

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

FEBRUARY 7, 2011

OAKHURST, NEW JERSEY

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

Present: Mayor Larkin
Councilmember(s) Evans, Garofalo, Schepiga

Absent: Councilmember Siciliano

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

Statement of Compliance with the Open Public Meetings Act:

Mayor Larkin announced that the notice requirements of the Open Public Meetings Act for this meeting have been satisfied; a copy of the Annual Notice was sent to the Asbury Park Press and The Coaster, posted in Town Hall and filed in the Office of the Township Clerk on December 6, 2010.

Fire Exit Procedures:

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

NOTICE:

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

PROCLAMATION: Read Across America Day

Read Across America - NJ

March 2, 2011

WHEREAS, the citizens of the Township of Ocean stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, the Township of Ocean has provided significant leadership in the area of community involvement in the education of our youth grounded in the principle that educational investment is the key to the community's well-being and long-term quality of life; and

WHEREAS, **NEA'S Read Across America**, a national celebration of reading, will be conducted on March 2, 2011, which would have been the 107th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, Read Across America – NJ is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey League of Municipalities, the New Jersey Library Association, and their affiliates across the state to promote reading and adult involvement in the education of our community's students:

NOW, THEREFORE, BE IT PROCLAIMED that the Township Council of the Township of Ocean calls on the citizens of the Township to assure that every child is in a safe place reading together with a caring adult on March 2, 2011; and

FURTHER BE IT PROCLAIMED that this body enthusiastically endorses **NEA'S Read Across America** and **Read Across America – NJ** and recommits our community to engage in programs and activities to make America's children the best readers in the world.

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

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

PUBLIC COMMENTS:

Larry Loigman inquired as follows:

1. Resolution #11-030 – why does the Township issue refunds as opposed to just crediting these overpayments to future quarters

Andrew Brannen, Township Manager, stated that this is an unusual situation in that the partnership that made the overpayment has now dissolved, therefore, crediting future quarters would not have been feasible since there is a new entity responsible for this property.

2. Resolution #11-033 – how is the Township doing with their consolidation efforts for various Township functions

Mr. Brannen stated that the Township now has the capabilities of entering into inter-local agreements with other municipalities and we are actively pursuing same

3. With regard to Vouchers, Mr. Loigman inquired amount the excessive amount paid for snow removal services and wanted to know if the Township had sought a reimbursement from the State

Mr. Brannen stated that he had drafted the request for reimbursement which will be sent out by the end of the week.

Payment to Granger - why

Mr. Brannen informed Mr. Loigman that this building had been vacant but is now occupied, which necessitated the installation of heat in it.

Don Geiger inquired about the following Vouchers:

1. Payments to – Vincent Buttiglieri, Township Clerk, Central Towing, Jerome Donlon, Gill Associates, International Salt, and Bergeys

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

2. Inquired about Excess Balances in Animal Control and Public Defender Fees

Mr. Brannen stated that these were fees collected for the various items that have not been utilized to date and they must be moved to a Reserve Account and can not be used for any other expenditure.

Bob Ades inquired about Resolution #11-031

Mr. Brannen stated that this was for the purchase of a license plate reader that cross references the license plate with other data bases to see if any violations exist. Mr. Brannen also stated that this purchase was paid for from the Law Enforcement Trust Fund.

F. K. Hudson inquired about how many street sweepers the Township owns

Mr. Brannen stated that currently the Township owns three sweepers.

There were no additional questions at this time.

CONSENT AGENDA:

MINUTES:

January 10, 2011 – Workshop, Public and Closed Meeting

January 18, 2011 – Workshop and Public Meeting

RESOLUTIONS:

11-027 Authorize the Performance Guarantee Reduction for the following:

a. Block 140, Lot 109 – 731 Highway 35 – Ocean 35 Developers, LLC

WHEREAS, Ocean 35 Developers, LLC was granted Preliminary and Final Site Plan Approval with Variances by the Township of Ocean Planning Board by way of resolution dated May 16, 2005 and Revised Major Site Plan Approval by the Township of Ocean Planning Board by way of resolution dated July 30, 2007 for property known as Block 140, Lot 109, 731 Highway 35 to demolish the existing vacant “Ritz” diner and construct a 15,670 square foot retail building; and

WHEREAS, the Township Council did authorize and enter into a Developer’s Agreement dated March 15, 2010 with Ocean 35 Developers, LLC, for Preliminary and Final Site Plan Approval with Variances and Revised Major Site Plan Approval for property located on Block 140, Lot 109, 731 Highway 35 to demolish the existing vacant “Ritz” diner and construct a 15,670 square foot retail building; and

WHEREAS, Ocean 35 Developers, LLC posted performance guarantees totaling \$336,480.00 by way of Subdivision Bond Number 1039629 issued by Lexon Insurance Company on behalf of Ocean 35 Developers, LLC in the total amount of \$302,832.00 together with a cash bond of \$33,648.00; and

WHEREAS, the Township Clerk is in receipt of a letter from Rudolf Samandarov representing Ocean 35 Developers, LLC dated January 11, 2011, 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 January 12, 2011 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 42.19% of the original performance guarantee estimate amount.

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 authorize and approve a reduction of the performance guarantee to the sum of \$141,962.70 in the form of a performance bond in the amount of \$127,766.43 and cash in the amount of \$14,196.27, representing 42.19% 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 shall be provided by the Township clerk to each of the following:

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Ocean 35 Developers, LLC
6. Lexon Insurance Company

11-028 Authorization to accept bids for the following:

a. Various Road Materials

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

Public Works:

Various Road Materials

WHEREAS, specifications for the aforesaid items will be on file in the Department of Public Works and will be available for inspection.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the Township Clerk to advertise for bids for the aforesaid item 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 Public Works

11-029 Authorize the auction of various Public Works Vehicles and equipment that is no longer needed for public use

WHEREAS, the Township Council of the Township of Ocean is desirous of conducting an on-line municipal auction of various surplus vehicles and other equipment no longer needed for public use; and

WHEREAS, said on-line auction will be held beginning at 9:00 a.m. on Monday, April 4, 2011 and ending at 4:00 p.m. on Friday, April 8, 2011; and

WHEREAS, Stephan J. Miranti, Auction Liquidation Services, P.O. Box 1216, Eatontown, NJ will conduct said auction on their website located at www.usgovbid.com for a commission rate of 5.5% of the gross selling price; and

WHEREAS, the sale will be conducted pursuant to Local Finance Notice 2008-9; and

WHEREAS, Local Public Contracts Law N.J.S.A. 40A:11-36 requires authorization of a sale of property via adoption of a Resolution; and

WHEREAS, the fair market value of the property to be sold does exceed 15% of the bid threshold; and

WHEREAS, the attached list of vehicles and equipment will be published in the Asbury Park Press no earlier than 14 days not later than 7 days prior to said auction;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that the Township be and is hereby authorized to dispose of the following vehicles, equipment and other miscellaneous items through the process of an online auction to be held beginning at 9:00 a.m. on Monday, April 4, 2011 and ending on Friday, April 8, 2011 on the website located at www.usgovbid.com; and

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the contract with Auction Liquidation Services, Eatontown, NJ; and

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

1. Township Manager
2. Director of Public Works

TOWNSHIP OF OCEAN

LIST OF VEHICLES/EQUIPMENT AND MISCELLANEOUS ITEMS FOR ONLINE AUCTION To be held between APRIL 4-8, 2011

VEHICLE/ ID #	VIN # (last 6)	YEAR	MAKE	MILEAGE
25	A87778	1993	Ford Ranger Pickup	107,855
19	501022	1998	GMC C7500 Recycling Truck	43,989
18	500999	1998	GMC C7500 Recycling Truck	40,157
42A	821124	1984	Dynapac Pavemaster 2100 Roller	NA
2	000723	2001	Toro Z-Turn Mower	NA
45	531160	1977	Ford Tractor 535	NA
14	279409	1996	Chevrolet Lumina	83,548
51	200622	1991	GMC/Elgin Eagle Sweeper	28,970
55	158194	2005	Crown Victoria Police	87,916
30	175238	2004	Crown Victoria Police	99,350
54	175456	2005	Crown Victoria	100,621
5	175240	2004	Crown Victoria	101,253
OEM	204740	2003	Crown Victoria	120,806
61	204741	2003	Old Police Car #61	90,398
64	125039	2003	Old Police Car #64	115,774
5	X198897	1994	Ford Crown Victoria	92,360
11693		1975	Lindig Shredder	N/A

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Vote on all Consent Agenda Items:

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

INDIVIDUAL ACTION:**VOUCHERS: \$16,748,738.67**

**Department of Finance
Voucher List for February 7, 2011**

Vendor Name	Description	Amount	Contract
<u>Appropriation Reserves Payments</u>			
33 EAST CAR WASH OF OCEAN	PD- CAR WASHES - DECEMBER	104.79	
33 EAST CAR WASH OF OCEAN	FULL SERVICE CAR WASH - CAR 3	7.00	
ACCURINT FOR LAW ENFORCEMENT	PD-BACKGROUND SEARCHES - DEC	32.00	
ACTION OFFICE SUPPLIES INC	UCC FORMS	1,560.00	
ADP INC	Dec Payroll Services	2,845.30	
AFLAC - NEW YORK - FLEX ONE	NOV 2010 MEDFLEX ADMIN FEE	25.00	
AFLAC - NEW YORK - FLEX ONE	DEC 2010 MEDFLEX ADMIN FEE	25.00	
AIR & GAS TECHNOLOGIES INC	PD- DIVE MASK MAINTENANCE	671.27	
AMBASSADOR MEDICAL SERVICE INC	Random drug/alcohol test	302.00	
AMC EMBROIDERY	Hi-Visibility Safety Wear	156.00	
AMERICAN UNIFORM & SUPPLY CO	PD- DISPATCHER UNIFORM PANTS	134.97	
AMERICAN WEAR INC	Dec. uniform rentals	709.60	
AMERICAN WEAR INC	December rags for shop use	48.00	
ARBUS, MARTIN ESQ	DEC 2010 GEN LEGAL, LOCH ARB, BA	5,520.00	CO-0008
ARMSTRONG TREE SERVICE LLC	Tree & Stump removal/Lake Park	1,500.00	
ASBURY PARK ELECTRIC SUPPLY	Dec misc electric supplies	351.90	
ATLANTIC PLUMBING SUPPLY CORP	Dec misc plumbing supplies	324.06	
BENDINER & SCHLESINGER INC	DRUG SCREENING DECEMBER	1,252.00	
BERGEY'S INC	Dec misc parts for Twp	89.23	
BULLET LOCK & SAFE CO INC	Dec misc keys etc. for Twp.	202.20	
BUTTIGLIERI, VINCENT CMC	REIMBURSEMENT FOR PURCHASE OF	242.86	
C & M DOOR CONTROLS INC	Pull handles for library doors	985.00	
CALABRO, PHIL	SUB SUPERVISOR ADULT BASKETB	52.00	
CCC HEAVY DUTY TRUCK PARTS CO	Wipers for Truck 5,6,,9 & 97	503.13	
CENTRAL TOWING & RECOVERY INC	Tow truck 5 for quote	445.00	
CMF BUSINESS SUPPLIES INC	PAPER FOR MUNICIPAL OFFICES	1,397.00	
CRAFT OIL CORP	Oil & antifreeze for stock	1,360.00	
CRAFTMASTER PRINTING INC	PD- DEPT ENVELOPES/STATIONARY	357.00	
CRYSTAL SPRINGS	Nov spring water	177.33	
CUSTOMER RELATIONS FULL SOURCE	Class 3 safety vest for men	828.90	
D & D UTILITY CONTRACTORS INC	Emergency snow removal	16,425.00	
DISAKIAS, MARK	Reimbursement for supplies	238.66	
DIVERS TWO INC	PD- EQUIPMENT MAINTENANCE	334.00	
DONLON, JEROME	Cell Phone Reimbursement	225.00	
EDWARDS TIRE CO INC	Dec. recap & service tires	5,283.50	
EDWARDS TIRE CO INC	Dec tires for Twp vehicles	1,904.74	
EDWARDS TIRE CO INC	Spare tires for Side loader	5,263.50	
ELECTRONIC RISK CONSULTANTS IN	12/16/10 RPL DEVELOPER SAVIN	144.15	
ENCON MECHANICAL CORP	Condensation leak WP Rec Ctr	697.00	
ENCON MECHANICAL CORP	Town Hall power outage chiller	309.50	

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ENCON MECHANICAL CORP	Leaking pump in Town Hall	1,032.50
F & C AUTOMOTIVE SUPPLY INC	Dec misc parts for Twp.	2,173.53
FARRUGGIA, SALVATORE	CELL PHONE AUG. - OCT. 2010	75.00
FARRUGGIA, SALVATORE	WORK BOOTS	125.00
FEDEX	PD- PLANAR MONITOR RETURN	58.37
FEDEX	PD- PLANAR MONITOR RETURN	60.47
FEDEX	PD- 2-FACE MASKS/MAINTENANCE	37.76
FIRE & SAFETY SYSTEMS CO	Annual inspection fire sprinkl	720.00
FIRE SECURITY TECH INC	Emergency fire alarm/Human Ser	1,842.50
FIRE SECURITY TECH INC	Fire alarm/Town Hall Inspect.	176.00
FOLEY INC	Diag transmission on loader 67	935.50
GALETON GLOVES INC	Indulated work gloves	139.71
GANNETT NJ NEWSPAPERS	A/C 9459 DEC 30 COUNCIL MTG	19.44
GANNETT NJ NEWSPAPERS	a/c9459 10/6/10 TAX SALE AD	275.30
GARIFINE, JACK	SUPERVISE GIRLS INSTRUCT SOCC	136.50
GEESE CHASERS LLC	GEESE CONTROL DECEMBER CTGC	862.33
GILES & RANSOME INC	Dec misc loader parts	340.99
GILL ASSOCIATES	Point of Sale Equip:POOL&CTGC	9,413.00
GOFFCO INDUSTRIES INC	UTT Books	656.10
GOLF CAR SPECIALITIES LLC	CTGC UTILITY CARS DECEMBER	140.00
GRAYBAR ELECTRIC CO	Nov misc supplies	240.39
GRAYBAR ELECTRIC CO	Dec misc supplies for Twp.	1,162.53
HARLEY-DAVIDSON OF LONG BRANCH	Tires for police motorcycle	387.70
HARTER EQUIPMENT INC	Misc parts leaf machine #63	384.07
HEARTLAND SERVICES INC	DEC 2010 REC CREDIT CARD SVS	115.63
HEARTLAND SERVICES INC	DEC 2010 AUTHNET GATEWAY FEES	16.50
HOFFMANN	DEP inspection/diesel and Gas	4,520.00
IDEAL LUMBER & SUPPLY CO	Dec misc lumber & support	726.40
INNOVATIVE MUNICIPAL PRODUCTS	Liquid Calcium Chloride	1,404.44
INNOVATIVE MUNICIPAL PRODUCTS	Liquid Calcium Chloride	3,418.29
INTERNATIONAL SALT CO LLC	Salt for roads	26,530.68
JAMES HIGGINS ASSOCIATES	BOA/ meeting / PB Misc	512.50
JAMES HIGGINS ASSOCIATES	PB and BOA mtgs & ReEx Report	900.00
JAMES HOWE	FINGERPRINT REIMBURSEMENT	26.25
JAMES ROROS	FINGERPRINT REIMBURSEMENT	26.25
JERSEY CENTRAL POWER & LIGHT	November electric	8,942.58
JERSEY CENTRAL POWER & LIGHT	November Street Lighting	19,739.14
JERSEY CENTRAL POWER & LIGHT	Dec electric	9,602.72
JERSEY CENTRAL POWER & LIGHT	Dec. street lighting	19,678.56
JERSEY SHORE LANDSCAPING	Hazardous tree removal	2,150.00
JOHN E REID & ASSOC INC	PD- INTERVIEW/INTERROGATION	1,190.00
JOHN GIRARD	FINGERPRINT REIMBURSEMENT	26.25
JOHNNY ON THE SPOT INC	ADA UNIT JOE PALAIA PARK	98.45
KELLY WINTHROP, LLC.	Remove dead deer	180.00
KEPWEL SPRING WATER CO	KEPWELL WATER DEC ESTIMATE	56.00
L & L PAVING CO INC	Emergency snow removal	18,700.00
LANIGAN ASSOCIATES INC	PD- SAFETY SUPPLIES - DECEMBER	152.80
LEE BATTERY SERVICE INC	Dec misc batteries for Twp.	420.98
LEON S AVAKIAN INC	COPIES OF PLANS-5 MALKE	15.00
LEON S AVAKIAN INC	2010 POOL,ZONE,777WPA,DPW,POPL	6,668.75
LESCO - PROX	5 gal paint for soccer field	1,043.64
LESCO - PROX	Marking paint for soccer field	1,101.62
LINE SYSTEMS, INC.	DEC 2010 PHONE SERVICE CHARGES	5,086.64
LOWES INC	Dec misc building supplies	703.24
LYNN PEAVEY CO	PD- EVIDENCE SUPPLIES	998.90
MAACO COLLISION REPAIR & AUTO	Refinish header panel car #50	215.00
MASSARO, SALVATORE	CELL PHONE JAN - DEC 2010	300.00
MAZZA & SONS INC	Dec dump fees for bulk	2,384.56
MC MAHON, WILLIAM	Cell phone reimbursement	25.00
MC MAHON, WILLIAM	Reimbursement washing sheets	33.77
McHEFFEY, DR DINA A	4TH QUARTER MEDICAL CONSULT	300.00
MODERN GROUP LTD	Nov misc parts/twp vehicles	2,972.03
MODERN GROUP LTD	Dec misc parts for Twp.	2,043.81
MON CTY POLICE ACADEMY	PD- 4TH QUARTER TRAINING	85.00
MONMOUTH COUNTY TREASURER	4TH Q SCAT SENIOR RIDES	2,850.00
MOORE WALLACE NORTH AMERICA	Certified Paper	266.32
NEOPOST, INC.	SUPPLIES FOR POSTAL MACHINE	193.94

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NEOPOST, INC.	NEOPOST SUPPLIES	91.72	
NEPTUNE AUTO SUPPLY	Dec misc parts for Twp.	2,013.62	
NEPTUNE DOOR CO	New door panel for Beecroft	240.00	
NEW JERSEY EMERGENCY VEHICLES	PD- GENERATOR CHECK - MCU	166.25	
NEXTEL-SPRINT PO MANAGEMENT	10/27/10 - 11/26/10 AIR CARDS	49.99	
NJ NATURAL GAS CO	November gas	13,727.62	
NJ NATURAL GAS CO	Dec gas usage	24,369.83	
NJAWC	Dec water usage	2,160.31	
OTIS ELEVATOR CO	Service Contract for Library	2,036.76	
RED THE UNIFORM TAILOR	PD- SPRING JACKET / KRUG	125.00	
RED THE UNIFORM TAILOR	PD- DAMAGED L/S SHIRT/ CLUNE	60.00	
RIGGINS INC	Dec unleaded & diesel fuel	39,505.52	
RUDERMAN & GLICKMAN PC	DEC 2010 LABOR RELATION MATTER	1,020.00	C0-0002
S & S WORLDWIDE INC	REC ACTIVITY SUPPLIES	1,508.30	
SANDY DE MARCO	FINGERPRINTING REIMBURSEMENT	26.25	
SANITATION EQUIPMENT CORP	Nov misc truck parts	312.03	
SCOLES JANITOR SUPPLY	REPAIRS ON POOL EQUIPMENT	1,287.22	
SEABOARD FIRE & SAFETY	PD- CO2 REFILLS - DECEMBER	101.20	
SEABOARD WELDING SUPPLY INC	PD- OXYGEN REFILLS - DECEMBER	260.00	
SEABOARD WELDING SUPPLY INC	Dec propane & misc supplies	661.80	
SEACOAST CHEVROLET OLDSMOBILE	Dec misc parts	355.95	
SPRINT PO MANAGEMENT	Service for Nov 27 - Dec 26	49.99	
SPRINT PO MANAGEMENT	Service for Dec 27 - Jan 26	49.99	
SPRINT PO MANAGEMENT	PD- NEXTEL SERV PLAN - DEC	933.22	
STAVOLA ASPHALT CO INC	Dec 1st half patch program	196.20	
STEINBERG, MARK A ESQ	BOA meeting and resolutions	560.00	
STORR TRACTOR CO	Sprinkler head for gulf course	360.00	
SUDIA, ERIC	CELL PHONE JAN - DEC 2010	180.00	
SUPLEE, CLOONEY & COMPANY	PROF SVS-SECONDARY MKT	2,650.00	
TIMOTHY SICILIANO	FINGERPRINT REIMBURSEMENT	26.25	
TOWNE HARDWARE	Dec misc maint supplies	295.47	
TOWNE HARDWARE	Air mattresses for emergency	360.00	
TREASURER COUNTY OF MONMOUTH	Dec dumping fees	46,009.92	
TREASURER STATE OF NJ	Site remediation program cost	193.93	
TREASURER STATE OF NJ	Bureau of Water Allocation fee	205.00	
TRICO EQUIPMENT INC	U Joints for leaf collection	2,084.82	
TRICO EQUIPMENT SERVICES LLC	Pins for loader 50	881.34	
TRICO EQUIPMENT SERVICES LLC	Dec misc parts	731.67	
US 1 AUTO PARTS	Dec. misc parts	191.96	
VAN SANT CONTRACTORS &	Controll box for PD command	498.23	
VERIZON WIRELESS	Air Cards for public Works	120.22	
VITALE, PAUL	CELL PHONE OCT 2010	25.00	
W B MASON CO INC	OFF. SUPPLIES AS PER ATTACHED	787.78	
W W GRAINGER INC	Dec misc supplies for Twp.	153.68	
W W GRAINGER INC	75000BTU heater for Roller Rd.	1,863.50	
WILLIAM CRONIN	FINGERPRINT REIMBURSEMENT	26.25	
WINTER EQUIPMENT CO INC	Curb Shoes for Leaf Collection	756.64	
ZEP MANUFACTURING CO	Soap/Cleaner for shop supplies	943.72	
<u>Total</u>		372,064.07	
	<u>Total Appropriation Reserves Payments</u>	372,064.07	
	<u>2011 Current Fund Appropriation Payments</u>		

ARBUS, MARTIN ESQ C1100001	JAN 2011 MONTHLY RETAINER	2,498.33	
BERGEY'S INC	January misc parts for Twp.	621.63	
BOARD OF FIRE COMMISSIONERS	1ST QTR 2011 SUBCODE INSP SVS	6,250.00	
CASO, SHERRY	SUPERVISOR GS BB 1/8 & 1/15	66.00	
DELTA DENTAL OF NJ INC	JANUARY DENTAL INSURANCE	10,490.05	
DELTA DENTAL OF NJ INC	February Dental Insurance	10,028.02	
DISAKIAS, MARK	Reimbursement for supplies	202.83	
F & C AUTOMOTIVE SUPPLY INC	January misc parts for Twp	1,092.55	
F & C AUTOMOTIVE SUPPLY INC	Battery Charger for Becroft	494.00	
FLAGSHIP DENTAL PLANS	JANUARY FLAGSHIP DENTAL PREMIU	599.79	
FLAGSHIP DENTAL PLANS	February Dental Insurance	599.79	
FORT DEARBORN LIFE INS CO	JANUARY LIFE INSURANCE PREMIUM	649.68	
FORT DEARBORN LIFE INS CO	February Life Insurance	652.80	

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GANNETT NJ NEWSPAPERS	A/C 9459 JAN 18 COUNCIL MTG	16.00
HALSEY, MATTHEW	SUPERVISE ADULT VOLLYB.JAN	144.00
HEARTLAND SERVICES INC	JAN 2011 CREDIT CARD SERVICE	351.80
HEARTLAND SERVICES INC	JAN 2010 AUTHNET GATEWAY SVS	14.50
IDEAL LUMBER & SUPPLY CO	January misc lumber & support	271.47
JOHNNY ON THE SPOT INC	ADA UNIT PALAIA PK JANUARY	98.45
KEPWEL SPRING WATER CO	WATER JANUARY	38.50
KRISTIN MC CONVILLE	REFUND OF ADULT BBALL REG FEE	20.00
LEON S AVAKIAN INC	TEMPLE BETH TORAH PLAN COPIES	24.00
LEON S AVAKIAN INC	COPIES OF PLANS,B33.34, L5 & 6	10.00
MC EVOY, SALLY	SUPERVISOR BOYS BB JAN 1&18	102.81
MC MAHON, WILLIAM	Cell phone reimbursement	25.00
MID JERSEY MUN JOINT INS FUND	1ST INSTALLMENT 2011 ASSMT BIL	238,583.75
MID JERSEY MUN JOINT INS FUND	2ND INSTALLMENT 2011 ASSMT	238,583.75
NJ ST LEAGUE OF MUNICIPALITIES	INTEREST ARBITRATION SEMINAR	110.00
NJ STATE HEALTH BENEFITS FUND	January Health Insurance	170,018.76
QSCEND TECHNOLOGIES INC	1/1/11 - 12/31/11 MONTHLY WEB	1,500.00
QUIKIE PRINT & COPY SHOPS	BUSINESS CARDS DHS	74.00
SANITATION EQUIPMENT CORP	RPL SIDE FENDERS SL-3 LOADER	1,128.08
SANITATION EQUIPMENT CORP	January misc. truck parts	443.39
SCHLOSSER, RYAN	Reimbursement for diesel fuel	75.00
SEA BREEZE FORD INC	RPL TRANSMISSION TRUCK #29	2,029.99
SEA BREEZE FORD INC	Reman Transmission car #61	1,640.00
THATCHER, LINDA	SUPERVISOR GJ BB 1/8 & 1/15	78.00
THE NEW COASTER LLC	JAN 2011 LEGAL ADVERTISEMENTS	83.39
TREASURER COUNTY OF MONMOUTH	January dumping fees	40,046.40
TRICO EQUIPMENT SERVICES LLC	RPL HYD CONTROL LEVEL #49	2,330.77
TWP OF OCEAN RECREATION ACCT	1ST INSTALLMENT BASKETBALL	9,000.00
TWP OF OCEAN SEWERAGE AUTH	1st qtr 2011 sewerage payment	1,934.74
TWP OF OCEAN SEWERAGE AUTH	1ST QTR 2011 SEWERAGE PMT POOL	6,841.80
UNITED STATES POSTAL SERVICE	1ST CLASS & STANDARD MAIL PERM	370.00
US 1 AUTO PARTS	January misc parts for Twp.	1,303.73
US POSTAL SVS(NEOPOST ON CALL)	REPLENISH POSTAGE IN METER	5,000.00
VANTAGEPOINT TRANSFER AGENTS	JAN 2011 RETIREE HEALTH BENEFI	5,156.82
VANTAGEPOINT TRANSFER AGENTS	Retiree Health Benefits	4,886.81
VERIZON	TELEPHONE & ISDN SERVICE 1/11	1,208.20
VERIZON COMMUNICATIONS	BROADBAND SERVICES FOR 1/11	101.51
VERIZON COMMUNICATIONS	BROADBAND SERVICES 1/11	60.86
WARAR, NEIL	SUPERVISOR BB JAN 8 & 15	143.43
<u>Total</u>		768,095.18

Non Budget Account Payments

BURKE, THOMAS DET SGT	2011 START UP CID PETTY CASH	1,000.00
BUTTIGLIERI, VINCENT CMC	2011 START UP T/CLERK PETTY CA	400.00
CAMI FABRICANT	REFUND OF REC BBALL REG FEE	45.00
CONCETTA POLONSKY	REFUND OF MESSY SCHOOL REG FEE	30.00
COOPER ELECTRIC SUPPLY CO	Renew service contract	239.20
ERIN GIBERSON	REFUND OF MESSY SCHOOL REG FEE	40.00
INGENITO, NEIL CAPT	2011 START UP POLICE ADMIN	200.00
JOHN KOCHENASH	REFUND OF YOUTH BBALL REG FEE	45.00
JOYCE JAFFEE	REFUND OF REC BBALL REG FEE	45.00
LAURA DE LA LUZ	REFUND OF REC SOCCER REG FEE	40.00
McCARTER & ENGLISH, LLP	TAX APPEAL REFUND BL 141 L 1	250,548.87
MICHAEL DALTON	PARTIAL REFUND FOR LIFEGUARD	77.50
MONMOUTH COUNTY TREASURER	1ST QTR 2011 OPEN SPACE TAXES	212,218.55
MONMOUTH COUNTY TREASURER	1ST QTR 2011 LIBRARY TAXES	194,865.59
MONMOUTH COUNTY TREASURER	1ST QTR 2011 GEN/ADDED/OMITTED	3,401,851.63
OCEAN 733 ASSOCIATES, LLC	TAX OVERPAYMENT BL 140 L 107	1,019.18
PATRICIA BUDDLE	REFUND OF YOUTH BBALL REG FEE	55.00
TREASURER OF SCHOOL MONIES	JAN 2011 SCHOOL TAXES PAYABLE	4,633,418.56
TREASURER OF SCHOOL MONIES	FEB 2011 SCHOOL TAXES PAYABLE	4,633,418.56

Total Non Budget Account Payments

13,329,557.64

Total 2010 Current Fund Appropriations Payments

14,097,652.82

General Capital Payments

MEETING MINUTES

FEBRUARY 7, 2011

BERGEY'S TRUCKS INC	New 33 cu yd automated trucks	1,376,240.00	
CDW GOVERNMENT INC	HP 4015 TN	1,467.29	
FERNANDES CONSTRUCTION INC	PYMT #4 2010 ROADWAY IMP PROG	22,265.40	C0-0012
GOVCONNECTION INC	Wireless Equipment	121.00	
GOVCONNECTION INC	PLANTRONICS WIRELESS HEADSETS	688.00	
GOVCONNECTION INC	Switch 2510G-24	2,245.00	
GOVCONNECTION INC	PD- SUNSET TOWER UPS	761.00	
GRAYBAR ELECTRIC CO	Phone Equipment	709.15	
HUNTER TECHNOLOGIES	AVAYA IP OFFICE 500 PHONE SYS.	34,928.44	
IDESCO CORP	Fargo Transfer Film	184.11	
W B MASON CO INC	OFF. SUPPLIES AS PER ATTACHED	529.00	
W H POTTER & SON INC	Chain Saw for shop use.	828.90	

Total 1,440,967.29

Total General Capital Payments 1,440,967.29

Grants Payments

ALL HANDS FIRE EQUIPMENT LLC	Hi-Vis Reflective Traff gloves	137.00	
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Vendor Name	Description	Amount	Contract
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BERGEY'S TRUCKS INC	New 33 cu yd automated trucks	441,021.00	
DELTA DENTAL OF NJ INC	February Dental Insurance	343.14	
FERNANDES CONSTRUCTION INC	PYMT #4 2010 ROADWAY IMP PROG	130,000.00	C0-0012
W B MASON CO INC	OFF. SUPPLIES AS PER ATTACHED	33.02	

Total 571,534.16

Total Grants Payments 571,534.16

TORTA Payments

MAGHAN, DAWN RYT	YOGA INSTRUCTOR JAN/FEB	500.00	
NASCO	SENIOR PAINTING ART SUPPLIES	698.23	
PRINGLE, RYAN	SUPERVISE INSTR.BB JAN.	240.00	
TWP OF OCEAN PAYROLL ACCOUNT	P/R 1/14 TORTA PROGRAMS	510.00	
TWP OF OCEAN PAYROLL ACCOUNT	Torta for 1/28/2011	920.00	
TWP OF OCEAN RECREATION ACCT	1ST INSTALLMENT TORTA BBALL	1,800.00	

Total 4,668.23

Total TORTA Payments 4,668.23

Trust Other Payments

AMERICAN TAX FUNDING LLC	REDEMPTION 140 104 LIEN 03 020	100,785.48	
ARBUS, MARTIN ESQ	DEC 2010 COAH LEGAL SERVICES	1,072.00	
BROWN, SANFORD ESQ	PB Reveiws and Resolutions	616.00	
CLARKE CATON HINTZ	DEC 2010-COAH AFFORDABLE HOUSI	12,901.25	C0-0004
CLARKE CATON HINTZ	DEC 2010 COAH AFFORDABLE HOUSI	66.43	
FEDEX	12/29 STANDBY LETTER OF CREDIT	30.14	
ITALIAN AMERICAN ASSOCIATION	PERF REDUCTIION ON 1110 HWY 35	8,071.75	
JAMES HIGGINS ASSOCIATES	Landscaping reviews	218.75	
JAMES HIGGINS ASSOCIATES	PB and BOA Reviews	2,406.25	
LEON S AVAKIAN INC	9/1-10/1 SAXONY DR	200.00	
LEON S AVAKIAN INC	THRU 7/2009-25 FRAMINGHAM RD	540.00	
LEON S AVAKIAN INC	THRU 6/2010-1804 FANWOOD ST	568.75	
LEON S AVAKIAN INC	THRU 6/2010-311 CRIMSON CIRCLE	378.75	
LEON S AVAKIAN INC	THRU JULY 2010-1001 ROSELD AVE	510.00	
LEON S AVAKIAN INC	THRU OCT 15-606 BEECHWOOD AVE	762.50	
LEON S AVAKIAN INC	THRU NOV-2000 LINDEN/603 CAROL	343.75	
LEON S AVAKIAN INC	THRU NOV 2010-511 WPA	471.25	
LEON S AVAKIAN INC	THUR NOV 2010-222 RUNYAN AVE	627.50	
LEON S AVAKIAN INC	THRU NOV 2010-COMMERCE BANK	906.25	
LEON S AVAKIAN INC	THRU NOV 2010-155 LARCHWOOD AV	826.25	
LEON S AVAKIAN INC	THRU DEC 2010-VARIOUS INSPECTI	17,775.00	
LISA M ANTON	Return of found money	160.00	
MASER CONSULTING, P.A.	DEC 2010 VARIOUS INSPECTIONS	3,931.25	
OAKHURST VETERINARY HOSPITAL	PERF REL ON 225 MONMOUTH RD	14,184.61	

MEETING MINUTES

FEBRUARY 7, 2011

RANT, THOMAS	Scibal Ck 45718 1/28/11 p/r	532.72
RANT, THOMAS	TWP Share Scibal Ck#45718	351.88
STEINBERG, MARK A ESQ	BOA Reviews & Resolutions	1,610.00
TWP OF OCEAN CURRENT FUND	5 YEAR OLD TAX SALE PREMIUM	900.00
TWP OF OCEAN CURRENT FUND	EXCESS 2010 PUBLIC DEF FEES	16,147.50
TWP OF OCEAN CURRENT FUND	P/R 1/14 POLICE CAR/ADMIN FEES	2,335.00
TWP OF OCEAN CURRENT FUND	Off Duty Police Car/Admin Fees	2,725.00
TWP OF OCEAN PAYROLL ACCOUNT	P/R 1/14 SPECIAL DUTY POLICE	7,335.00
TWP OF OCEAN PAYROLL ACCOUNT	Deferred Sick Pay	32,942.84
TWP OF OCEAN PAYROLL ACCOUNT	Deferred Vacation Brannen 1/14	3,330.77
TWP OF OCEAN PAYROLL ACCOUNT	Off Duty Police 1/28/2011	10,875.00
US BANK CUST CCTS CAP.LLC	REDEMPTION 200 4 PREMIUM	3,200.00

<u>Total</u>		250,639.62
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<u>Total Trust Other Payments</u>		<u>250,639.62</u>
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Animal Control Trust Payments

MGL PRINTING SOLUTIONS	BRASS DOG TAGS/CAT TAGS 2011	493.00
TWP OF OCEAN CURRENT FUND	EXCESS BALANCE IN ANIMAL CONTR	10,719.48

<u>Total</u>		11,212.48
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<u>Total Animal Control Trust Payments</u>		<u>11,212.48</u>
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Total Bill List for February 7, 2011

Appropriation Reserve Total	372,064.07
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Current Fund Total	14,097,652.82
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General Capital Fund Total	1,440,967.29
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State & Federal Grant Total	571,534.16
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Law Enforcement Trust Total	
TORTA Total	4,668.23

Trust Other Total	250,639.62
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Animal Control Total	11,212.48
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Bid Deposit Refund	
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State Unemployment Trust	
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Trust Assessment Fund	
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Total of All Funds	16,748,738.67
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11-030 Authorize the Tax Collector to issue a refund in the amount of \$1,019.19 to the owner of Block 140, Lot 107 due to an overpayment of taxes

AUTHORIZING REFUND OF TAX OVERPAYMENT

WHEREAS, Ocean 733 Associates, LLC had made an overpayment of taxes in 2010,
and

WHEREAS, Ocean 733 Associates, LLC are requesting that the overpayment be refunded as the partnership had changed subsequent to the overpayment and they desire to return the overpayment to the former partners

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

Block	Lot	Owner/Payer Name	Amount	Reason
140	107	Ocean 733 Associates, LLC	1,019.19	The overpayment occurred under a prior partnership and current partnership is requesting refund of overpayment due to former partners.
Total Taxes Overpaid			\$1,019.19	

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

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

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

11-031 Authorize the purchase of an Automatic License Plate Reader at a cost not to exceed \$24,674.00 paid for through the Law Enforcement Trust Fund

Authorizing the purchase of an Automatic License Plate Reader

WHEREAS, it is the desire of the Township of Ocean, County of Monmouth to maximize police resources for the Police Department and allow officers to capture images of license plates and simultaneously compare them with electronic records/databases to identify vehicles of interest (Wanted, Stolen, etc.) so that they may respond more effectively in the pursuit of crime and criminals, and;

WHEREAS, this system will be part of a shared service with the County of Monmouth through the Sheriffs Department to share database information, and

WHEREAS, the required authorization to spend up to \$24,674.00 from the Township of Ocean Law Enforcement Trust Fund for the purpose of purchasing the equipment has been granted by the Monmouth County Prosecutor; and

WHEREAS, the Director of Finance has certified that there are sufficient funds available in Law Enforcement Trust Fund Account, account #L-03-56-850-801

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, Monmouth County that it does hereby approve the Township Manager's execution of a purchase order to Visual Computer Solutions of Jackson, New Jersey in an amount not to exceed \$24,674.00 for the purchase of an Automatic License Plate Reader system.

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

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

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

11-032 Award a contract to ATB Services for Alarm Administrative Services

WHEREAS, the Township of Ocean Police Department receives approximately 2,600 alarm calls annually; and

WHEREAS, almost 2,400 of those calls prove to be false which has a significant negative effect on the operations of the Police Department; and

WHEREAS, it is the desire of the Township of Ocean to significantly reduce the number of false alarms received by the Township's Police Department; and

WHEREAS, the primary responsibilities of the successful responder will include registering residences and businesses that maintain alarm systems, providing billing services for their annual registration, tracking false alarms, provide contact information for all alarm users and billing for false alarm activations; and

WHEREAS, the Township Council of the Township of Ocean did duly authorize the Township Clerk to advertise for Requests for Proposals for Alarm Administrative Services on September 13, 2010; and

WHEREAS, the Township Clerk did duly advertise said Request for Proposals on November 13, 2010 for Alarm Administrative Services; and

WHEREAS, in connection therewith, Requests were received by the Township of Ocean from ATB Services, Colorado Springs, CO; and

WHEREAS, the Chief of Police and the Township Manager have recommended that a contract be awarded to ATB Services, Colorado Springs, CO for Alarm Administrative Services, the lone responsible bidder, at a cost not to exceed the following fees:

Cost for each Registration (includes initial and renewal)	\$10.00
Cost for all Late Fees	\$10.00
Cost per each paid false alarm	\$20.00
Cost for reinstatement fees	\$20.00
Cost for unregistered alarm systems	\$20.00
Compliance Fees	\$25.00

WHEREAS, the Director of Finance shall certify that funds for the purpose of the award of this contract will be provided for in the 2011 Temporary and Adopted Budget subject to

provisions provided by the Governing Body in the Township of Ocean in the following line item appropriations: Police Department Contract Services, account #1-01-25-745-247;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the award of a contract to ATB Services, Colorado Springs, CO as per their proposal submitted; and

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

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

1. Director of Finance
2. Chief of Police
3. ATB Services

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

11-033 Authorize the award of a maintenance contract for the Police Communications console equipment for the period January 1–December 31, 2011 to WPCS International, Inc. (State Contract #A53824) in the amount of \$20, 400.00

WHEREAS, the Township of Ocean purchased new police communications console equipment as part of the 2009 Police Communications Renovation Project; and

WHEREAS, the Township of Ocean is desirous of entering into a maintenance contract for said police communications console equipment for a period of January 1, 2011 through December 31, 2011; and

WHEREAS, the Township of Ocean, Monmouth County has availed itself of the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State of New Jersey pursuant to N.J.S.A. 40A:11-12; and

WHEREAS, the Township of Ocean, Monmouth County desires to enter into a maintenance agreement for said console equipment from WPCS International, Inc. Lakewood, NJ (State Contract # A53824) at a cost not to exceed \$20,400; and

WHEREAS, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2011 Municipal Budget under Contract Services - Police, account #1-01-25-745-247;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of Ocean, County of Monmouth, State of New Jersey, that authorization is hereby given to enter into a maintenance agreement for the police communications console equipment with WPCS International, Inc. (State Contract #A53824) at a cost not to exceed \$20,400.00 for the one year period January 1, 2011 through December 31, 2011; and

BE IT FURTHER RESOLVED, by the Township Council that certified copies of this resolution be forwarded to the following:

1. Police Chief
2. Director of Finance
3. WPCS International, Inc.

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

11-034 Authorize the cancellation of various contracts

WHEREAS, certain contracts were entered into by the Township of Ocean for projects and/or services now completed; and

WHEREAS, it is necessary to formally cancel said contracts; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that the following contracts be and are hereby cancelled:

<u>Contract No.</u>	<u>Vendor</u>	<u>Amount</u>
C0-00002	Ruderman & Glickman, PC	\$26,278.00
C0-00009	David A. Krenkel, Esq.	2,500.00
C3-00005	Leon S. Avakian, Inc.	6,500.00
C3-00009	CMX	1,270.80
C4-00005	Kasler Associates, PA	325.00
C4-00006	Thomas B. Michaud	450.00
C4-00010	Gagliano Appraisal, LLC	98.00
C5-00008	Marc R. Shuster, PP, AICP	7.50
C5-00010	Marc R. Shuster, PP, AICP	11.25
C5-00012	CMX	468.66
C7-00003	Buck Simperts Architect & Associates	1,979.00
C7-00004	Jersey Professional Management	3,500.00
C7-00010	Buck Simperts Architect & Associates	811.00
C7-00011	Adams Rehmann Heggan Assoc., Inc.	8,800.00
C8-00006	Stavola Asphalt Co., Inc.	2,287.50
C9-00005	Leon S. Avakian, Inc.	50.00
C9-00007	Martin J. Arbus, Esq.	835.62
C9-00020	Leon S. Avakian, Esq.	2,000.00

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

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

1. Township Manager
2. Director of Finance

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

11-035 Authorize the transfer of credit card services to First Data Merchant Services through Investors Savings Bank.

WHEREAS, the Department of Community Affairs, Division of Local Government Services has promulgated regulations, N.J.A. C. 5:30-9 et seq., authorizing municipalities to accept credit card payments in accordance with the provisions of the Administrative Code; and

WHEREAS, in order for the municipality to accept credit card payments, a resolution must be adopted by the governing body authorizing same and stating the type of obligations which can be paid by electronic receipt and the types of electronic receipt that will be permitted; and

WHEREAS, The Township had received a proposal for credit card services through the Banking Services RFP that was awarded to Investors Savings Bank, and

WHEREAS, it is the desire of the Township Council to transfer credit card services for credit card payments for fees associated with the use of the Municipal Court, Colonial Terrace Golf Course, Recreation and Pool; and

WHEREAS, First Data Merchant Services proposal to the Township of Ocean to provide said services at a fee not to exceed \$15,000.00, which includes a maximum discount rate of 30 basis points and \$.00 (zero) per transaction fee; and

WHEREAS, it is the intention of the Township Council to enter into a three-year contract with First Data through Investors Savings Bank;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean that:

1. Authorization is hereby given to transfer credit card services for credit card payments for fees associated with the use of the Municipal Court, Colonial Terrace Golf Course, Recreation and Pool, subject to all the provisions of N.J.A.C. 5:30-9 et seq.
2. Authorization is hereby given for the appropriate Municipal Officials to execute a contract with First Data Merchant Services, through Investors Savings Bank, at a fee not to exceed \$15,000.00, which includes a maximum discount rate of 0.30 basis points and \$.00 (zero) per transaction fee.
3. Said contract with First Data Merchant Systems shall commence on February 8, 2011.

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

1. Township Manager
2. Director of Finance
3. Director of Human Services
4. Heartland Payment Systems

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

ORDINANCES:**Adoption(s)**

Ordinance #2163 – An Ordinance amending and supplementing Chapter 21 of the Comprehensive Land Development Ordinance of the Township of Ocean creating an “Alternative Single-Family Overlay Residential Option” in the R-3 Zone
(Coaster)

The following vote was taken to open the Public Hearing on Ordinance #2163

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

Public Comments:

Mr. Brannen stated that this ordinance pertains to the Oakhurst Country Day property and the overlay zone is required due to a proposed development that would allow the construction of 19 single-family homes.

F.K. Hudson inquired if there was a COAH component to this development

Mr. Brannen stated that there is no affordable unit proposed but the Developer has agreed to make an in-kind affordable housing contribution to the Township.

Jennifer S. Krimko, Esq., attorney for the Developer, stated that her client has stipulated that they will comply with all COAH requirements that are in place at the time their approvals are granted.

Brian Lefferson inquired about the lot size and whether they had already received Board approval.

Mayor Larkin stated that the Developer is required to appear before the Planning Board and they had not received any approvals.

Mr. Lefferson also inquired if the Township could mandate that the development include an affordable unit

Martin Arbus, Township Attorney, reiterated what Mr. Brannen and Ms. Krimko had stated earlier regarding the in-kind affordable housing contribution.

MEETING MINUTES**FEBRUARY 7, 2011**

Seeing that there were no public comments on Ordinance #2163, the following vote was taken to close the Public Hearing:

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

The following vote was taken to adopt Ordinance #2163 and advertise according to law:

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

Ordinance #2165 – An Ordinance amending Chapter II, Section 10.2 of the “Revised General Ordinance of the Township of Ocean, 1965” entitled: (Coaster) “Fees for Copies” adding a fee for Tax Redemption Calculations

The following vote was taken to open the Public Hearing on Ordinance #2165

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

Public Comments:

Mr. Brannen stated that this ordinance amends the fees for architectural plans in excess of 11x14 as well as adds a fee for Tax Redemption Calculations in excess of two per year.

Seeing that there were no public comments on Ordinance #2165, the following vote was taken to close the Public Hearing:

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

The following vote was taken to adopt Ordinance #2165 and advertise according to law:

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

Introduction(s):

Ordinance #2162 – An Ordinance amending Chapter II, Section 5.5 of the “Revised
(P.H. 2/23/11 Coaster) General Ordinance of the Township of Ocean, 1965” entitled:
Department of Law

ORDINANCE #2162

AN ORDINANCE AMENDING CHAPTER II, SECTION 5.5 OF THE “REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF OCEAN, 1965” ENTITLED DEPARTMENT OF LAW

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF OCEAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY that Chapter II, Section 5.5 entitled “Department of Law” shall be amended and supplemented in the following manner:

There shall be a Township Attorney and the Township may appoint Assistant Township Attorneys and/or Conflict Township Attorneys.

- a. Director. The Township Attorney shall serve as the director of the department of law.
- b. Qualifications. Neither the township attorney nor any assistant township attorney/or conflict township attorney, need be a resident of the township. In lieu of appointing individuals as attorneys, the council may appoint a firm of attorneys. The individual attorneys, or members of a firm of attorneys as the case may be, shall be attorneys and counselors-at-law in good standing of the State of New Jersey.
- c. Compensation and Attendance at Meetings. The township attorney shall receive an agreed upon annual retainer, and, in addition, the attorney shall be paid reasonable fees and charges for other services performed outside the scope of the retainer. The amount and specific services covered by said retainer shall be established by resolution and contract between the Township and Attorney. In addition, any assistant township attorneys or conflict township attorneys shall be paid reasonable fees and charges for any services they perform. There shall be at least one such attorney in attendance at each and every meeting of the

township council. If the township attorney is unable to attend the meeting and no assistant or conflict attorney is available, the township attorney may designate an attorney to attend the meeting on his behalf at no additional cost to the township.

d. Powers and Duties. The attorneys shall have such powers and perform such duties as are provided for the office of township attorney by general law or ordinances of the township. They shall prosecute and defend actions and proceedings by and against the township and every department thereof and give all necessary legal counsel and advice where required by the manager, council or any member thereof and shall in general be the legal advisors of the township government. In furtherance of such general powers and duties, but without limitation thereto, the township attorneys shall:

1. Prepare and/or review ordinances, contracts and other legal documents connected with or relating to the township government, council or any officer, department, board or agency thereof, except as may be otherwise directed by council.
2. Review and approve all contracts, deeds, documents and instruments prior to the execution thereof by or on behalf of the township.
3. Conduct appeals from orders, decisions or judgments affecting any interest of the township, as they may in their discretion of any litigation in which the township is involved.
4. Subject to the approval of the township council, have power to enter into any agreement, compromise or settlement of any litigation in which the township is involved.
5. Render opinions in writing upon any question of law submitted to them by the manager, council, any member thereof, or the head of any department, with respect to their respective official powers and duties.
6. Maintain a record of all actions, suits, proceedings and matters which relate to the interest of the township and report thereof from time to time, as the manager or council may require.
7. Conduct certain prosecutions for offenses, cognizable by the municipal court of the township, except such crimes and offenses as it may be the duty of the county prosecutor or municipal prosecutor, including violations of ordinances of the township, complaints of any department under State law, violations of rules or regulations duly promulgated by any department and matters involving bail forfeitures.
8. Have such other different functions, powers and duties as may be provided by Charter or ordinance.

e. Vacancy of Office of Township Attorney. In the event of the death or resignation of the township attorney, or of the occurrence of a vacancy in the office of township attorney for any other reason, an assistant township attorney or conflict attorney as designated by counsel, may act as township attorney until the office is duly filled pursuant to this Charter.

f. Special Counsel. Whenever he/she deems the interests of the township so require, the township attorney may, with the approval of township council and within the limits of available appropriations, appoint special counsel to assist him in the preparation, trial or argument of such legal matters or proceedings as he may determine. If the township attorney and the assistant township attorney should be disqualified with respect to any matter, the council shall appoint special counsel to represent the township for and with respect to such matter.

g. Records and Papers. All papers, documents, memoranda, reports and all other materials relating to the administration of the department of law shall be and remain the property of the township. Upon the termination of their services with the township, the

township attorney and the assistant township attorney shall forthwith surrender to any successor all such property, together with a written consent to substitution of any successor in all legal actions and proceedings then pending to which the township is a party.

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

FURTHER BE IT ORDAINED, this ordinance shall take effect after its final passage and advertisement in accordance with the law.

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

Council Reports:

The following Councilmember(s) offered no report:
Councilmember(s) Garofalo, Schepiga, Evans

Andrew Brannen, Township Manager
Martin J. Arbus, Township Attorney

PUBLIC COMMENTS:

Eisha Gerstein commented that he was having difficulty with the automated collection program. He has inquired about purchasing additional containers but is told there are none available.

Mr. Brannen stated that the Township, due to the early snow storm, had not had the opportunity to deliver the new containers to all households but that should be completed by the end of the week. Once that occurs, the Township will be in a position to offer residents additional containers for a fee of \$60.00.

Brian Lefferson inquired as follows:

1. Why did the Township decide to implement this program in January as opposed to July, when the weather was less threatening.

Mayor Larkin explained that the Township implemented the program once the equipment was received with the hope of reducing the cost of providing this service. Delaying the implementation would only put more strain on the municipal budget.

2. Mr. Lefferson also suggested that the cameras in the Township police vehicles should televise what is happening during a snow storm, so that the residents can see first-hand what the Township is doing. This may assist them in their uneasiness.

Mayor Larkin thought this was a great idea and suggested Mr. Brannen discuss this with the Police Department.

3. Mr. Lefferson also inquired why the Township had denied the Greater Ocean Township Chamber of Commerce use of Palaia Park for their event.

Mr. Brannen stated that there was a scheduling conflict and the Township merely suggested that the Chamber explore moving the date of the event.

4. Is the payment to L & L from the December snow storm

Mr. Brannen stated that it was from the storm, as well as the payment to D & D Construction

5. Questioned the First Tee Program and who could participate
6. Has a decision been made on who the new Deputy Mayor is going to be

Mayor Larkin stated that no decision has been made.

Don Geiger inquired as follows:

1. How far apart are the trash containers supposed to be placed from each other

Mr. Brannen stated that the containers are to be placed three feet apart.

2. Stated that perhaps the Township should consider putting together a brochure telling surrounding municipalities what services the Township could provide to them.
3. Status of the Budget Motel renovations

F.K. Hudson inquired as follows:

1. Status of COAH Litigation

Mr. Arbus explained that it is anticipated that the new legislation would be introduced by Senator Lesniak within the next couple of weeks but there is no indication whether it will be beneficial to our cause.

2. Loch Arbour Litigation

Mr. Arbus reported that the Township is waiting for the Appellate Courts ruling.

3. Stop & Shop Litigation

Mr. Arbus reported that there was nothing new to report.

Bob Ades inquired about the status of the Municipal Budget

Mayor Larkin stated that the initial meeting was held on February 5 but the Township is still waiting for the State Aid numbers. Once received, the budget will be adjusted accordingly. Mayor Larkin stated that it is anticipated that the Budget will be introduced in April and adopted in May, as has been the case in previous years.

Mr. Brannen stated that the Township anticipates receiving State Aid figures by February 26, 2010 and that should aid in the final preparation of the Budget.

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

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

Respectfully submitted,

William F. Larkin
Mayor

Vincent Buttiglieri, RMC/CMC
Municipal Clerk