkofsky was promoted to the position of Police Detective on December 31, 1989; and*
- WHEREAS,** *Sergeant Weinkofsky served in numerous other roles within the Police Department including: Sergeant in the Patrol Division (July 1, 2005), Sergeant of the Special Assignment Unit (January 2, 2006) and finally, as Sergeant back in the Detective Bureau (April 28, 2008); and*
- WHEREAS,** *Charles B. Weinkofsky received many commendations throughout his illustrious career, including thirteen Investigation Excellence Awards, four Honorable Service Awards, two Monmouth and Ocean County Intelligence Bureau Awards for his work on major Multi-State investigations and a Departmental Exceptional Service Award; and*
- WHEREAS,** *throughout his twenty-five years of service, Charles B. Weinkofsky demonstrated his dedication to the Township of Ocean, his fellow officers, and the residents and businesses of the Township by continually going above and beyond for the betterment of the community;*

**NOW, THEREFORE, BE IT PROCLAIMED** by the Governing Body of the Township of Ocean that we hereby extend our heartfelt appreciation and gratitude to

## *Sergeant Charles B. Weinkofsky*

*For his twenty-six years of Exemplary Service for the Township of Ocean*

**FURTHER BE IT PROCLAIMED** that we hereby wish Charles B. Weinkofsky a long, happy and healthy retirement surrounded by his loving family and friends.

Police Chief Amodio offered congratulatory comments to Sergeant Weinkofsky. Additionally, Chief Amodio reported that the Township had received a call from Monmouth County Prosecutor Luis Valentin earlier in the day. Mr. Valentin wanted to come and present a check to the Township, which is the Township's share of forfeiture funds that were acquired during Sergeant Weinkofsky's stint working undercover for the Prosecutor's Office in 2006. Chief Amodio announced that he was proud to be able to present the Mayor with a check in the amount of \$85,000.00, which was a result of the dedicated service of Sergeant Weinkofsky during that investigation.

Mayor Larkin thanked both Chief Amodio and Sergeant Weinkofsky for this very unexpected, but very welcomed revenue. Mayor Larkin presented the check to Director of Finance, Stephen Gallagher.

Deputy Mayor Hiers also congratulated Sergeant Weinkofsky for his many hours of volunteer service to the Township, especially as a volunteer firefighter.

At this point, Mayor Larkin introduced Andrew Brannen, Township Manager, to give a presentation on the proposed Automated Garbage Program.

Mr. Brannen discussed the following:

1. The new program will consist of garbage collection one (1) time per week and recycling collection one (1) time per week, both on the same day.
2. The new program will allow the resident to place both brush and garbage in the same container. Mr. Brannen explained that after some investigation, it was determined that the collection amounts drop down significantly from the Monday and Tuesday collection to the Thursday and Friday collection.
3. It was also determined that the Township had realized a pretty significant increase in the amount our residents were recycling per month. In 2008, the Township collected 198 tons of recycling per month and in 2009, it rose to 231 tons per month, signifying that the residents are recycling much more than in the past. Township Officials hope that this trend will continue with the implementation of the automated system of collection.
4. With the automated collection system, all recycling can be captured in the same container, although cardboard would still need to be broken down. However, newspapers would no longer need to be bundled, should the residents wish to abandon that practice.
5. Additionally, the Bulk and Metal collection schedule would be as follows: Bulk would be collected on the first through the fourth Wednesdays of each month, depending on the area of town one resides and Metal would be collected on the fifth Wednesday of the month (when that occurs).
6. Each household will be supplied with one (1) 96 gallon container for garbage/brush and one (1) 96 gallon container for recycling. Also, additional containers can be "leased" from the Township at a cost of \$55.00 per container. The recycling containers will have different color lids than those containers utilized for garbage/brush.
7. The dimensions of the 96 gallon container are: 46 1/2 x 28 x 30 1/2
8. Mr. Brannen explained that many people had been at a meeting held in 2007 when this was previously proposed and the Council, at that time, decided not to move forward. Mr. Brannen explained what has changed since then:
  - a. Ocean Township has seen its State Aid reduced by over \$1 million
  - b. Interest income the Township has been able to garner from investments has significantly decreased
  - c. Major revenue sources have decreased, for example, building permits. This is largely due to the downturn in the economy.
  - d. The Township could potentially lose an additional \$165,000.00 when the Loch Arbour Police contract expires at the end of 2010.
  - e. The State has been pushing for a hard 2.5% CAP, which means that the Township could only increase the amount it collects from taxes by that 2.5%. If there should be any shortfall, the Township could not increase taxes any more than that percentage.
9. Mr. Brannen explained what other steps the Township has taken over the past few years to combat the issues raised above:
  - a. Elimination of fourteen (14) positions in sanitation, all through attrition. By 2011, it is anticipated that there will be a reduction between 5-7 positions
  - b. Elimination of garbage collection for businesses
  - c. Single-stream recycling (putting all recycling in same container)

- d. Shared Services with the Board of Education
  - e. In-house 911 communication services
  - f. Reduction of the overall Township training budget by 10%
10. Mr. Brannen explained that it is anticipated the Township will realize a \$400,000.00 savings in the reduction of personnel once this program is fully implemented.
11. The cost for the containers is \$1 million, of which, over \$500,000.00 has been acquired through Grants to offset the cost of the containers.
12. The Township is going to be purchasing three (3) of the automated trucks this year. The current trucks will be retro-fitted with the appropriate equipment. The Township fully realizes there may be areas that will not be able to take part in this program due to the current widths of the streets. That is why the Township will always maintain a few of the manual trucks. Any additional automated trucks will be purchased during the normal replacement schedule.
13. The Township will maintain rear yard collection for those residents that meet certain criteria. There will be a form they will need to complete and submit to the Public Works Department.
14. The Township will also have 65 gallon containers for those residents that wish to have those instead of the larger 96 gallon containers.
15. Mr. Brannen stated that the Township will be sending out letters to all residents notifying them when the containers will be delivered and to notify the Township if they wish to have additional containers or to have the 65 gallon ones as opposed to the 96 gallon ones. Mr. Brannen further explained there was no limit on the number of containers that any resident can have, they would just be required to pay for any in excess of the two (2) the Township will provide.

Carla Ionetti, Sanitation Equipment Corp., gave a presentation on the trucks that the Township is proposing to purchase as well as the benefits of going to an automated system of collection.

Ms. Ionetti discussed the following benefits:

1. Workers Compensation – Township wishes to reduce claims
2. Difficulty in hiring laborers
3. Reduction in tardiness/sick occurrences
4. General Savings
5. Township's desire to increase the annual Tonnage Grant the Township receives
6. Township's desire to "go green"
7. Harsh economic times

Ms. Ionetti gave a brief synopsis of how the automated collection works and showed how the new trucks will work.

Mr. Brannen explained that the Township realizes there may be some sections of the Township where the roads are not wide enough to handle the automated trucks which is why the existing trucks are being retro-fitted with equipment that will enable them to perform the automated collection while being able to fit down the narrower roads.

#### **PUBLIC QUESTION on the Automated Collection Program**

**Brian Lefferson:**

1. Feels that the Township should do a better job enforcing the recycling of brush and does not feel that homeowners will place brush into the containers.
2. Feels residents are used to backyard collection and mandating them to bring the containers to the curb appears to be a reduction in service.

3. Inquired as to where the collection containers are supposed to be kept, as they are quite large and bulky.
4. How will the snow plows be able to get down Township roads if these containers are in the street.

Mr. Brannen responded that obviously, if there is significant snow, the collection will be postponed until the roadways are cleaned and passable. As far as enforcing the recycling of brush, Mr. Brannen informed Mr. Lefferson that the Township cannot mandate brush be recycled.

**Richard Block:**

1. Stated that he was concerned with where these large containers are going to be placed when there are mounds of snow at the curbs.

**Resident** (unable to obtain name):

1. Stated that losing the two time a week collection is going to be detrimental and for a cost between \$3.00-\$4.00 per month per household, he does not feel the cost should dictate this change.
2. Resident was concerned about the smell of the trash with only one time per week collection.

Mayor Larkin explained that the Township needs to save money based on difficult economic times, including the reduction in State Aid and the only way to do so is by attrition of personnel, which this will accomplish.

Mr. Brannen also stated that the Township will make an application to NJDEP requesting the ability to place a trash dumpster at the drop-off site for those residents who wish to get rid of their trash prior to collection day.

**Bob Ades:**

1. Inquired as to the potential start date of the automated collection
2. Was concerned with the difficulties of performing automated collection with the snow issues we have experienced over the past few year's

William McMahon, Public Works Director, stated that the Township will have the flexibility in the schedule to collect garbage on a different day, if weather should prohibit collection on the scheduled collection day.

**Sarah Carr:**

1. Was concerned about fitting the large containers into the garage, for those locations that require the garbage to be kept in said location.
2. Asked if consideration was ever given to exclude the condominiums and apartments from this program.

**Mr. Carr:**

1. Has the Township considered contracting this service out to a private collector as a way to save money instead of changing the current program?

Deputy Mayor Hiers responded that the Township, by making this change, will be able to utilize our own workers in a different area than sanitation. This would allow the Township to save money without laying employees off.

**Rich Flanagan:**

1. Discussed the potential savings, which he estimates will be approximately \$18.00 per household
2. Feels that the Township is demanding more from its residents, especially with the new recycling standards concerning brush.
3. Inquired how this program would be phased in?

Mr. Brannen responded that even though the savings may not appear to be significant, based on the reduction in State Aid and the potential for a Tax Levy CAP, the Township is sensitive to its taxpayers and this is one of the few areas the Township can realize any savings.

**Steve Kreeger:**

1. Inquired about the life expectancy of the containers

A Representative from the container company stated that the container has a ten year life expectancy.

**Don Geiger:**

1. Feels that in today's economy, any potential reduction in costs should be seriously looked at by the Township.
2. Inquired if a decision has been made as to where the location of the containers would need to be, at the curb or in the street?

Mr. Brannen stated that the decision has not been finalized as of yet.

**Dorothy Larkin:**

1. Stated that she is a caregiver in Brick and they have this same program. There is no odor that resonates from the containers and they are sturdy enough to prohibit them from blowing away, even with heavy winds.

As there were no more comments regarding this proposal, a brief recess was taken.

The meeting reconvened at 8:50 pm

**Public Questions:**

**F. K. Hudson**, inquired as follows:

1. He is concerned with the containers being left open or over-flowing.
2. Feels the Township should maintain the status quo on rear yard collection for trash.
3. Feels that the pending Loch Arbour litigation is a losing proposition for the Township.

**Jane Nigacki** fully supports the pesticide free zones the Township is creating and presented the Township with a plaque to be placed at one of the location depicting it as pesticide free.

**Brian Lefferson** inquired as follows:

1. Feels that the Township should increase the amount it charges Loch Arbour for police services and perhaps the Township should look into performing the same service for Interlaken Borough.
2. Resolution #10-060 – what criteria was used in selecting Ms. Hanlon as the Alternate Prosecutor and what is her fee?

Mr. Brannen responded that her fee is \$350.00 per court session, which is the same as the other Alternate Prosecutors.

3. Who is the Prosecutor and what is the current salary for the Municipal Court Judge?

Mr. Brannen stated that the Prosecutor is Timothy McGoughran and the salary for the Judge is \$66,000.00.

**Larry Loigman** inquired as follows:

1. What qualifications does Christine Hanlon have to be named to the position of Alternate Prosecutor?

Mayor Larkin explained that Ms. Hanlon was originally appointed as a Conflict Public Defender in the Township but subsequent to that, she was appointed as the Prosecutor in Atlantic Highlands. Under the law, that precludes her from being a public defender in any town while she is serving as a prosecutor in any other town within the same County. Also the Township has a need for another Alternate Prosecutor due to conflicts.

2. How many police officers have either retired or resigned in Ocean Township this year and how many have been replaced?

Mr. Brannen responded that six have either retired or resigned in 2010.

3. Resolution #10-049 – why is the meeting date being changed to a day that is a religious holiday?

Mr. Brannen explained that the meeting needs to be changed due to the advertising requirements for the adoption of the Municipal Budget. The Council will look to see if another date may be available.

**Bob Ades**, inquired as follows:

1. Ordinance #2144 – Why is this being done?

Mr. Brannen explained that this ordinance allows the Township to increase appropriations between 2.5% and 3.5%. If the Township did not pass this ordinance, it could not increase them any more than the 2.5%.

2. Asked about a number of items that appeared on the voucher list.

Mr. Brannen explained all vouchers that were questioned.

3. Commended all involved with the earlier presentation on the automated garbage collection program.

**Richard Block** inquired whether the Township was erasing all the hard drives from their copier machines when they are being turned in. If not, he suggested that begin happening.

**Don Geiger**, inquired as follows:

1. Nature of payments made for Suplee Clooney & Company and 3M?

Mr. Brannen explained the nature of all the payments questioned by Mr. Geiger.

2. Does the Township solicit formal bids for the following services: tree removal/trimming, brush/recycling, and salt?

Mr. Brannen explained that the Township received formal quotes for tree removal/trimming; salt is purchased off of State Contract and formal bids are accepted for brush/recycling.

3. What is the Green Trust?

Mr. Brannen explained that from time to time, the Township acquires open space from Green Acres either through a Grant or a low interest loan. These payments are the repayment of the loan.

No other public comments were received.

**CONSENT AGENDA**

**MINUTES:**

March 15, 2010 – Workshop, Public and Closed Meeting  
April 7, 2010 – Workshop and Closed Meeting

**RESOLUTIONS:**

**10-045 Authorize the acceptance of Performance Guarantees for the following:**

**a. Block 105, Lot 22 – 1304 Maple Avenue – Kolarsick Builders, Inc.**

**WHEREAS**, the Township of Ocean has approved a development project on Block 105, Lot 22 also known as 1304 Maple Avenue; and

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

**WHEREAS**, Kolarsick Builders, Inc. has posted cash performance guarantees totaling \$2,484.00 along with engineering inspection fees totaling \$1,145.00 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. Kolarsick Builders, Inc.

**10-046 Authorize the Developer's Agreement for the following:**

**a. Block 34, Lot 15 – 1712 Route 35 South – 1712 Route 35, LLC**

**WHEREAS**, the Developer (1712 Route 35, LLC) is the applicant for Block 34, Lot 15, as shown on the official tax map which property is located at 1712 Route 35 Southbound in the C-2 (Highway Commercial) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

**WHEREAS**, the Developer has received Site Plan Approval and Approval of Bulk (C) Variances by the Zoning Board of Adjustment of the Township of Ocean by way of Resolution dated October 29, 2009 to make modifications to circulation and building for existing tunnel carwash facility; and

**WHEREAS**, this Agreement relates to a Site Plan Map entitled Amended Site Plan, Tax Lot 15, Block 34, Township of Ocean, Monmouth County, New Jersey prepared by Michael Geller, P.E. of Geller, Sive & Company, consisting of eight (8) Sheets dated march 18, 2009 and last updated December 28, 2009; and

**WHEREAS**, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated January 11, 2010 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 1712 Route 35, 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 \$165,000.00 and Inspection Fees in the amount of \$8,075.00.

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. 1712 Route 35, LLC

**b. Block 1.02, Lot 72 – 20 Hidden Meadows Drive – Ocean Seniors, LLC (Phase I)**

**WHEREAS**, the Developer has 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. A total of 19 of the 20 units will be affordable units with additional parking to accommodate the additional units. The parking will be accessed through the existing parking garage since there is no room on the site to access the uplands area by going around the building; and

**WHEREAS**, this Agreement relates to a Site Plan Map entitled Preliminary/Final Site Plan, Primrose Place, Lot 72, Block 1.02, Ocean Township, Monmouth County, New Jersey by Matthew J. Robinson, P.E. of LGA Engineering, Inc. consisting of eleven (11) sheets dated March 20, 2009 and last updated January 7, 2010; and

**WHEREAS**, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated January 13, 2010 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 Seniors, LLC, subject to the following conditions first being met:

- a. All 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 \$504,480.00 and Inspection Fees in the amount of \$22,520.00.

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

1. Township Engineer
2. Director of Finance
3. Director of Community
4. Construction Official
5. Arthur J. Corsini, Jr.

**c. Block 1.02, Lot 72 – 20 Hidden Meadows Drive – Ocean Seniors, LLC (Phase II)**

**WHEREAS**, the Developer is the owner of certain property known as Block 1.02, Lot 72 as shown on the official tax map of the Township of Ocean, which property is located at 20 Hidden Meadows Drive in the AR3-PRD (Affordable Housing) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

**WHEREAS**, the Developer has 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, of which 19 will be affordable units; and

**WHEREAS**, condition “J” of the Township of Ocean Planning Board Resolution dated October 26, 2009 requires the Developer to fully comply with all bonding requirements under Township Ordinance #2123 and the applicable COAH requirements for the 19 units and pay the appropriate fees/bonds prior to renting any units on the property to non-age restricted tenants; and

**WHEREAS**, the Agreement requires the Developer to post performance bonds in accordance with the Performance Bond letter dated February 24, 2010 prepared by the Township of Ocean Engineer Gregory S. Blash, P.E. 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 an Agreement for COAH Requirements between the Township of Ocean and Ocean Seniors, LLC, subject to the following conditions first being met:
2. Posting of Performance Guarantees in the total amount of \$1,938,000.00 (\$296,000.00 for Four (4) One-Bedroom Units, \$1,182,000.00 for Eleven (11) Two-Bedroom Units, \$460,000.00 for Four (4) Three-Bedroom Units.

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Ocean Seniors, LLC

**10-047 Authorize the release of Maintenance Guarantees for the following:****a. Block 35.06, Lot 5 – 17 Hartshorne Road – M.G.O. Group, Inc.**

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

**WHEREAS**, M.G.O. Group, Inc. has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$1,562.54 for premises known as Block 35.06, Lot 5 also known as 17 Hartshorne Road; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated March 25, 2010, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantee in the amount of \$1,562.54 is hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer subject to the satisfaction of outstanding and anticipated engineering inspection fees which shall either be paid directly or subtracted from the cash maintenance posted.

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

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

**b. Block 35.02, Lot 2 – 22 Northwoods Road – M.G. O. Group, Inc.**

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

**WHEREAS**, M.G.O. Group, Inc. has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$2,448.83 for premises known as Block 35.02, Lot 2 also known as 22 Northwoods Road; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated March 25, 2010, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantee in the amount of \$2,448.83 is hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer subject to the satisfaction of outstanding and anticipated engineering inspection fees which shall either be paid directly or subtracted from the cash maintenance posted.

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

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

**c. Block 35, Lot 95 – 24 Brandywine Road – M.G.O. Group, Inc.**

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

**WHEREAS**, M.G.O. Group, Inc. has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$1,697.99 for premises known as Block 35, Lot 95 also known as 24 Brandywine Road; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated March 25, 2010, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantee in the amount of \$1,697.99 is hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer subject to the satisfaction of outstanding and anticipated engineering inspection fees which shall either be paid directly or subtracted from the cash maintenance posted.

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

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

**d. Block 35, Lot 83 – 46 Northwoods Road – M.G.O. Group, Inc.**

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

**WHEREAS**, M.G.O. Group, Inc. has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$1,546.54 for premises known as Block 35, Lot 83 also known as 46 Northwoods Road; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated March 25, 2010, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantee in the amount of \$1,546.54 is hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer subject to the satisfaction of outstanding and anticipated engineering inspection fees which shall either be paid directly or subtracted from the cash maintenance posted.

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

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

**e. Block 35, Lot 55 – 16 Carbury Road – M.G.O. Group, Inc.**

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

**WHEREAS**, M.G.O. Group, Inc. has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$2,206.94 for premises known as Block 35, Lot 55 also known as 16 Carbury Road; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated March 25, 2010, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantee in the amount of \$2,206.94 is hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer subject to the satisfaction of outstanding and anticipated engineering inspection fees which shall either be paid directly or subtracted from the cash maintenance posted.

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

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

**f. Block 12.03, Lot 3 – 147 Larchwood Avenue – Alan Cohn**

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

**WHEREAS**, Alan Cohn has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$2,385.79 for premises known as Block 12.03, Lot 3 also known as 147 Larchwood Avenue; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated March 12, 2010, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantee in the amount of \$2,385.79 is hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer subject to the satisfaction of outstanding and anticipated engineering inspection fees which shall either be paid directly or subtracted from the cash maintenance posted.

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

1. Alan Cohn
2. Director of Finance
3. Construction Official
4. Director of Community Development
5. Township Engineer

**g. Block 9, Lot 62 – 225 Howard Avenue – Edward and Raquel Levy**

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

**WHEREAS**, Edward and Raquel Levy has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$2,550.00 for premises known as Block 9, Lot 62 also known as 225 Howard Avenue; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated March 12, 2010, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantee in the amount of \$2,550.00 is hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer subject to the satisfaction of outstanding and anticipated engineering inspection fees which shall either be paid directly or subtracted from the cash maintenance posted.

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

1. Edward and Raquel Levy
2. Director of Finance
3. Construction Official
4. Director of Community Development
5. Township Engineer

**h. Block 9, Lot 3 – 263 Park Avenue – A.S. Builders**

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

**WHEREAS**, A.S. Builders has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$9,900.00 for premises known as Block 9, Lot 3 also known as 263 Park Avenue; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated March 10, 2010, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantee in the amount of \$9,900.00 is hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer subject to the satisfaction of outstanding and anticipated engineering inspection fees which shall either be paid directly or subtracted from the cash maintenance posted.

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

1. A.S. Builders
2. Director of Finance
3. Construction Official
4. Director of Community Development
5. Township Engineer

**i. Block 189, Lot 6 – 1110 Highway 35 – Long Branch Cellular Telephone Company**

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

**WHEREAS**, Long Branch Cellular Telephone Company has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$1,520.01 for premises known as Block 189, Lot 6 also known as 1110 Highway 35; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated March 24, 2010, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantee in the amount of \$1,520.01 is hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer subject to the satisfaction of outstanding and anticipated engineering inspection fees which shall either be paid directly or subtracted from the cash maintenance posted.

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

1. Long Branch Cellular Telephone Company
2. Director of Finance
3. Construction Official
4. Director of Community Development
5. Township Engineer

**10-048 Authorize the release of performance guarantees for the following:**

**a. Block 33, Lot 53 – 1603 Holbrook Street - Salvatore Dellomo**

**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**, Salvatore Dellomo has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$2,934.00 to guarantee the completion of all improvements on premises located on Block 33, Lot 53 also known as 1603 Holbrook Street; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated February 22, 2010, 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 (\$1,222.50), payment of \$500.00 to the Shade Tree Fund for the two (2) shade trees not planted and payment of any outstanding engineering and administrative fees; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the **FULL RELEASE OF PERFORMANCE GUARANTEES FOR SALVATORE DELLOMO** totaling \$2,934.00 are hereby released, canceled and discharged.

**BE IT FURTHER RESOLVED** by the Township Council that this resolution shall not become effective unless and until the Township of Ocean is furnished with the posting of a maintenance guarantee in the amount of 15% of the cost of the improvements (\$1,222.50), payment of \$500.00 to the Shade Tree Fund 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. Salvatore Dellomo
2. Director of Finance
3. Construction Official
4. Director of Community Development
5. Township Engineer

**b. Block 182, Lots 73, 74, 75 & 78 – Food Circus Supermarkets, Inc.**

**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 November 5, 2003 with Food Circus Supermarkets, Inc., commonly known as Foodtown, for Minor Site Plan approval to reconfigure a previously approved site plan and add a drop-

off/pickup driveway for property described as Block 182, Lots 7, 74, 75 and 78 located at Deal Road and Route 35; and

**WHEREAS**, Food Circus Supermarkets, Inc. has heretofore deposited with the Township of Ocean cash performance guarantees totaling \$114,822.18 to guarantee the completion of all improvements on premises known as Block 182, Lots 7, 74, 75 and 78; and

**WHEREAS**, Food Circus Supermarkets, Inc. requested a reduction in said performance guarantees to the sum of \$34,446.65 and said reduction was granted per resolution dated December 19, 2005; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer has advised the Township Manager by letter dated March 25, 2010, a copy of which is on file in the Office of the Township Clerk and made a part hereof, recommending the release of the aforementioned performance guarantees and the waiver of the maintenance guarantees since the project was completed over four years ago; 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. Food Circus Supermarkets, Inc.

**c. Block 33.16, Lot 1 and Block 33.17, Lot 2 – 1903 Highway 35 – FPN Prime, 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**, the Township Council did authorize and enter into a developer's agreement dated March 8, 2006 with FPN Prime, LLC for preliminary and final site plan approval with variances described as Block 33.16, Lot 1 and Block 33.17, Lot 2 located at 1903 Highway 35; and

**WHEREAS**, FPN Prime, LLC has heretofore deposited with the Township of Ocean performance guarantees totaling \$338,371.02 (in the form of performance bond #5014828 issued by Bond Safeguard Insurance Company in the amount of \$304,533.92 and cash in the amount of \$33,837.10) to guarantee the completion of all improvements on premises known as Block 33.16, Lot 1 and Block 33.17, Lot 2; and

**WHEREAS**, the Township Council granted a reduction of the performance guarantees to \$101,511.31 by resolution dated February 11, 2009; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer has advised the Township Manager by letter dated March 12, 2010 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 \$101,511.31 are hereby released, canceled and discharged subject to the following:

1. Receipt of maintenance bond in the sum of \$42,296.38 said maintenance bond to run for a period of two (2) years to cover maintenance of all improvements constructed under the original performance guarantee, approved as to substance and form by the Township Attorney.
2. Payment of pending and future engineering inspection and administrative fees in the amount to be determined by the Township Engineer to cover the estimated inspection fees.
3. All required certificates of insurance by 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. FPN Prime, LLC
2. Director of Finance
3. Director of Community Development
4. Construction Official

**d. Block 36, Lot 3 – 538 Green Grove Road – Thomas and Rhonda Mazza**

**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**, Thomas and Rhonda Mazza has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$3,159.54 to guarantee the completion of all improvements on premises located at Block 36, Lot 3 also known as 536 Green Grove Road; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated March 25, 2010, 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 performance guarantees 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, P.E. 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. Director of Community Development
4. Construction Official
5. Thomas and Rhonda Mazza

**e. Block 22, Lot 16 – 225 Monmouth Road – The Keybound Group**

**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 Township Council did authorize and enter into a developer's agreement dated July 23, 2007 with The Keybound Group, LLC for site plan approval, approval of expansion of a nonconforming use, floor area ratio variances and bulk variances for Block 22, Lot 16 located at 225 Monmouth Road; and

**WHEREAS**, The Keybound Group, LLC has heretofore deposited with the Township of Ocean performance guarantees totaling \$469,848.00 (in the form of Letter of Credit No. SM227004W issued by Wachovia Bank, N.A. in the amount of \$422,863.20 and cash in the amount of \$46,984.80) to guarantee the completion of all improvements on premises known as Block 22, Lot 16; and

**WHEREAS**, the Township Council granted a reduction of the performance guarantees to \$140,954.40 by resolution dated April 6, 2009; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer has advised the Township Manager by letter dated March 12, 2010 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 \$140,954.40 are hereby released, canceled and discharged subject to the following:

1. Receipt of a maintenance bond in the sum of \$58,731.00 said maintenance bond to run for a period of two (2) years to cover maintenance of all improvements constructed under the original performance guarantee, approved as to substance and form by the Township Attorney.
2. Payment of pending and future engineering inspection and administrative fees in an amount to be determined by the Township Engineer to cover the estimated inspection fees.
3. All required certificates of insurance be properly filed with the office of the Township Clerk.

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

1. The Keybound Group, LLC
2. Township Engineer
3. Director of Finance
4. Construction Official
5. Director of Community Development

**10-049 Authorize changing the May 17, 2010 Council Meeting to May 20, 2010**

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-18 requires a public body post and maintain posted throughout the year a schedule of regular meetings of the public body to be held during the succeeding year; and

**WHEREAS**, the Township Council of the Township of Ocean wishes to amend the meeting schedule that was approved on December 9, 2009 as follows:

OLD MEETING DATE

NEW MEETING DATE

May 17, 2010

May 20, 2010

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey that it does hereby amend the meeting schedule of the Township Council as noted above and the Township Clerk is authorized to post said change in accordance with N.J.S.A. 10:4-18

**10-050 Authorize various appointments to the Environmental Commission and to the Senior Citizen Housing Corporation**

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

**SENIOR CITIZEN HOUSING CORPORATION**

	<i>Member</i>	<i>Starting</i>	<i>Ending</i>
<u>(Poplar Village Representative)</u>			
2 year term	Ann DeBlasio	May 1, 2010	April 30, 2012
<u>(Community Representative)</u>			
5 year term	Raymond Lee Ross	May 1, 2010	April 30, 2015
	Donald Ritorto	May 1, 2010	April 30, 2015
	Susan Horton	May 1, 2010	April 30, 2015

**ENVIRONMENTAL COMMISSION**

2 year term	Kenneth Lutz	April 20, 2010	June 30, 2010
	- Alternate II (replacing Jason Chmura)		
	Laurel Von Gerichten	April 20, 2010	June 30, 2011
	- Alternate I (replacing Marc Rogoff)		

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

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

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

**10-051 Authorize the receipt of bids/proposals for Payroll Services and Banking Services**

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

**FINANCE:**

*Payroll Services*  
*Banking Services*

**POLICE:**

*Police Department Uniforms*

**WHEREAS**, specifications for the aforesaid items will be on file in respective departments and will be available for inspection.

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

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

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

**10-052 Adopt Integrated Pest Management (Pesticide Free Zones) as the pest control policy for the Township of Ocean**

**WHEREAS**, it is the desire of the Mayor and Council of the Township of Ocean to promote matters which benefit the health, welfare, comfort and safety of the citizens of the community; and

**WHEREAS**, scientific studies associate exposure to pesticides with asthma, cancer, developmental and learning disabilities, nerve and immune system damage, liver or kidney damage, reproductive impairment, birth defects and disruption of the endocrine system; and

**WHEREAS**, infants, children, pregnant women, the elderly and people with compromised immune systems and chemical sensitivities are especially vulnerable to pesticide effects and exposure; and

**WHEREAS**, lawn pesticides are harmful to pets, wildlife, soil microbiology, plants, and natural ecosystems and can run off into streams, lakes and drinking water sources; and

**WHEREAS**, Integrated Pest Management is the coordinated use of pest and environmental information and all available pest control methods (sanitation, mechanical, biological and "least toxic" chemical) to prevent unacceptable levels of pest damage by the most economical means with the least possible hazard to people, property and the environment; and

**WHEREAS**, Integrated Pest Management has been investigated and considered by the Environmental Commission and it is recommended by the Environmental Commission as a desirable and appropriate policy in order to reduce or eliminate the use of pesticides; and

**WHEREAS**, the Township of Ocean does maintain public properties at which pest management issues are an ongoing concern; and

**WHEREAS**, the Mayor and Council have determined that it is in the best interest of the health, welfare, comfort and safety of the Township's citizens to adopt Integrated Pest Management as the Township's pest management policy;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Ocean that the Township does hereby adopt Integrated Pest Management, as the pest control policy and strategy to be employed in the maintenance of the Township's public properties and facilities; and

**FURTHER BE IT RESOLVED**, that the Mayor and Council of the Township of Ocean encourage all citizens to make every effort to participate in this endeavor on their own property and that the Township will designate certain public properties such as community parks as

"Pesticide Free Zones". These areas will be posted with a sign indicating that chemical pesticides have not been applied to the site.

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

1. Public Works Department
2. Environmental Commission

**10-053 Authorize the reduction of the performance guarantees for the following:**

**a. Block 182, Lot 9.03, 9.02 and 9.03 – 1701 Kneeley Boulevard – Patock Construction, Inc./Ladacin Network**

**WHEREAS**, on July 28, 2008 the Township of Ocean Planning Board did approve the application of Patock Construction Co. as assignee of Ladacin Network for site plan and variance approvals to construct a 16,782 square foot office building that will be interconnected to the existing rehabilitation and vocational training center on premises known as Block 182, Lots 9.01, 9.02 and 9.03 located on 1701 Kneeley Boulevard; and

**WHEREAS**, the Township Council did authorize and enter into a developer's agreement dated February 11, 2009 with Patock Construction Co. as assignee of Ladacin Network for site plan and variance approvals to construct a 16,782 square foot office building that will be interconnected to the existing rehabilitation and vocational training center on premises known as Block 182, Lots (.01, 9.02 and 9.03 located on 1701 Kneeley Boulevard; and

**WHEREAS**, Subdivision Bond No. 105223095 was posted by Travelers Casualty and Surety Company of America, Hartford, CT, on behalf of Patock Construction Co., in the total amount of \$285,984.00 together with a cash bond of \$31,776.00 and

**WHEREAS**, the Township Clerk is in receipt of a letter from John T. Quinn representing Patock Construction Co., Inc. dated February 23, 2010 requesting a reduction of the performance guarantees; and

**WHEREAS**, the Township Clerk is in receipt of a letter from the Township Engineer's representative, Louis J. Lobosco, P.E., P.P., dated March 10, 2010 recommending the granting of a performance guarantee reduction; and

**WHEREAS**, the Township Council is willing to reduce the amount of the performance bond and cash guarantee to 30% of the updated performance guarantee estimate amount.

**NOW, THEREFORE, BE IT REOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that it does hereby authorize and approve a reduction of the performance guarantee to the sum of \$95,328.00 in the form of a performance bond in the amount of \$85,795.20 and cash in the amount of \$9,532.80, representing 30% of the original performance guarantee pursuant to N.J.S.A. 40:55D-52.e.(1) expressly subject to the following conditions:

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

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

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Patock Construction

- 6. Ladacin Network
- 7. Travelers Casualty and Surety Company of America

Vote on all Consent Agenda Items:

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Council-woman Schepiga	Councilman Siciliano	Mayor Larkin
Motion To Approve			X		
Motion to Second	X				
Approved	X (except for #10-049)	X	X	X	X
Opposed					
Not Voting/Recuse	X (#10-049 only)				
Absent/Excused					

**ORDINANCE:**

Ordinance #2144 – To exceed the Municipal Budget Appropriation Limits and to  
(P.H. 5/18/10 Coaster) Establish a CAP Bank

**CALENDAR YEAR 2010  
ORDINANCE TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 0.0% or the cost of living adjustment of 3.5% over the previous years final appropriations; and,

**WHEREAS**, a municipality may, by ordinance, bank the difference between its final budget appropriations subject to the 0.0 % cap and the 3.5% cost of living adjustment when said difference is not appropriated as part of the final budget; and,

**WHEREAS**, the Township Committee of the Township of Ocean, County of Ocean, hereby determines that this difference in the amount of \$842,512.79 that is not appropriated as part of the final budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

VOUCHERS: \$8,089,053.29

**Township of Ocean  
Department of Finance  
Voucher List for April 19, 2010**

Vendor Name	Description	Amount	Contract
<b><u>Appropriation Reserves Payments</u></b>			
ACUSHNET CO	GOLF BALLS,CAPS	1,675.70	
CABLEVISION	Cablevision Bill	149.82	
CABLEVISION	Cablevision Bill (Beecroft)	39.94	
CEDAR VILLAGE OCEAN	REIMBURSE MUNICIPAL SERVICES	6,613.31	
COOPER ELECTRIC SUPPLY CO	Renew contract for generator	206.70	
ELECTRONIC RISK CONSULTANTS IN	ADDIT. OF EQUIPMENT	5,689.04	
ENCON MECHANICAL CORP	Supply & install AC compressor	2,957.00	
F & C AUTOMOTIVE SUPPLY INC	Misc supplies for Twp vehicles	90.45	
GARDEN STATE FIRE & SECURITY	Alarm monitoring service	90.00	
GRAINGER	November misc supplies	233.42	
OLD DOMINION BRUSH CO	Misc parts for #60, #63 & #64	3,961.75	
REALTY APPRAISAL CO	4TH & FINAL PYMT-REASSESSMENT	37,000.00	C9-0012
RELIABLE WOOD PRODUCTS LLC	Recycle brush	448.00	
STEINBERG, MARK A ESQ	Kotsines v T of O BOA	1,957.50	
SUPLEE, CLOONEY & COMPANY	2008 SECONDARY MKT DISCLOSURE	2,500.00	
USHER PUBLISHING CO	100 Special Form Complaint Bks	285.00	
WPCS INT'L INC - LAKEWOOD	Installation of OEM equipment	1,565.68	
<b><u>Total</u></b>		<b>65,463.31</b>	
<b><u>Total Appropriation Reserves Payments</u></b>		<b><u>65,463.31</u></b>	
<b><u>2010 Current Fund Appropriation Payments</u></b>			
33 EAST CAR WASH OF OCEAN	CAR WASH #12 Jerome Donlon	7.00	
3M	Film for cutting signage	7,217.70	
A R COMMUNICATIONS	Antenna whips for Twp vehicles	144.00	
ABC RENTAL	Rental of tow behind lift	145.00	
ACCURINT FOR LAW ENFORCEMENT	PD-BACKGROUND SEARCHES-	32.00	
ADPRO IMPRINTS/BUDGET BANNERS	PD- MOUSE PADS	214.00	
ADPRO IMPRINTS/BUDGET BANNERS	CTGC FLAG	255.00	
AMERICAN HOSE & HYDRAULICS CO	Plow cylinder repair kit	193.00	
AMERICAN HOSE & HYDRAULICS CO	Repair snow plow lift cylinder	405.00	
AMERICAN WEAR INC	March uniform rental	956.15	
AMERICAN WEAR INC	March rags for shop use	60.00	
ARBUS, MARTIN ESQ	FEB/MAR-MONTHLY RET,GEN,BAIL,L	6,306.33	CO-0001
ARBUS, MARTIN ESQ	APR RETAINER	2,498.33	CO-0001
ARMSTRONG TREE SERVICE LLC	Emergency call in low branches	400.00	
ARMSTRONG TREE SERVICE LLC	CTGC TREE WORK	4,400.00	
ATLANTIC PLUMBING SUPPLY CORP	March misc plumbing supplies	745.83	
ATLANTIC SAFETY PRODUCTS INC	PD- NITRILE GLOVES- CIB	92.25	
BARG'S LAWN & GARDEN SHOP INC	March misc lawn mower parts	187.68	
BEATTY, RON	Reimbursement vehicle reg	40.00	
BENDINER & SCHLESINGER INC	DRUG SCREENS - JANUARY EST	966.00	
BENDINER & SCHLESINGER INC	DRUG SCREENS FEBRUARY	786.50	
BOARD OF FIRE COMMISSIONERS	2ND QTR 2010 SUBCODE INSP SVS	6,250.00	
BROWN, SANFORD ESQ	PB Meeting Feb 22, 2010	375.00	
BROWN, SANFORD ESQ	COAH litigation	390.00	
BROWN, SANFORD ESQ	COAH reviews	270.00	
BROWN, SANFORD ESQ	PB Meeting and reviews	862.50	
BSN SPORTS	FIELD PREP SUPPLIES	279.95	
BUTTIGLIERI, VINCENT CMC	March 2010 Petty Cash	260.68	
CALABRO, PHIL	SUBSTITUTE SUPERVISOR BB	104.00	
CAMPBELL SUPPLY CO INC	Misc supplies for door in PD	98.00	
CAMPBELL SUPPLY CO INC	Misc supplies for Police Dept	118.00	
CAMPBELL SUPPLY CO INC	Misc supplies PD locker room	242.00	
CCFA	CCFA CONTRIB FOR 2011	250.00	
CENTRAL JERSEY SEPTIC INC	Pump out septic tank Golf Cour	235.00	

CLARKE CATON HINTZ	JAN/FEB PROF SVS-AFFORDABLE HO	114.50
CLARKE CATON HINTZ	JAN/FEB REIMB EXP AFFORDABLE	60.76
COUNTRY CLEAN INC	MISC PAPER PRODUCTS CTGC	124.42
CRYSTAL SPRINGS	WATER	49.94
CRYSTAL SPRINGS	March spring water	73.04
CUSTOM BANDAG INC	March recap & service tires	662.83
DELTA DENTAL PLAN OF NJ	April Dental Insurance	10,655.21
DRIVERS LICENSE GUIDE CO	PD- ID CHECKING GUIDE	80.80
EAPA INC	MEMBERSHIP RENEWAL	180.00
EAST COAST SOD & SEED LLC	COLONIAL TERR GC SUPPLIES	350.00
EDWARDS TIRE CO INC	March tires for Twp vehicles	1,695.92
ELECTRONIC RISK CONSULTANTS IN	DOWN PAYMENT FOR 2010 RENEWAL	15,997.22
ELIFEGUARD INC	POOL SUPPLIES	933.32
F & C AUTOMOTIVE SUPPLY INC	March misc parts	2,677.10
FEDEX	PD- SHIPPING ALCOTEST PARTS	30.86
FEDEX	Overnight Documents	45.16
FIRE SECURITY TECH INC	Fire alarm trouble/West Pk Rec	218.00
FLAGSHIP HEALTH SYSTEMS INC	April Flagship Dental Ins	635.16
FLAVIEN, FELIX	Creole Intrpr-Court 3-23-10	180.00
FORT DEARBORN LIFE INS CO	April Life Insurance	644.16
GANN LAW BOOKS	Order 210 Edition NJ Z & L Use	98.00
GANNETT NJ NEWSPAPERS	A/C9459 4/3 BID-ASPHALT FABC	77.76
GEESE CHASERS LLC	GEESE CONTROL CTGC-FEB	862.33
GEESE CHASERS LLC	GEESE CONTROL CTGC MARCH	862.33
GOFFCO INDUSTRIES INC	OT Traffic Tickets	519.00
GOLF CAR SPECIALITIES LLC	GOLF UTILITY VEHICLE MARCH	140.00
GOVCONNECTION INC	PD- TONER CARTRIDGES	337.00
GOVCONNECTION INC	Linksys WRT54G3G-VN Router	375.00
GRAMCO BUSINESS	CDS 3 boxes	89.50
GRASS ROOTS TURF PRODUCTS	COLONIAL TERRACE GC SUPPLIES	153.97
GRAYBAR ELECTRIC CO	January misc supplies	335.18
GRAYBAR ELECTRIC CO	February misc supplies	293.26
HALSEY, MATTHEW	SUPERVISE VOLLEYBALL MAR.11,18	108.00
HOFFMAN SERVICES INC	Emergency call/Sunset Garage	500.00
HOFFMANN	Emergency break aways/gas pump	500.00
IDEAL LUMBER & SUPPLY CO	March misc lumber/support item	701.55
INTERNATIONAL SALT CO LLC	SALT FOR ROADS	50,140.82
INTERNATIONAL SALT CO LLC	Salt needed for icy roads	27,686.02
IVEY, KATHY	PD-STORAGE CONTAINER	32.08
JAMES HIGGINS ASSOCIATES	PB Meeting February 22, 2010	200.00
JERSEY CENTRAL POWER & LIGHT	March electric general usage	24,195.49
JERSEY CENTRAL POWER & LIGHT	March street lighting	19,842.30
JIM CURLEY PONTIAC GMC TRUCK	March misc parts	1,094.49
JOHNNY ON THE SPOT INC	ADA UNIT PALAIA PK MARCH	98.45
JUNGLE LASER LLC	NAT'L GEOMATICA 2/1/10-2/28/10	1,850.00
JUNGLE LASER LLC	NAT'L GEOMATICA 3/1/10-3/31/10	3,050.00
LADD, ALEX COLLETT	Span/Port Intrpr 3-16-10 Court	325.00
LAGER GLASS CO INC	Remove mirrors/locker room PD	160.00
LAKWOOD AUTO/ASBURY NAPA	March misc parts	2,284.87
LANGUAGE LINE SERVICES	Translation Service 2/10	17.00
LANIGAN ASSOCIATES INC	PD- ROAD FLARE- REPLENISHMENT	396.00
LANIGAN ASSOCIATES INC	PD- ROAD FLARES REPLENISHMENT	396.00
LAWMAN SUPPLY CO OF NJ INC	PD- PRESCAN PAD	61.72
LEON S AVAKIAN INC	JAN/FEB-GEN,DPW YD,SHARON,ZONI	2,892.50
LEON S AVAKIAN INC	JAN/FEB-ZONING REVIEWS	1,215.00
LEON S AVAKIAN INC	JAN-MAR-CTGC & 777 WPA	417.50
LERTCH RECYCLING CO	February recycle brush	435.12
LERTCH RECYCLING CO	March recycle brush	13,385.68
LESCO - PROX	Pure melt green/ice control	1,242.50
LINE SYSTEMS, INC.	MAR 2010 PHONE SERVICE CHARGES	4,209.21
LISA ENNY	REFUND OF ROOM RENTAL FEE	100.00
LOWES INC	March misc building supplies	1,209.22
LYNN PEAVEY CO	PD- FORENSIC SUPPLIES	700.90
MARGARET RYAN	REFUND OF VOLLEY BALL REG FEE	15.00
MASSARO, SALVATORE	2010 BLDG LICENSE RENEWAL	82.00
MAZZA & SONS INC	March dump fees for bulk mater	3,909.60
MC MAHON, WILLIAM	Cell phone reimbursement	25.00
MCAA OF MONMOUTH COUNTY	MCAA March Meeting	20.00
MCAA OF NJ	2010 Dues	90.00
MIAMI SYSTEMS INC	mailers	413.79
MID JERSEY MUN JOINT INS FUND	4TH INSTALLMENT ASSESSMENT	243,929.00
MODERN EQUIPMENT SALES &	March misc parts	3,630.08

MODERN EQUIPMENT SALES &	Misc snow plow parts	6,438.75	
MODERN EQUIPMENT SALES &	Misc snow plow parts	4,542.44	
MODERN EQUIPMENT SALES &	Misc parts for snow plows	786.51	
MON CTY JUVENILE OFFICERS ASSN	PD- ANNUAL MEMBERSHIP	50.00	
MON CTY REGIONAL HEALTH	MCRHC HEALTH SVS 2ND QTR 2010	39,460.75	
MON MUNICIPAL JUDGES ASSOC	2010 Annual Dues/Judge's Assoc	150.00	
MONMOUTH COUNTY TREASURER	SENIOR TRANSPORTATION 1ST Q	3,600.00	
NENA NJ CHAPTER CONFERENCE	PD- NJ-NENA CONFERENCE 192/196	400.00	
NEW JERSEY CHAPTER APWA	Registration one day seminar	25.00	
NEXTEL-SPRINT PO MANAGEMENT	1/27/10 - 2/26/10 AIR CARDS	144.97	
NEXTEL-SPRINT PO MANAGEMENT	2/27/10 - 3/26/10 AIR CARDS	94.98	
NJ EMERGENCY PREPAREDNESS	Mandatory CEU Training	75.00	
NJ NATURAL GAS CO	February gas usage	15,833.56	
NJ PLANNING OFFICIALS	NJPO dues PB & BOA 2010	360.00	
NJ SHADE TREE FEDERATION	Annual membership NJ ST Federa	145.00	
NJ ST LEAGUE OF MUNICIPALITIES	3/9/10 HEALTH BENE. NEG. SEMIN	55.00	
NJ ST LEAGUE OF MUNICIPALITIES	2010-2011 LEGISLATIVE ROSTER	45.00	
NJ STATE ASSOC OF CHIEFS OF	PD- ABC ENF TECH LE TRAINING	60.00	
NJ STATE HEALTH BENEFITS FUND	April Health Insurance	154,633.66	
NJAWC	February water usage	2,091.68	
O'SHEA TRUCK CENTER	March misc parts	298.97	
PALMER, MICHAEL W JR	PD- FINAL UNIFORM REIMBURSE	208.75	
PAULINE GOMOLA	REFUND OF SENIOR FITNESS REG	35.00	
PERRY'S TROPHY CO INC	REPLACEMENT BENCH PLAQUES	92.40	
QUIKIE PRINT & COPY SHOPS	750 POST CARDS/POLLING PLACE	82.67	
QUIKIE PRINT & COPY SHOPS	Inspection reports	80.00	
RANT, TOM	PD- 1ST QRT UNIFORM REIMBURSE	957.00	
RECREATION SUPPLY CO	POOL FLOATS	304.40	
RED THE UNIFORM TAILOR	PD- FTO PINS	59.70	
REGISTRARS' ASSOC OF NJ	SPRING MEETING REGISTRAR'S	40.00	
REISER, KATHY	CTGC SUPPLIES	41.66	
RESNICK DISTRIBUTORS	RETAIL SNACK ITEMS-Initial ord	1,001.96	
RIGGINS INC	March unleaded & diesel fuel	35,010.00	
RISINGSTAR DISTRIBUTION INC	Safety jackets	973.00	
RUDERMAN & GLICKMAN PC	FEB 2010 LABOR RELATIONS MATTE	5,850.00	CO-0002
RUTGERS THE STATE UNIVERSITY	Registration one day seminar	150.00	
SEA BREEZE FORD INC	March misc parts	2,277.68	
SEA BREEZE FORD INC	Remanufactured transmission	1,937.25	
SEABOARD FIRE & SAFETY	PD- CO2 REFILLS - MARCH	146.95	
SEABOARD WELDING SUPPLY INC	PD- OXYGEN REFILLS - MARCH	496.50	
SEABOARD WELDING SUPPLY INC	March propane for patch truck	298.25	
SEACOAST CHEVROLET OLDSMOBILE	March misc parts	687.69	
SIPERSTEIN'S PAINT	March misc paint & supplies	707.91	
SPRINT PO MANAGEMENT	PD- NEXTEL SERV PLAN - MARCH	470.71	
SPRINT PO MANAGEMENT	Service for Feb 27 - March 26	49.99	
STAVOLA ASPHALT CO INC	March 1st half patch program	1,237.77	
STAVOLA ASPHALT CO INC	March 2nd half patch program	1,871.26	
STEINBERG, MARK A ESQ	BOA meeting and resolutions	1,000.00	
STORR TRACTOR CO	March misc parts toro mowers	673.76	
SUNSET FARM MARKET	March misc supplies	79.98	
SUPERIOR OFFICE SYSTEMS	Staples for IR8500	115.00	
TAX COLL & TREAS ASSOC OF NJ	SPRING CONFERENCE MAY 18-20	285.00	
TERMINIX PROCESSING CENTER	Termite protection plan	798.00	
THE NEW COASTER LLC	3/25 TAX LIST OPEN FOR INSPECT	5.27	
THE NEW COASTER LLC	3/18 COMMUNITY BLOCK GRANT	57.00	
THEIBAULT, JOSEPH J JR	Ornamental Grasses - CTGC	540.00	
TOWNE HARDWARE	March misc maint supplies	203.16	
TREASURER COUNTY OF MONMOUTH	March dumping fees	57,599.96	
TREASURER STATE OF NJ	NJ UCC SUBSCRIPTION	50.00	
TREASURER STATE OF NJ	Recycling compliance fees	2,285.50	
TREASURER STATE OF NJ/1989 GT	PYMT #32 1989 GREEN TRUST FUND	9,580.88	
TRICO EQUIPMENT SERVICES LLC	March misc parts	176.28	
TRIOUS INC	Repair lift cylinder trk #89	551.12	
T-TIME DESIGNS INC	TEE TIME SCHEDULE BOOKS CTGC	134.25	
TWP OF OCEAN PAYROLL ACCOUNT	2010 POLICE & FIRE PENSION CON	1,311,762.00	
TWP OF OCEAN PAYROLL ACCOUNT	2010 PERS EMPLOYER PENSION CON	544,150.00	
TWP OF OCEAN SEWERAGE AUTH	2nd qtr 2010 sewerage payment	2,336.10	
UNITED STATES POSTAL SERVICE	Postage Spring Newsletter 2010	1,732.50	
UP TITE FASTENERS INC	March misc maint supplies	68.95	
US 1 AUTO PARTS	March misc parts	428.26	
US POSTAL SVS(NEOPOST ON CALL)	REPLENISH POSTAGE METER	5,000.00	
VANTAGEPOINT TRANSFER AGENTS	Retro Retiree Health Benefits	361.50	

VANTAGEPOINT TRANSFER AGENTS	Retiree Health Benefits	3,520.32
VERIZON	TELEPHONE & ISDN SERVICES 3/10	506.70
VERIZON COMMUNICATIONS	BROADBAND SERVICES MAR, 2010	159.94
VERIZON ONLINE	DSL SERVICES FOR MARCH,2010	60.81
VERIZON WIRELESS	PD- AIRCARD SERV PLAN - MARCH	400.14
VERIZON WIRELESS	PD- AIRCARD SERV PLAN - MARCH	440.15
VERIZON WIRELESS	Aircards for Public Works 3/10	210.11
VISUAL COMPUTER SOLUTIONS INC	PD-POSS SCHEDULING CONFERENCE	1,125.00
W W GRAINGER INC	March misc supplies	339.76
WANAMASSA GARDENS	REFUND OF OVERPYMT FOR APT	15.00

**Total** 2,718,012.69

**Non Budget Account Payments**

BOARD OF FIRE COMMISSIONERS	1ST QTR 2010 FIRE DIST 1 TAXES	334,938.25
BOARD OF FIRE COMMISSIONERS	1ST QTR 2010 FIRE DIST 2 TAXES	306,313.75
EBSCO SUBSCRIPTION SERVICE	MAR 2010-MAR 2011 DAILY/SUNDAY	238.92
TREASURER OF SCHOOL MONIES	APR 2010 SCHOOL TAXES PAYABLE	4,460,128.64
TREASURER ST OF NJ	JANUARY 2010 MARRIAGE LICENSES	675.00

**Total Non Budget Account Payments** 5,102,294.56

**Total 2010 Current Fund Appropriations Payments** 7,820,307.25

**General Capital Payments**

DELL MARKETING LP	85 WHr 9-cell Lithium Battery	176.19
GOVCONNECTION INC	PD- RADIO PROJECT- PHASE II	610.00
GOVCONNECTION INC	HP SFF 6000 Computer	595.00
GOVCONNECTION INC	HP SFF 6000 Computers	2,380.00
GOVCONNECTION INC	HP SFF 6000 Computers	2,380.00
INOVA SOLUTIONS	PD- OE ACCURATE INTERNET	1,201.95
LAWES OUTDOOR POWER EQUIPMENT	New EZ trench bedscaper	1,800.00
LEON S AVAKIAN INC	ENG SVS POLICE	4,667.50 C9-0018
LEON S AVAKIAN INC	1/1/10-2/25/10 2008 ROAD PROGR	1,557.50 C8-0010
MC CAULEY CONSTRUCTION CO	REL OF RETAINAGE WEST WING INT	27,817.59 C8-0003
TOWNE HARDWARE	Backpack blowers for Bldg&Grnd	940.00
W H POTTER & SON INC	Lawn edgers for lawn maintenanc	832.00
W H POTTER & SON INC	Pole pruner/Buildings&Grounds	173.00
WPCS INT'L INC - LAKEWOOD	PD- DIGITAL RADIO SYS-PHASE II	13,085.00
WPCS INT'L INC - LAKEWOOD	Veh equip and radio console	3,782.62

**Total** 61,998.35

**Total General Capital Payments** 61,998.35

**Grants Payments**

DELTA DENTAL PLAN OF NJ	April Dental Insurance	111.65
DRAEGER SAFETY DIAGNOSTIC INC	PD/DDEF- ALCOTEST RECERT	142.00
EZEE REACHERS SUPPLY	Reachers for litter clean up	378.79
FLORES, VICTORIA	Reimbursement for work boots	91.98
LANIGAN ASSOCIATES INC	PD- BODY ARMOR- P JACKSON	716.95
MC GRATH, LAURIE	Reimbursement for supplies	72.67
NJ STATE HEALTH BENEFITS FUND	April Health Insurance	1,411.32

**Total** 2,925.36

**Total Grants Payments** 2,925.36

**TORTA Payments**

TIME & SPACE CONSULTING	INSTRUCT SENIOR YOGA FEB/MAR	600.00
TWP OF OCEAN PAYROLL ACCOUNT	TORTA for 3/19/10 payroll	924.00
TWP OF OCEAN PAYROLL ACCOUNT	4/1/2010 TORTA	566.00
TWP OF OCEAN PAYROLL ACCOUNT	TORTA for 4/16/2010 payroll	640.00

**Total** 2,730.00

**Total TORTA Payments** 2,730.00

**Trust Other Payments**

736 HIGHWAY 35 LLC	INSP REL ON 736 HWY 35	3,475.22
ARBUS, MARTIN ESQ	FEB/MAR 2010-COAH MATTERS	2,848.00
ARBUS, MARTIN ESQ	MAR GEN,BAIL BONDS,LOCH,COAH	4,736.00
ARBUS, MARTIN ESQ	REALLOCATE FEB GENERAL LEGAL	912.00
BROWN, SANFORD ESQ	Manolakis reviews	162.50
BROWN, SANFORD ESQ	Ocean 35 reviews	100.00
BROWN, SANFORD ESQ	PB Reviews and resolutions	800.00

CLARKE CATON HINTZ	JAN 2010-PROF SVS-AFFORDABLE H	5,042.50	C9-0016
CMX	DEC 06-WENDY'S	67.00	
DAVID & GERMAINE DWECK	MAINT REL ON 330 PARK AVE	6,011.75	
DWEK, SOLOMON	MAINT REL ON 405 CROSBY AVE	1,840.60	
ESSENTIAL HOMES LLC	MAINT REL ON 37 OLD FARM RD	1,576.25	
FITZGERALD, WILLIAM	Basso reviews	506.25	
FITZGERALD, WILLIAM	Reviews Lumber Liquidators	1,181.25	
FNA JERSEY LIEN SERVICES LLC	REDEEM LIEN 09-00023 BL137 L33	1,096.22	
J FORD ELECTRIC	EMERG. RPR. TO TRAFFIC SIGNAL	1,349.13	
JAMES HIGGINS ASSOCIATES	DEC 06/JAN 07 WENDY'S MIDDLEBR	187.50	
JAMES HIGGINS ASSOCIATES	NOV 06-WENDY'S LANDSCAPE INSP	31.25	
JAMES HIGGINS ASSOCIATES	PB and BOA Reviews	1,375.00	
JAMES HIGGINS ASSOCIATES	Landscaping Inspections	687.50	
JAMES HIGGINS ASSOCIATES	FEB 2010 LANDSCAPE INSPECTIONS	312.50	
JAMES HIGGINS ASSOCIATES	Keybound Group Reviews	93.75	
JAMES HIGGINS ASSOCIATES	PB and BOA Reviews	1,750.00	
JAMES HIGGINS ASSOCIATES	Landscape Inspection Ladacin	125.00	
JAMES HIGGINS ASSOCIATES	REZONING OAKHURST COUNTRY	1,343.75	
LEON S AVAKIAN INC	THUR OCT 08-WENDY'S	917.50	
LEON S AVAKIAN INC	THRU AUG 09-NOBILITY CREST PH1	200.00	
LEON S AVAKIAN INC	THRU FEB 25,2010-VAR INSPECTIO	2,662.50	
LEON S AVAKIAN INC	JAN-MAR 2010-VARIOUS INSPECTIO	18,201.25	
LEON S AVAKIAN INC	JAN/FEB 2010-259 MONMOUTH RD	870.00	
LEON S AVAKIAN INC	JAN-MAR 4,2010-OCEAN SENIOR P2	1,281.25	
LEON S AVAKIAN INC	JAN/FEB COAH LAWSUIT	1,147.50	
MASER CONSULTING, P.A.	FEB/MAR 2010-VARIOUS INSPECTIO	1,143.75	
MASER CONSULTING, P.A.	MAR/APR 2010 VARIOUS INSPECTIO	873.75	
MASER CONSULTING, P.A.	MAR/APR 2010-MECCIA SUBDIVISIO	547.50	
PARKER, ELAINE L	MAINT REL ON 272 MAPLEWOOD	2,093.79	
PHILIP & DOROTHY JACOBS	MAINT REL ON 1704 N WANAMASSA	2,011.25	
REMINGTON VERNICK & VENA ENG	Subdivision Reviews	140.00	
RICH'S AUTO BODY	COLL. DED. '07 FORD CROWN VIC	2,500.00	
ROUSSELL, ALAN R & JENNIFER	MAINT REL ON 193 AMPERE AVE	1,642.25	
SAMUEL FROMKIN DEVELOPMENT CO	MAINT REL ON 1801 FINDERNE ST	1,030.65	
SCIALLO, LUKE JR	Worker's Comp Scibal Ck43917	1,266.06	
SCIALLO, LUKE JR	Twp Share Scibal Ck# 43917	321.94	
TWP OF OCEAN CURRENT FUND	Off Duty Admin/Police Car Use	2,115.00	
TWP OF OCEAN CURRENT FUND	Off Duty admin/police car use	1,101.25	
TWP OF OCEAN CURRENT FUND	Off Duty Admin/Police Car Use	2,152.50	
TWP OF OCEAN PAYROLL ACCOUNT	Off Duty 3/19/2010	5,430.00	
TWP OF OCEAN PAYROLL ACCOUNT	4/1/10 off duty police	3,765.00	
TWP OF OCEAN PAYROLL ACCOUNT	Off Duty Police	7,275.00	
TWP OF OCEAN PAYROLL ACCOUNT	Deferred Vacation 4/16/2010	12,730.73	
TWP OF OCEAN PAYROLL ACCOUNT	Deferred Sick Pay 4/16/2010	21,583.00	
WILLMS, DOUGLAS	W.Comp Scibal Ck 43497	344.48	
WILLMS, DOUGLAS	Twp Share Scibal Ck 43497	185.52	
WILLMS, DOUGLAS	Worker's Comp Scibal Ck#43873	1,059.49	
WILLMS, DOUGLAS	Twp Share Scibal Ck# 43873	528.51	
<b><u>Total</u></b>		<b>134,732.34</b>	

**Total Trust Other Payments****134,732.34****Animal Control Trust Payments**

MGL PRINTING SOLUTIONS	2010 CAT LICENSE TAGS	139.00
NJ STATE DEPT OF HEALTH	MARCH'10 STATE DOG LIC REPORT	292.80
TWP OF OCEAN CURRENT FUND	DOG POSTAGE MARCH 2010	429.88
TWP OF OCEAN PAYROLL ACCOUNT	FloresDiaz 2010 Rabies Clinic	35.00

**Total****896.68****Total Animal Control Trust Payments****896.68****Total Bill List for April 19, 2010**

Appropriation Reserve Total	<b>65,463.31</b>
Current Fund Total	<b>7,820,307.25</b>
General Capital Fund Total	<b>61,998.35</b>
State & Federal Grant Total	<b>2,925.36</b>
Law Enforcement Trust Total	
TORTA Total	<b>2,730.00</b>
Trust Other Total	<b>134,732.34</b>

Animal Control Total	<u>896.68</u>
Bid Deposit Refund	
State Unemployment Trust	
Trust Assessment Fund	
Total of All Funds	<u>8,089,053.29</u>

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Council-woman Schepiga	Councilman Siciliano	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:

- Encon Mechanical
- Sanford Brown, Esq.
- James Higgins Associates

**RESOLUTIONS:**

**10-039 Authorize the amendment of the 1993 agreement between the Township of Ocean and the Wanamassa Fire Company, Inc. with regard to Wanamassa’s Fireman’s Field, Block 142, Lot 47**

**WHEREAS**, the Township of Ocean and the Wanamassa Fire Company, Inc. entered into an agreement on June 11, 1993 with regard to property known as Block 142, Lot 47, which is commonly referred to as Wanamassa Fireman’s Field; and

**WHEREAS**, the Township of Ocean and the Wanamassa Fire Company, Inc. are desirous of amending the terms of that agreement and more specifically set forth terms with regard to the use and maintenance of the fields; and

**WHEREAS**, except as otherwise provided through the original lease agreement and this addendum, the regulations established by ordinance which are applicable to other Township recreational facilities shall be applicable to Wanamassa Fireman’s Field;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth that the Mayor and municipal Clerk are hereby authorized to execute the amendment to the Agreement between the Township of Ocean and the Wanamassa Fire Company, Inc. with regard to Wanamassa Fireman’s Field; and

**BE IT FURTHER RESOLVED**, that the Mayor or his designee is authorized to provide any additional information or take any additional steps which may be lawful and necessary to execute the said amendment; and

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

1. Wanamassa Fire Company, Inc.
2. Director of Human Services
3. Recreation Director
4. Director of Public Works

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

**10-054 Authorize the Tax Collector/Finance Director to issue refund check(s) in the amount of \$1,554.37 to the owner of Block 152, Lot 1.01, who has been declared a 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, 2010:

Owner Name	Block	Lot	Qual.	Address
Remington, Randall J. & Synnove	152	1.01	C1106	7 Centre Street Unit 1106

**WHEREAS**, the following 2010 taxes should be canceled and payments made on canceled taxes be refunded:

Owner Name	1 <sup>st</sup> Quarter 2010	2 <sup>nd</sup> Quarter 2010	3 <sup>rd</sup> Quarter 2010	4 <sup>th</sup> Quarter 2010	Total Refund
Remington, Randall J. & Synnove	1,554.37	0	0	0	1,554.37

**WHEREAS**, Taxes for the first half of 2010 levied on this property are \$3,108.74, of which Mr. Murphy paid \$1,554.37 and is now entitled to a refund and the first half of 2010 taxes assessed at \$3,108.74 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 2010 tax year and refund the 2010 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	Deputy Mayor Hiers	Councilman Garofalo	Councilwoman Schepiga	Councilman Siciliano	Mayor Larkin
Motion To Approve			X		
Motion to Second	X				
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**10-055 Authorize submission of the 2009 Municipal Recycling Tonnage Grant Application.**

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

**WHEREAS**, it is the intent and spirit of the New Jersey Statewide Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing program; 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 Act imposes 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 the **2009 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and 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 that the application is properly completed and timely filed.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Ocean, in the County of Monmouth that the Township of Ocean, in the County of Monmouth that the Township of Ocean hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and designates Andrew Brannen, Township Manager, 399 Monmouth Road, Oakhurst, New Jersey to ensure that the said application is properly filed.

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Council-woman Schepiga	Councilman Siciliano	Mayor Larkin
Motion To Approve			X		
Motion to Second	X				
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**10-056 Authorize the confirmation of the following Assessments:**

- a. **Howard Avenue, Wilson Avenue, Overbrook, Avenue, Hillcrest Avenue, Maple Avenue, Carole Drive, Lloyd Place and Robin Drive curbing, sidewalk and apron improvements**

**CONFIRMING HOWARD AVENUE, WILSON DRIVE, OVERBROOK AVENUE, HILLCREST AVENUE, MAPLE AVENUE, CAROLE DRIVE, LLOYD PLACE AND ROBIN DRIVE SIDEWALK, CURBING AND DRIVEWAY APRON ASSESSMENTS.**

**WHEREAS**, Ordinance 2106 authorized the installation of curbs, sidewalks and driveway aprons along Howard Avenue, Wilson Drive, Overbrook Avenue, Hillcrest Avenue, Maple Avenue, Carole Drive, Lloyd Place and Robin Drive; and

**WHEREAS**, The Township Engineer did make a physical inspection of the improvements installed and the Director of Finance has compiled the costs involved for each property owner affected, a copy of which is attached,

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Township of Ocean, County of Monmouth, State of New Jersey, that the report as submitted be and the same is hereby adopted and confirmed for Howard Avenue, Wilson Drive, Overbrook Avenue, Hillcrest Avenue, Maple Avenue, Carole Drive, Lloyd Place and Robin Drive in the amount of \$129,445.70 and that such report be forthwith filed with the Collector of Taxes of the Township of Ocean.

**BE IT FURTHER RESOLVED**, that the amount shown by the said apportionment of such cost and expense of said improvement be and the same is hereby assessed upon the owners of lands and real estate actually, peculiarly and specially benefited by such improvements as set forth in the report.

**BE IT FURTHER RESOLVED**, that the due date for the first payment is June 1, 2010 with a sixty day grace period ending July 31, 2010 in which either a lump sum payment or the first (1<sup>st</sup>) installment be made. Subsequent payments for those electing the installment plan shall be June 1<sup>st</sup> of each of the following four (4) years.

**BE IT FURTHER RESOLVED**, that pursuant to N.J.S.A. 40:56:32 that when any assessment shall not be paid within the 2 month grace period ending July 31, 2010 interest shall be imposed at the same rate as delinquent taxes, this being 8% on the first \$1,500.00 delinquent and 18% for the balance.

**BE IT FURTHER RESOLVED**, that pursuant to N.J.S.A. 40:56:35 that the owners of any real estate which any assessments shall have been made herein may pay such installments in five (5) yearly installments at the rate of the Bond Anticipation Notes borrowed by the Township to finance said improvements which are renewed annually in December. In the event that any installment shall remain unpaid for 30 days after the due date, the entire balance of the assessment due shall become and be immediately due with interest imposed at the same rate as delinquent taxes, this being 8% on the first \$1,500.00 delinquent and 18% for the balance.

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

- 1. Director of Finance
- 2. Tax Collector

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

**b. Maple Avenue curbing, sidewalk and apron improvements**

**CONFIRMING MAPLE AVENUE SIDEWALK, CURBING AND DRIVEWAY APRON ASSESSMENTS.**

**WHEREAS**, Ordinance 2107 authorized the installation of curbs, sidewalks and driveway aprons along Maple Avenue; and

**WHEREAS**, The Township Engineer did make a physical inspection of the improvements installed and the Director of Finance has compiled the costs involved for each property owner affected, a copy of which is attached,

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Township of Ocean, County of Monmouth, State of New Jersey, that the report as submitted be and the same is hereby adopted and confirmed for Maple Avenue in the amount of \$10,321.84 and that such report be forthwith filed with the Collector of Taxes of the Township of Ocean.

**BE IT FURTHER RESOLVED**, that the amount shown by the said apportionment of such cost and expense of said improvement be and the same is hereby assessed upon the owners of lands and real estate actually, peculiarly and specially benefited by such improvements as set forth in the report.

**BE IT FURTHER RESOLVED**, that the due date for the first payment is June 1, 2010 with a sixty day grace period ending July 31, 2010 in which either a lump sum payment or the first (1<sup>st</sup>) installment be made. Subsequent payments for those electing the installment plan shall be June 1<sup>st</sup> of each of the following four (4) years.

**BE IT FURTHER RESOLVED**, that pursuant to N.J.S.A. 40:56:32 that when any assessment shall not be paid within the 2 month grace period ending July 31, 2010 interest shall be imposed at the same rate as delinquent taxes, this being 8% on the first \$1,500.00 delinquent and 18% for the balance.

**BE IT FURTHER RESOLVED**, that pursuant to N.J.S.A. 40:56:35 that the owners of any real estate which any assessments shall have been made herein may pay such installments in five (5) yearly installments at the rate of the Bond Anticipation Notes borrowed by the Township to finance said improvements which are renewed annually in December. In the event that any installment shall remain unpaid for 30 days after the due date, the entire balance of the assessment due shall become and be immediately due with interest imposed at the same rate as delinquent taxes, this being 8% on the first \$1,500.00 delinquent and 18% for the balance.

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

1. Director of Finance
2. Tax Collector

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

**10-057 Amend the fee schedule with Jungle Lasers, LLC for the National Geomatica System**

**WHEREAS**, the Township of Ocean approved the entering into a contract with Jungle Lasers, LLC for the creation, updating and maintenance of the Township’s National Geomatica System on October 4, 2006; and

**WHEREAS**, Jungle Lasers, LLC has submitted a proposal to revise the end user fees associated with the continued use of the National Geomatica System, a copy of which is attached to this resolution and maintained on file in the Township Clerk’s office; 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 Community Development's 2010 Budget, account #0-01-22-725-263; and

**WHEREAS**, all other provisions of the Agreement between the Township of Ocean and Jungle Lasers, LLC shall remain in full force and effect;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth that it does hereby authorize the amending of the Schedule of Fees associated with the agreement with Jungle Lasers, LLC in connection with the maintenance of the Township's National Geomatica System; and

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

1. Director of Community Development
2. Jungle Lasers, LLC

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

**10-058 Authorize a contract with AMEC Electric, LLC to perform electrical work associated with the Police Department communication system.**

**WHEREAS**, the Township of Ocean is in need of the services of an electrical contractor to extend the existing Halo bonding grid and to install three (3) 6" conduits from the building to the new tower pad; and

**WHEREAS**, the Township Engineer, at the request of the Township of Ocean, solicited price quotes for said work; and

**WHEREAS**, three electrical contractors were mailed proposal packages and only one (1), AMEC Electric, LLC submitted a proposal to perform said work at a cost not to exceed \$8,480.00; and

**WHEREAS**, the Director of Finance has certified that funds are available in the Capital Improvement Fund, account #C-04-55-924-995;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council in the Township of Ocean, County of Monmouth that authorization is hereby given to enter into a contract with AMEC Electric, LLC, Metuchen, NJ as described herein at a cost not to exceed \$8,480.00; and

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

1. Director of Finance
2. Township Engineer
3. AMEC Electric, LLC
4. Police Department

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Council-woman Schepiga	Councilman Siciliano	Mayor Larkin
Motion To Approve			X		
Motion to Second	X				
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**10-059 Authorizing a Road Opening Permit for New Jersey Natural Gas for property located at 500 Lakeview Avenue**

**WHEREAS**, a request has been received from New Jersey Natural Gas for the granting of a street opening permit at Block 140, Lot 102, more commonly known as 500 Lakeview Avenue; and

**WHEREAS**, the Township Manager and the Director of Public Works have fully investigated this request and determined that this roadway was paved in 2005 and informed New Jersey Natural Gas 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 Natural Gas for Block 140, Lot 102, commonly known as 500 Lakeview Avenue, to install a gas line 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:

- a. William McMahon, Public Works Director
- b. Anthony J. Cilea
- c. Director of Finance

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

**10-060 Appoint Christine Hanlon, Esq. as a Alternate Prosecutor**

**WHEREAS**, the Township Council of the Township of Ocean passed Resolution #09-088 on June 15, 2009 authorizing the hiring of Timothy McGoughran to serve as the Prosecutor for the year from July 1, 2009 through June 30, 2010; and

**WHEREAS**, the Township of Ocean is in need of hiring an Alternate Prosecutor to provide said services when a conflict arises with the Township Prosecutor; and

**WHEREAS**, the Township of Ocean desires to enter into a contract for the position of Conflict Prosecutor with Christine G. Hanlon, Esq. at a rate of \$350.00 per court session; and;

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

**WHEREAS**, as required by law, Christine G. Hanlon, Esq. has competed and submitted a Business Entity Disclosure Certification certifying that she has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous twelve months and that the contract will prohibit Christine G. Hanlon, Esq. from making any reportable contributions to a political and/or candidate committee in the Township of Ocean throughout the term of this contract; and

**WHEREAS**, the Director of Finance has certified that there are available sufficient funds for the purpose of this award in the following account: Professional Services Prosecutor, account #0-01-25-757-201; and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Ocean, County of Monmouth, State of New Jersey that authorization is hereby given to enter into a contract with Christine G. Hanlon, Esq., as a Conflict Prosecutor for the period March 8, 2010 through June 30, 2010 at a rate of \$350.00 per court session; and

**BE IT FURTHER RESOLVED**, that the Mayor and Municipal Clerk are hereby authorized to execute the contract with Christine G. Hanlon, Esq. as Conflict Prosecutor; and

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

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

1. Christine G. Hanlon, Esq.
2. Municipal Court Administrator
3. Director of Finance
4. Township Auditor
5. Public Agency Compliance Officer

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

**10-061 Authorize a contract with CapturePoint.com for software and services for on-line program membership and facility management**

**AUTHORIZING A CONTRACT WITH CAPTUREPOINT.COM FOR SOFTWARE AND SERVICES FOR ON-LINE PROGRAM, MEMBERSHIP & FACILITY MANAGEMENT**

**WHEREAS**, the Township of Ocean is desirous of effectively integrating the management and financial oversight of its recreational programs and facilities through a comprehensive web-based software product; and

**WHEREAS**, implementation of Capturepoint.com will provide significant benefits to the efficient administration of information associated with program development, registration and management, in addition to facility operations while also providing the public the benefit from the convenience of said on-line registration services; and

**WHEREAS**, the cost of said software and other features being purchased will not exceed \$16,043.00; and

**WHEREAS**, the Director of Finance has certified to the Township Manager that there are adequate funds available for the purpose of this contract in the 2010 municipal budget under the following line item: Data Processing – Other, account # 0-01-20-707-339;

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

1. That the Mayor and Township Clerk are hereby authorized to execute an agreement with Capturepoint.com, a copy of which is attached hereto for reference.
2. That a certified copy of this resolution be forwarded to the following:
  - a. Department of Human Services
  - b. Director of Finance
  - c. Capturepoint.com

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Council-woman Schepiga	Councilman Siciliano	Mayor Larkin
Motion To Approve			X		
Motion to Second	X				
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**10-062 Approve the purchase of two (2) police vehicles from Day Chevrolet (State Contract # A73849) in the amount of \$56,000.00**

**WHEREAS**, N.J.S.A. 40:11-12 requires that any local contracting unit purchasing materials, supplies or equipment under a contract entered into by the State Division of Purchasing and Property shall authorize the award of such contract by Resolution of the Governing Body, and

**WHEREAS**, the State of New Jersey, Division of Purchase and Property has awarded a cooperative purchasing contract to Day Chevrolet, Egg Harbor Township, NJ under State Contract A73849,

**WHEREAS**, the Director of Finance has certified that there are sufficient funds available in Purchase of Police Cars – O/E, account 0-01-30-810-355

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Ocean, Monmouth County that is does hereby approve the Township Manager’s execution of a

purchase order Day Chevrolet, Egg Harbor Township, NJ in an amount not to exceed \$56,000 for the purchase of two (2) 2010 Chevrolet Tahoe SSV 4x4 Police Package vehicles.

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

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

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Council-woman Schepiga	Councilman Siciliano	Mayor Larkin
Motion To Approve			X		
Motion to Second	X				
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**10-063 Introduce the 2010 Municipal Budget**

**MUNICIPAL BUDGET NOTICE**

**SECTION 1.**

**Municipal Budget for the TOWNSHIP OF OCEAN, COUNTY OF MONMOUTH for the Fiscal Year 2010**

Be It Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2010

Be it Further Resolved, that said Budget be published in the ASBURY PARK PRESS in the issue of April 29<sup>th</sup>, 2010

The Governing Body of the TOWNSHIP OF OCEAN does hereby approve the following Budget for the year 2010:

RECORDED VOTE

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

Notice is hereby given that the Budget and Tax resolution was approved by the Township Council of the Township of Ocean, County of Monmouth on April 19, 2010.

A Hearing on the Budget and Tax resolution will be held at the MUNICIPAL BUILDING , on May 18, 2010 at 7:00 o'clock (p.m.) at which time and place objections to said Budget and Tax Resolution for the year 2010 may be presented by taxpayers and other interested persons

**ORDINANCES:**

**Introduction(s):**

Ordinance #2143 - An ordinance amending and supplementing Chapter XVI of the "Revised General Ordinances of the Township of Ocean, 1965" (P.H. 5/20/10 Coaster) entitled: Parks and Playgrounds

**ORDINANCE 2143**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI OF THE "REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF OCEAN, 1965"**

Be it ordained by the Township of Ocean in the County of Monmouth, State of New Jersey that **Chapter XVI, "Parks and Playgrounds"** of the "Revised General Ordinances of the Township of Ocean, 1965" hereby amended and supplemented as follows:

## SECTION I

Chapter XVI, Parks and Playgrounds, Sections 16-4.3, 16-5.2 and 16-5.3 are hereby amended and supplemented to read as follows with all other section not listed remaining the same:

16-4.3 Reserved Use of Softball and Baseball Fields located at the Wanamassa Firemen's Memorial Park,

- a. The proposed field reservation fee schedule as found in Chapter 16-5.3. includes per use rates for residents, non-residents, non-profit entities and private entities for softball, baseball and multipurpose fields. It is acknowledge that there are youth based organizations within the Township which provide a significant service to our residents through the provision of youth athletic programs. Accommodations within the reservation fee schedule have been addressed to acknowledge such services.
- b. It is the intent of the Department of Human Services to continue to have facilities open to residents of our community and their families for informal use of our athletic fields. Although if a reservation is requested, it is proposed to have fees applied. It is expected that organized groups and/or leagues obtain facility reservations prior to use of Township facilities.
- c. **Requests for on-going use of outdoor facilities will be accepted as follows:**
  - i. For outdoor facility use beginning April 15 or any time thereafter, requests will be accepted as of February 1<sup>st</sup> of the scheduling year
  - ii. When it is necessary to prioritize facility requests due to potential conflicts, the following priority order will be applied
    1. Township of Ocean sponsored programs
    2. Township of Ocean School District sponsored activities
    3. Township of Ocean based non-profit organizations
    4. Requests by others

### d. **Scheduling Procedure Associated with Outdoor Facilities:**

- a. **Reservations:** Groups/individuals who wish to secure a field reservation shall comply with the following:
  - i. Complete a request form as provided by the Department of Human Services. Applicant must be at least 22 years of age.
  - ii. Provide a **Certificate of Insurance** naming the Township of Ocean as certificate holder and additional insured
    1. If the field reservation is secured by an individual who is not associated with any said organization/league and therefore is unable to forward a certificate of insurance from an organization/league, the individual shall sign and submit a Hold Harmless as provided by the Township.
  - iii. Submit the established reservation fee, if applicable, as noted in Chapter 16-5.3. All checks are payable to the Township of Ocean.
  - iv. Established fees are assessed for single one time use and multiple/on-going use.
  - v. The Township of Ocean reserves the right to limit the number of reservations based on the good of the general public for facility availability and maintenance needs of the athletic facilities.

**b. Reservation Fees:**

- i. Specific Field Reservation Fees are indicated in Chapter 16-5.3
- ii. Individual reservation requests (one time use) shall be assessed the reservation fee based on the permanent residency of the individual submitting the request.
- iii. Reservation requests, submitted on behalf of a team for repeated use of a field, shall include a team roster to determine resident or non-resident fee schedule. If no roster is submitted, non-resident rates shall apply.
- iv. Reservation requests, submitted on behalf of an organization for repeated use of a field, shall be assessed the reservation fee based on the location of the organization submitting the request.

**c. Waiver of fees:**

- i. Reservation fees will be waived in the following instances:
  1. Activities hosted by the Township of Ocean.
  2. School activities recognized and organized by Township of Ocean School District personnel.
  3. Wanamassa Fire Company as it pertains to use of the fields at Wanamassa Firemen's Memorial Park.
- ii. Reservation fees may be waived if it is determined that the following criteria(s) have been satisfied based on the point system noted. At least 5 points are needed for a waiver of fees.
  1. Township of Ocean community based organizations (or a similarly constituted entity). (2 pts.)
  2. Any organization which actively publicizes program for which reservation is requested, to all residents with no priority given to members of a specific organization. (2 pts.)
  3. At least 75% of the participants involved in the activity for which the reservation request is made, permanently reside within the Township of Ocean. (2 pts.)
  4. A youth based organization which requires volunteers to participate in the Rutgers Youth Sports Council Training and also provide criminal background checks for the **volunteers**, involved in the program for which reservation is requested, who have direct unsupervised contact with youth. (1 pt.)
  5. Activity, for which the reservation request is made, is not already provided through the Township or an alternate non-profit entity. (1 pt.)
- iii. Reservation fees will not be waived for the following:
  1. Requests received by private entities.
  2. Field (with light) Reservation Fees as indicated in 16-5.3(I) are not eligible to be waived regardless if noted criteria are satisfied.
  3. Special Event Reservation Fees as indicated in 16-5.3(II) are not eligible to be waived regardless if noted criteria are satisfied.

iv. **Refunds:** Reservation fees are non-refundable. In the event of inclement weather which restricts use of reserved facility, an alternate date may be scheduled based on availability.

v. **Definitions**

1. Resident (Individual): An individual who permanently resides within the Township of Ocean.
2. Resident (Team): Team contact and at least 75% of the team roster permanently reside within the Township of Ocean.
3. Resident (Organization): Organization based in, and whose primary service area is, the Township of Ocean.
4. Per Use: Not to exceed a 2 hour block of time
5. Commercial or Private: An entity which provides an activity, which is not sponsored by the Township or by a registered non-profit, in which a fee is charged and/or a service is offered.

**16-5.3a Field Reservation Fees**

I. **Reservation Fees:** The following fee schedule has been established to reserve the softball and baseball fields located at the Wanamassa Firemen’s Park. Per use shall be scheduled in 2-hour blocks of time.

<b>Fees:</b>	<b>Res./2 hr.use</b>	<b>Non-Res./2 hr.use</b>	<b>Commercial or Private/2 hr. use</b>
Softball Field	\$25.00	\$50.00	\$75.00
Softball Field (with lights)	\$65.00	\$100.00	\$125.00
Baseball Field	\$25.00	\$50.00	\$75.00
Baseball Field (with lights)	\$105.00	\$140.00	\$165.00

II. **Special Event Reservation Fees:** A non-profit organization that requests and has reserved two or more fields at one location for the purpose of hosting a Special Event fundraiser (ie. Tournament) shall have its reservation fee reduced by 50% based on the overall per use fee as noted in 16-5.3a(I). Additional fees may apply from other municipal departments (Public Works, Police Department) as it pertains to traffic/crowd control, maintenance, repairs, etc.

III. **Clean Up Fee:** Reservation holders who fail to leave the facility in appropriate condition, will be assessed a \$100.00 clean up fee and will jeopardize future use of municipal facilities. It is expected that trash/recyclables will be placed in the appropriate containers on site or carried off site if said containers have been filled to capacity.

<b>Record of Vote</b>	<b>Deputy Mayor Hiers</b>	<b>Councilman Garofalo</b>	<b>Councilwoman Schepiga</b>	<b>Councilman Siciliano</b>	<b>Mayor Larkin</b>
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 Earth Day is April 22, 2010 and the Environmental Commission will be holding a celebration at 6:00 p.m. at the Library.

**The following made no Reports:**

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

**PUBLIC COMMENTS:**

**Brian Lefferson** commented that it appears there are sections of Roosevelt Avenue that require paving and hopes the Township will look to do that this year.

**F.K. Hudson** inquired about the status of the following:

1. Stop and Shop Litigation.

Martin Arbus, Township Attorney, responded that a court date is set for May, so it is still proceeding.

2. COAH Litigation

Mr. Arbus stated that the Township is still waiting for the new legislation to be enacted, which if so done, will be beneficial to the Township. Also, there is a court date set for the early part of May.

3. Armstrong Avenue/Route 35 Intersection

Mr. Brannen reported that he and Deputy Mayor Hiers met with the Monmouth County Engineer in late March and another meeting is scheduled but no formal decisions have been made to date.

Mr. Hudson inquired if there were any Stimulus funds available to the Township that could help pay for these improvements.

Mr. Brannen stated that Monmouth County did receive funds but they are being used towards improvements to the Monmouth Road/Deal Road intersection and the Monmouth Road/West Park Avenue intersection.

4. Deer Problem at Palaia Park

Mr. Brannen stated that the Environmental Commission is working with those residents that are affected to come up with a solution that all parties can live with.

**Bob Ades** inquired about the process that needs to be followed should there be changes in the 2010 Budget from what was introduced to what is ultimately adopted.

Stephen Gallagher, Director of Finance, explained the process to Mr. Ades.

No other public comments were received.

Seeing that there were no other comments, Mayor Larkin entertained a motion to adjourn the meeting.

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Council-woman Schepiga	Councilman Siciliano	Mayor Larkin
Motion To Adjourn				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