

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

MARCH 21, 2011

OAKHURST, NEW JERSEY

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

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

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

Statement of Compliance with the Open Public Meetings Act:

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

Fire Exit Procedures:

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

NOTICE:

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

**PROCLAMATION: Alcohol Awareness Month
April 2011**

PROCLAMATION

**ALCOHOL AWARENESS MONTH
APRIL 2011**

WHEREAS, alcohol abuse and addiction impacts our community on many levels, from the workplace, to school and the home, and the total cost of substance abuse in the United States is estimated to be approximately \$100 Billion annually with the majority of this due to alcohol abuse; and

WHEREAS, alcohol abuse is a public health problem that needs to be addressed in our communities through joint efforts between parents, schools, community organizations, religious communities, business leaders, government agencies and young people; and

WHEREAS, in Ocean Township, six in ten high school seniors reported significant alcohol use and one in four seniors reported that they have driven after drinking; and

WHEREAS, parental support, monitoring, and communication can significantly reduce drinking among adolescents; and

WHEREAS, the evaluation and monitoring of the role alcohol plays in one's life is a positive health choice for adults;

NOW, THEREFORE, I, William F. Larkin, Mayor of the Township of Ocean, along with the entire Governing Body, do hereby Proclaim April, 2011 as **ALCOHOL AWARENESS MONTH** in the Township of Ocean; and

BE IT FURTHER PROCLAIMED that the Township of Ocean join with other communities throughout Monmouth County in celebrating Alcohol Free Weeks from April 1 through April 14, 2011; thereby, encouraging residents to consider pledging to abstain from alcohol during those weeks; and

BE IT FURTHER PROCLAIMED that the Township Council hereby extends their sincere appreciation to the High School students who are members of the Township of Ocean Growing Strong group and Students Against Destructive Decisions who have chosen to promote this effort in our community.

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

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

PUBLIC COMENTS:

Larry Loigman inquired as follows:

1. When and why was the March 7, 2011 Council Meeting changed to a Public Meeting

Andrew Brannen, Township Manager, explained that subsequent to the February 23, 2011 meeting, the Township was notified that the Municipal Budget needed to be introduced no later than March 7, 2011 and since there was a Workshop Meeting already scheduled for March 7, it made sense to add a Public Meeting to that date.

2. Resolution #11-054 – inquired about the fees and language in the Resolution. He feels this Resolution should not be voted on until his concerns are addressed.

Mr. Brannen and Mayor Larkin answered Mr. Loigman, although Mr. Loigman was not satisfied and pressed the Governing Body to not act on this matter at this meeting.

After further consideration, the Governing Body decided to remove Resolution #11-054 from the Agenda.

Brian Lefferson inquired as follows:

1. Will American Traffic Solutions be responsible for the maintenance on the red light camera equipment

Mr. Brannen gave a brief overview on how this program will be implemented and the responsibilities of the vendor.

Barbara Hudson inquired how American Traffic Solutions will receive their fee

Mr. Brannen explained that their fee will be paid out of the funds collected from the citations issued from this program, with a maximum monthly fee of \$17,000.00. Should the Township not realize that amount in income, the vendor will receive up to the amount collected.

Bob Ades inquired about the cost of this program

Mr. Brannen reiterated that there is no up front cost to the Township and that American Traffic Solutions will be paid a maximum of \$17,000.00 per month, paid out of the fees collected from the citations issued.

MEETING MINUTES**MARCH 21, 2011**

Mr. Ades also inquired about Resolution #11-052

Mr. Brannen explained that this item pertained to performance guarantees posted for a single-family home.

Don Geiger inquired about the nature of numerous payments that appear on the Voucher list, including but not limited to payments made to: International Salt, EAPA, Inc., NJRPA, Inc., TCTA Membership Services, CTA Reimbursement and UCPO Police Academy Training:

Mr. Brannen explained the nature of these payments to the satisfaction of Mr. Geiger.

F.K. Hudson stated that the Township should review the contract with American Traffic Solutions prior to approving the resolution awarding the red light cameras.

There were no additional questions at this time.

CONSENT AGENDA:**MINUTES:**

February 23, 2011 – Workshop, Public and Closed Meeting
March 7, 2011 – Workshop, Public and Closed Meeting

RESOLUTIONS:**11-050 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	Walter Kaslow	May 1, 2011	April 30, 2013
<u>(Community Representative)</u>			
5 year term	Ursula Buki	May 1, 2011	April 30, 2016

ENVIRONMENTAL COMMISSION

3 year term	Kenneth Lutz (replacing Brian Finch)	March 22, 2011	June 30, 2013
2 year term	Mark Rogoff - Alternate II (replacing Kenneth Lutz)	March 22, 2011	June 30, 2012

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

11-051 Authorize the Mayor to execute the Memorandum of Agreement between the Township and the Monmouth County Mosquito Extermination Commission to perform aerial surveillance and treatment in the Township from April 1 through November 30, 2011.

WHEREAS, the Township Council is in receipt of a letter dated March 9, 2011 from the Monmouth County Mosquito Extermination Commission advising that it anticipates resuming its aerial surveillance and treatment program on or about April 1, 2011 and continuing through November 30, 2011; and

WHEREAS, said letter further requests authorization from the Township Council to conduct its aerial surveillance and treatment program over portions of the Township of Ocean which consists of applying pesticides from an aircraft to control mosquitoes; and

WHEREAS, it is represented by the Monmouth County Mosquito Extermination Commission that all pesticides used are approved for aerial applications by both the Federal and state Governments; and

WHEREAS, the areas to be treated are only those which have significantly high mosquito populations, so as to be either a public health nuisance or disease factor; and

WHEREAS, prior to such application, the Monmouth County Mosquito Extermination Commission agrees to notify the Ocean Township Police Department;

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 Mayor and Municipal Clerk to execute said Agreement with the Monmouth County Mosquito Extermination Commission permitting the aerial surveillance and treatment program during the period April 1, 2011 through November 30, 2011; and

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

1. Monmouth County Mosquito Extermination Commission
2. Police Chief
3. Director of Public Works

11-052 Accept Performance Guarantee for the following:

a. Block 33, Lot 51.02 – 1604 Holbrook Street – Palatial Homes

WHEREAS, the Township of Ocean has approved a development project on Block 33, Lot 51.02 also known as 1604 Holbrook Street; and

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

WHEREAS, Palatial Homes, Inc. has posted cash performance guarantees totaling \$3,060.00 along with engineering inspection fees totaling \$1,310.00 and the required certificate of insurance;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Ocean, County of Monmouth, that all requirements for entering into a developer's agreement are hereby waived; and

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

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

11-053 Authorize the submission of the Smart Growth Planning Program Grant Application

WHEREAS, the Association of New Jersey Environmental Commissions (“ANJEC”) has announced that the Geraldine R. Dodge Foundation will be funding the Smart Growth Planning Program for local governments; and

WHEREAS, the both the Township Council of the Township of Ocean and the Township’s Environmental Commission wish to submit an application to receive funding from said Grant for the planning portion of a Safe Routes to Schools program; and

WHEREAS, the Township of Ocean believes that the project will provide both safety and quality of life enhancements to the residents of the Township and wholeheartedly supports the submission of said grant; and

WHEREAS, the Mayor, Township Manager and Municipal Clerk are authorized to execute any and all required documents for this Grant, as required by ANJEC;

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Ocean, that authorization is hereby given to submit the Grant Application to the Association of New Jersey Environmental Commissions (“ANJEC”) for the planning portion of a Safe Routes to Schools program; and

FURTHER BE IT RESOLVED that the Mayor, Township Manager and Municipal Clerk are hereby authorized to execute any and all documents related to said Grant Application; and

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

1. Environmental Commission
2. Director of Finance

Vote on all Consent Agenda Items:

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

MEETING MINUTES**MARCH 21, 2011****INDIVIDUAL ACTION:****VOUCHERS: \$ 6,086,093.36**

**Township of Ocean
Department of Finance
Voucher List for March 21, 2011**

Vendor Name	Description	Amount	Contract
<u>Appropriation Reserves Payments</u>			
ADP INC	2010 W-2's	2,461.75	
AIR SYSTEMS MAINTENANCE INC	Heating & Air contract 3rd qtr	13,933.43	
COUNTY TAX ADMINISTRATOR	2010 computer processing	2,691.01	
FITZGERALD, WILLIAM	PB & BOA Dec 2010 meetings	742.50	
HESS CORPORATION	Electric usage sustain energy	9,552.96	
HESS CORPORATION	Electric usage sustain energy	13,102.78	
INTERNATIONAL SALT CO LLC	SALT FOR ROADS	30,096.62	
JAMES TURBEVILLE JR	FINGERPRINT REIMBURSEMENT	26.25	
JOHNSON & TOWERS INC	Misc parts for sani trk #1	775.37	
JUNGLE LASER LLC	NAT'L GEOMATICA NOV 10 -DEC 10	4,180.00	
KELLY WINTHROP, LLC.	Removal of dead deer	135.00	
LANGUAGE LINE SERVICES	PD-PHONE INTERPRETATION- NOV	22.27	
LANGUAGE LINE SERVICES	PD-PHONE INTERPRETATION- DEC	17.14	
LANGUAGE LINE SERVICES	Nov phone interpreting	47.60	
LOWES INC	CTGC SUPPLIES	16.47	
MAACO COLLISION REPAIR & AUTO	PD- REPAINT MOTORCYCLE	750.00	
MC KENNA, DU PONT, HIGGINS &	2010 TAX APPEALS	6,718.75	CO-0003
NJ PLANNING OFFICIALS	Wilensky NJPO 2011 annual dues	150.00	
STATE EXTERMINATING CO	Pool snack bar/flying ants	60.00	
SUPPLY KING INC	PARTS FOR FLOOR MACHINE	41.00	
TREASURER STATE OF NEW JERSEY	Subscription for Code Update	30.00	
TREASURER STATE OF NJ	OCEAN GLADES CONDO DEV SITE RE	193.93	
VALENTINO, JOSEPH	Cell phone reimbursement 2010	75.00	
<u>Total</u>		85,819.83	
<u>Total Appropriation Reserves Payments</u>		85,819.83	
<u>2011 Current Fund Appropriation Payments</u>			
33 EAST CAR WASH OF OCEAN	PD- CAR WASHES - FEBRUARY 2011	180.30	
ACCURINT FOR LAW ENFORCEMENT	PD-BACKGROUND SEARCHES- JAN 11	31.00	
ACCURINT FOR LAW ENFORCEMENT	PD-BACKGROUND SEARCHES- FEB 11	31.00	
ADP INC	Jan 2011 Payroll Services	1,453.57	
ADP INC	February Payroll Services	1,022.34	
AM/PM SERVICES	PD- ABC TRANSFER TRAINING	99.00	
AMERICAN HOSE & HYDRAULICS CO	Snow plow cylinder repair	584.00	
AMERICAN HOSE & HYDRAULICS CO	Hydraulic cylinder loader 69	232.00	
AMERICAN PSYCHOLOGICAL ASSOC	RENEWAL JOURNALS	264.00	
AMERICAN WEAR INC	Feb. uniform rental	711.60	
AMERICAN WEAR INC	Feb. rags for shop use.	48.00	
APCO INTERNATIONAL INC	PD- ANNUAL DUES	92.00	
ARBUS, MARTIN ESQ C1100001	MAR RETAINER,FEB GENERAL,BAIL	3,806.66	
AT&T	REFUND OVERPYMT OF FALSE	125.00	
ATLANTIC PLUMBING SUPPLY CORP	Feb. misc plumbing supplies	677.21	
ATLANTIC SAFETY PRODUCTS INC	PD- BLACK NITRILE GLOVES	91.85	
BERGEY'S INC	Feb. misc parts	114.74	
BULLET LOCK & SAFE CO INC	Feb. misc. keys & etc.	10.30	
BUTTIGLIERI, VINCENT CMC	March 2011 Petty Cash	222.96	
CALLAWAY GOLF CO	MISCS RETAIL ITEMS CTGC	202.98	
CASO, SHERRY	SUPERVISOR BB, 2/12.2/19,2/26	110.00	
CLAYTON SAND CO INC	Feb. misc building supplies	163.00	
COUNTY TAX ADMINISTRATOR	2010 computer process-addition	775.89	
CRAFTMASTER PRINTING INC	PD- DEPARTMENTAL FORMS	366.70	
CRYSTAL TECH	Oceantwp Email Provider	203.40	

MEETING MINUTES

MARCH 21, 2011

DELTA DENTAL OF NJ INC	March Dental Insurance	10,387.65
EAPA INC	MEMBERSHIP RENEWAL	180.00
EDWARDS TIRE CO INC	Feb. recap & service tires	4,111.82
EDWARDS TIRE CO INC	Feb. tires for Twp vehicles	1,648.17
FEDEX	PD- RETURN- L3 COMMUNICATIONS	19.96
FIRST DATA	FEB MERCHANT CREDIT CARD FEES	574.03
FITZGERALD, WILLIAM	PB and BOA meetings & reviews	1,620.00
FLAGSHIP DENTAL PLANS	March Dental Insurance	599.79
FORT DEARBORN LIFE INS CO	March Life Insurance	652.80
GANN LAW BOOKS	NJ Zoning & Land Use 2011	102.00
GEESE CHASERS LLC	GEESE CONTROL FEB	862.33
C1100003		
GILES & RANSOME INC	Controll assembly/Loader 68	857.78
GOLF CAR SPECIALITIES LLC	CTGC UTIL CARS FEBRUARY	140.00
GOVCONNECTION INC	Basic Optical Mouse	119.85
GOVCONNECTION INC	HP Power Injector	92.00
GRAYBAR ELECTRIC CO	Cord Wrapping	158.24
GRAYBAR ELECTRIC CO	Feb. misc supplies	723.35
HEARTLAND SERVICES INC	FEB 2011 AUTHNET GATEWAY PYMT	12.50
HEARTLAND SERVICES INC	FEB 2011 CREDIT CARD SVS FEES	271.17
IACP - MEMBERSHIP	PD- ANNUAL MEMBERSHIP	120.00
IDEAL LUMBER & SUPPLY CO	Feb. misc lumber & support	540.94
INDUSTRIAL MOTOR SUPPLY INC	Bolts for Snow Plow skids	81.00
INTERNATIONAL SALT CO LLC	Salt needed for icy roadways	10,403.48
INTL ASSOC PROP & EVID INC	PD- ANNUAL MEMBERSHIP/FROMKIN	50.00
JEFFREY R SURENIAN & ASSOC LLC	JAN/FEB 2011 MT LAUREL SERVICE	5,251.83
C1100008		
JERSEY CENTRAL POWER & LIGHT	Feb. electric	9,845.26
JIM CURLEY PONTIAC GMC TRUCK	Feb. misc parts for Twp.	516.20
JOHNNY ON THE SPOT INC	FEB ADA UNIT AT PALAIA PARK	98.45
JUNGLE LASER LLC	NAT'L GEOMATICA JAN 11 -FEB 11	4,910.00
KELLY WINTHROP, LLC.	Remove dead deer	45.00
KEPWEL SPRING WATER CO	WATER HSD FEBRUARY	49.50
LAKWOOD AUTO/ASBURY NAPA	Feb. misc parts for Twp.	1,941.69
LANGUAGE LINE SERVICES	January Phone Interpreting	49.30
LANIGAN ASSOCIATES INC	PD- SAFETY SUPPLIES - FEB 2011	297.00
LOWES INC	Feb. misc building supplies	1,146.89
MAJOR POLICE SUPPLY	PD- NEW VEHICLE EQUIPMENT	692.13
MATTHEW BENDER & CO INC	NJ REGISTER 4/11 - 3/12	208.89
MAZZA & SONS INC	Feb. dump fees for Bulk	4,116.40
MC EVOY, SALLY	SUPERVISOR BB FEB 12,19, 26	102.81
MC MAHON, WILLIAM	Cell phone reimbursement	25.00
MC MAHON, WILLIAM	Cell phone reimbursement	25.00
MCAA OF NJ	2011 Dues MCAA of NJ	135.00
MGL PRINTING SOLUTIONS	HOMESTEAD BENEFIT TAX BILLS	207.00
MID ATLANTIC TRUCK CENTER INC	Feb. misc parts	539.62
MID JERSEY MUN JOINT INS FUND	3RD INSTALLMENT 2011 ASSMT	238,583.75
MON CTY ASSESSORS ASSOC	COUNTY ASSESSORS 2011 DUES	275.00
MON CTY POLICE ACADEMY	PD- SLEO II FIREARMS TRAINING	434.66
MON MUNICIPAL JUDGES ASSOC	2011 Annual Judge's Assoc Dues	160.00
MONMOUTH-OCEAN (CIB)	PD- ANNUAL MEMBERSHIP	50.00
MULTI HEALTH SYSTEMS	SASSI TESTS	387.45
NEPTUNE AUTO SUPPLY	Feb misc parts for Twp.	499.82
NEW JERSEY FOREST SERVICE	Tube Seedling for Arbor Day	60.00
NEW JERSEY TECH SUPPLY	Tire repair kit/shop supplies	82.01
NJ HOMICIDE INVESTIGATOR ASSOC	PD-HOMICIDE/SUSP DEATH TRNG	50.00
NJ PLANNING OFFICIALS	2011 NJPO PB & BOA renewal	360.00
NJ PLANNING OFFICIALS	PB Member Mandatory Training	75.00
NJ STATE ASSOC OF CHIEFS OF	PD- ANNUAL MEMBERSHIP	200.00
NJ STATE HEALTH BENEFITS FUND	MARCH HEALTH INSURANCE	164,861.40
NJRPA INC	PARKS RECREATION CONFERENCE	915.00
OLIVUDOTTI, RUSSELL	ASSIGNING BS & GS REFS	84.00
PENN JERSEY MACHINERY LLC	Filter Compressor Unit #66	579.08
PONTON, RICHARD	REIMBURSE FOR OFFICE SUPPLIES	63.83
QUALITY AUTO GLASS INC	Windshield replace Truck #86	179.22
RACHLES/MICHELE'S OIL CO	Feb. unleaded/diesel fuel	27,658.79

MEETING MINUTES

MARCH 21, 2011

RUDERMAN & GLICKMAN PC C1100006	FEB 2011 LABOR RELATION MATTER	1,230.00
SANITATION EQUIPMENT CORP	Feb. misc. truck parts	178.40
SEA BREEZE FORD INC	Feb. misc parts	1,471.34
SEA VIEW AUTO CORP	Programmable key/Car 12	12.20
SEABOARD FIRE & SAFETY	PD- CO2 REFILLS - FEB 2011	132.15
SEABOARD WELDING SUPPLY INC	PD- OXYGEN REFILLS - FEB 2011	234.00
SEABOARD WELDING SUPPLY INC	Feb. propane	288.00
SEACOAST CHEVROLET OLDSMOBILE	Feb. misc parts	14.01
SEACOAST CHEVROLET OLDSMOBILE	Feb. vehicle repair	1,076.11
SIPERSTEIN'S PAINT	Feb. misc paint & brushes	142.62
SIRCHIE FINGER PRINT	PD- CDS TESTING SWIPES	83.50
SPRINT PO MANAGEMENT	PD- NEXTEL SERV PLAN - FEB 11	474.48
STAVOLA ASPHALT CO INC	Feb. 1st half patch program	490.00
STAVOLA ASPHALT CO INC	Feb. 2nd half patch program	669.20
STEINBERG, MARK A ESQ	BOA/mtg/reso/mtg @ Town Hall	700.00
STORR TRACTOR CO	Feb. misc parts	274.98
SUPERIOR OFFICE SYSTEMS	PD- COPIER SERVICE - JAN 2011	295.00
SUPERIOR OFFICE SYSTEMS	Repair to Canon Copier	162.00
TCTA MEMBERSHIP SERVICES	2011 MEMBERSHIP TCTA	75.00
TCTA MEMBERSHIP SERVICES	2011 MEMBERSHIP TCTA	75.00
THATCHER, LINDA	SUPERVISOR GJ 2/12,2/19,2/26	129.00
TOWNE HARDWARE	Feb. misc maintenance supplies	511.04
TREASURER COUNTY OF MONMOUTH	Feb. dumping fees	36,052.96
TRIOUS INC	Curb shoes for plows	266.00
T-TIME DESIGNS INC	CTGC STARTER BOOKS	134.25
UCPO POLICE ACADEMY TRAINING	PD-FINGERPRINTING 1-JACKIEWICZ	150.00
UCPO POLICE ACADEMY TRAINING	PD-FINGERPRINTING 2-JACKIEWICZ	150.00
UNITED STATES POSTAL SERVICE	POSTAGE FOR DELIQUENT SEWER	550.00
UNITED STATES POSTAL SERVICE	POLLING PLACE CHANGES MAILING	250.00
UNITED STATES POSTAL SERVICE	POSTAGE FOR HOMESTEAD CREDIT	1,200.00
UP TITE FASTENERS INC	Feb. misc maintenance supplies	92.89
US 1 AUTO PARTS	Feb. misc parts for Twp.	884.59
US POSTAL SVS(NEOPOST ON CALL)	REPLENISH POSTAGE IN METER	5,000.00
VANTAGEPOINT TRANSFER AGENTS	March Retiree Health Benefits	4,889.52
VERIZON	TELEPHONE & ISDN SERVICE 3/11	604.26
VERIZON COMMUNICATIONS	BROADBAND SERVICES 3/11	405.17
VERIZON WIRELESS	PD- AIRCARD SERV PLAN - FEB 11	440.11
VERIZON WIRELESS	PD- AIRCARD SERV PLAN - FEB 11	400.10
W W GRAINGER INC	Feb. misc supplies	364.01
WARAR, NEIL	SUPERVISOR BB 2/12,2/19, 2/26	227.81
WARNER, MARIE B	Reimbursement for CTA	50.00
WPCS INT'L INC - LAKEWOOD	PD-1ST QRT CONSOLE	5,100.00
<u>Total</u>		577,640.04

Non Budget Account Payments

ALEXANDRA DWYER	PARTIAL REIMB FOR LIFEGUARD	77.50
BOARD OF FIRE COMMISSIONERS	1ST QTR 2011 FIRE DIST 2 TAXES	306,092.25
BOARD OF FIRE COMMISSIONERS	1ST QTR 2011 FIRE DIST 1 TAXES	347,897.00
KLAYTON, ANN	TAX APPEAL REFUND BL 23 L 9	1,592.71
SITAR LAW OFFICES,LLC ATTORNEY	TAX APPEAL REFUNDS SEAVIEW COR	38,368.10
TREASURER OF SCHOOL MONIES	MAR 2011 SCHOOL TAXES PAYABLE	4,633,418.56
TREASURER STATE OF NJ	QTRLY. STATE FEES / DCA	6,896.00

Total Non Budget Account Payments

5,334,342.12

Total 2010 Current Fund Appropriations Payments

5,911,982.16

General Capital Payments

ATLANTICOM COMMUNICATION	Vicon MPD-955 IP Camera	663.00
CDW GOVERNMENT INC	Rack Enclosure	280.00
INDUSTRIAL MOTOR SUPPLY INC	Plow Plus for New Truck #35	4,765.00

Total

5,708.00

Total General Capital Payments

5,708.00

Grants Payments

MEETING MINUTES

MARCH 21, 2011

DELTA DENTAL OF NJ INC	March Dental Insurance	171.57	
DRAEGER SAFETY DIAGNOSTIC INC	PD- ALCOTEST CONSUMABLES	68.95	
NJ STATE HEALTH BENEFITS FUND	MARCH HEALTH INSURANCE	3,008.65	
<u>Total</u>		3,249.17	
	<u>Total Grants Payments</u>	<u>3,249.17</u>	
	<u>Law Enforcement Trust Payments</u>		
MARTIN, PATRICK	PD/LETF- TRAVEL REIMBURSEMENT	178.50	
SEA VIEW AUTO CORP	PD/LETF- SURVEILLANCE VEHICLE	16,200.00	
<u>Total</u>		16,378.50	
	<u>Total Law Enforcement Trust Payments</u>	<u>16,378.50</u>	
	<u>TORTA Payments</u>		
G & M TROPHY INC	REC BASKETBALL TROPHIES	3,212.70	
NANCY CONN-LEVIN	REFUND GOLF REGISTRATION	45.00	
PRINGLE, RYAN	SUPERVISE INSTR.BB 1ST PAYMT	240.00	
PRINGLE, RYAN	SUPERVISE INSTR.BB FEB	240.00	
RASHEEDA CLARKE	REFUND MORN REC BUSSING	15.00	
TWP OF OCEAN PAYROLL ACCOUNT	TORTA 2/25/2011 payroll	1,187.50	
TWP OF OCEAN PAYROLL ACCOUNT	Torta for March 11,2011	997.50	
<u>Total</u>		5,937.70	
	<u>Total TORTA Payments</u>	<u>5,937.70</u>	
	<u>Trust Other Payments</u>		
ARBUS, MARTIN ESQ	FEB 2011 COAH LEGAL MATTERS	896.00	
BROWN, SANFORD ESQ	PB Reviews	1,232.00	
BROWN, SANFORD ESQ	PB Reviews & Resolutions	700.00	
CELLI, MICHAEL G JR ESQUIRE	JAN 4,18 V SWANKE, PRICE	500.00	
CLARKE CATON HINTZ	JAN 2011 AFFORDABLE HOUSING	207.00	C9-0016
CLARKE CATON HINTZ 00004	JAN 2011 COAH PLANNING CONSULT	3,245.50	C0-
CLARKE CATON HINTZ	JAN 2011 AFFORDABLE PLOTS &	16.35	
FITZGERALD, WILLIAM	PB and BOA Reviews	3,780.00	
JAMES HIGGINS ASSOCIATES	PB Reviews Benun	156.25	
JAMES HIGGINS ASSOCIATES	PB Reviews	906.25	
MASER CONSULTING, P.A.	FEB/MAR 2011 VARIOUS INSPECTIO	1,372.50	
R & S REALTIES LLC	PERF REL ON CINDY LANE	9,581.83	
THEIBAULT, JOSEPH J JR	SODDING OF PRACTICE AREA CTGC	6,000.00	
TOMTECH ELECTRIC	CTGC ELECTRIC UPGRADE	2,025.00	
TOWNSHIP OF OCEAN TAX OFFICE	PROP TAX B37,L10 CERT 10-00012	466.37	
TWP OF OCEAN CURRENT FUND	Off Duty Admin/Police Car	393.75	
TWP OF OCEAN CURRENT FUND	Off Duty Admin/Police Car Use	1,455.00	
TWP OF OCEAN PAYROLL ACCOUNT	Deferred Vacation 2/25/2011	7,360.81	
TWP OF OCEAN PAYROLL ACCOUNT	Off Duty Police	1,575.00	
TWP OF OCEAN PAYROLL ACCOUNT	Off Duty Police 3/11/2011	3,510.00	
<u>Total</u>		45,379.61	
	<u>Total Trust Other Payments</u>	<u>45,379.61</u>	
	<u>Animal Control Trust Payments</u>		
NJ STATE DEPT OF HEALTH	JAN'11 STATE MONTHLY DOG REPOR	606.60	
NJ STATE DEPT OF HEALTH	FEB. 2011 STATE DOG REPORT	215.40	
TWP OF OCEAN CURRENT FUND	DOG POSTAGE	628.76	
<u>Total</u>		1,450.76	
	<u>Total Animal Control Trust Payments</u>	<u>1,450.76</u>	
	<u>State Unemployment Insurance Trust Payments</u>		
NJ DEPT OF LABOR & WORKFORCE	4TH QTR 2010 UNEMPLOYMENT CHGS	10,187.63	
<u>Total</u>		10,187.63	
	<u>Total State Unemployment Insurance Trust Payments</u>	<u>10,187.63</u>	

Total Bill List for March 21, 2011

Appropriation Reserve Total	<u>85,819.83</u>
Current Fund Total	<u>5,911,982.16</u>
General Capital Fund Total	<u>5,708.00</u>
State & Federal Grant Total	<u>3,249.17</u>
Law Enforcement Trust Total	<u>16,378.50</u>
TORTA Total	<u>5,937.70</u>
Trust Other Total	<u>45,379.61</u>
Animal Control Total	<u>1,450.76</u>
Bid Deposit Refund	
State Unemployment Trust	<u>10,187.63</u>
Trust Assessment Fund	
Total of All Funds	<u>6,086,093.36</u>

RESOLUTIONS:

Mayor Larkin announced that Resolution #11-054 will be removed from the Agenda.

11-055 Authorize the Mayor and Municipal Clerk to execute the renewal agreement with Delta Dental Plan of New Jersey, Inc.

WHEREAS, the Township of Ocean presently provides dental insurance coverage to its employees through a contract with Delta Dental Plan of New Jersey, Inc.; and

WHEREAS, the current agreement is set to expire on April 30, 2011; and

WHEREAS, Delta Dental of New Jersey, Inc. has provided a proposal to the Township of Ocean (Group 3268) to renew the Delta Care (Flagship) Plan portion of the contract to extend through April 30, 2012 with the following rate structure:

Delta Care Plan	Single	\$25.79
	Two Party	\$49.26
	Three Party	\$81.70

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey, that the Mayor and Township Clerk are hereby authorized to execute the renewal agreements with Delta Dental of New Jersey, Inc., as described above; and

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

1. Commerce Insurance Services
2. Delta Dental of new Jersey, Inc./Flagship Health Systems, 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	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

11-056 Authorize the Tax Collector to issue a refund to property owners who have received favorable State Tax Appeal judgments

AUTHORIZING THE CANCELATION OF 2008, 2009 AND 2010 TAXES AND REFUNDING THE TAX OVERPAYMENTS FROM 2008, 2009 AND 2010 RESULTING FROM NEW JERSEY STATE TAX COURT JUDGMENT TO THE TAXPAYER

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

WHEREAS, the property had their property assessment reduced by the State of New Jersey Tax Court resulting in a reduction in the total taxes to be paid to the Township of Ocean for the years 2008, 2009, and 2010,

WHEREAS, proper procedures require that the 2008, 2009 and 2010 tax assessments be adjusted and refunds be made for taxes overpaid in 2008, 2009 and 2010 that resulted from New Jersey Tax Court judgments reducing the property assessment reflected in the Tax Assessor's Field Book for 2008, 2009 and 2010.

NOW, THEREFORE, BE IT RESOLVED, by the Township council of the Township of Ocean, County of Monmouth and State of New Jersey that it does hereby authorize the Tax Collector to adjust the 2008, 2009 and 2010 tax assessment based on the State Tax Board Judgment and refund the tax overpayments for 2008, 2009 and 2010 taxes as listed below:

Block/Lot	Property Owner	Property Address	Tax Overpayments			Total Refund
			2008	2009	2010	
147 1	SEAVIEW CORP PARK LTD % US REALTY	WESLEY PLACE	1,033.45	1,047.75	-	2,081.20
23 9	KLAYTON, MARVIN & ANN	205 GRANT AVE		1,592.71		1,592.71
149 01 1 01	SEAVIEW CORP. PARK, LTD % US REALTY	2603 ROUTE 66	4,115.01	13,696.95	18,474.94	36,286.90
Totals			5,148.46	16,337.41	18,474.94	39,960.81

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

1. Tax Collector
2. Township Auditor

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

11-057 Authorize the Township of Ocean to conduct the Annual Budget Review in accordance with the provisions of N.J.S.A. 40A:4-78b

RESOLUTION FOR CONDUCTING ANNUAL BUDGET EXAMINATION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Township of Ocean has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township meets the necessary conditions to participate in the program for the 2011 budget year;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Ocean that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

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

ORDINANCES:

Adoption(s):

Ordinance #2162 – An Ordinance amending Chapter II, Section 5.5 of the “Revised General Ordinance of the Township of Ocean, 1965” entitled: Department of Law
(Coaster)

The following vote was taken to open the Public Hearing on Ordinance #2162

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

Mr. Arbus explained that the purpose of this Ordinance is to clean-up the many discrepancies concerning the Township Attorney and Assistant Township Attorney.

Public Comments:

Larry Loigman stated that he does not believe this Ordinance, while better, offers enough protection to the Township with regard to the salary and wants the Governing Body to not adopt this ordinance as it is.

Mr. Arbus stated that the position of Township Attorney used to be part of the Pension Plan and the salary was established by ordinance. Based on changes in State regulations, that is no longer the case and therefore, the Attorney now receives a retainer instead of a salary.

Mayor Larkin asked Mr. Arbus if he believes this Ordinance, as it is currently written, is sufficient.

Mr. Arbus stated that he believes that Ordinance 2162 is sufficient as it is currently written.

Seeing that there were no other public comments on Ordinance #2162, the following vote was taken to close the Public Hearing:

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

The following vote was taken to adopt Ordinance #2162 and advertise according to law:

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

Ordinance #2167 - An Ordinance amending and supplementing Chapter 21 of the Comprehensive Land Development Ordinance of the Township of Ocean establishing regulations for the Affordable Housing Development Fees (Coaster)

The following vote was taken to open the Public Hearing on Ordinance #2167

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

Mr. Brannen explained that this ordinance pertains to the ongoing affordable housing litigation and establishes fees, which once implemented, will generate additional revenue for the Township. This revenue will be utilized to offset the Township’s affordable housing obligation.

The ordinance establishes the following fees:

- 1.5% of equalized assessed value for rebuilt residential and/or single family
- 2.5% for non-residential

Prior to adopting this Ordinance, any fees collected would be required to be turned over to the State.

Public Comments:

Brian Lefferson inquired how much the Township would have in its Trust Fund if this Ordinance had been in place year’s ago

Councilmember Siciliano responded that it would be virtually nothing as it was not fashionable back then to build affordable housing units. Also, the Township would have a very different look had these fees been in place.

Don Geiger inquired if the adoption of this ordinance would generate the need for additional manpower

Mr. Brannen stated that it might, however, 20% of the fees collected could be used to offset the cost of administration.

Barbara Hudson inquired if the adoption of this ordinance will encourage developer's to build affordable housing.

Mayor Larkin stated the he did not think it would have any impact.

Seeing that there were no other public comments on Ordinance #2167, the following vote was taken to close the Public Hearing:

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

The following vote was taken to adopt Ordinance #2167 and advertise according to law:

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

Introduction(s):

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

ORDINANCE #2169

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

BE IT ORDAINED by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey that Article IV is hereby amended and supplemented as follows:

ADD:**21-46A Outdoor Lighting****21-46A.1 PURPOSE**

The purpose of this Chapter is to regulate *outdoor lighting* in a manner which encourages the conservation of energy, improves or maintains the nighttime visual environment, prevents and/or eliminates misdirected or excessive artificial *light*, *light trespass* and/or unnecessary sky glow and protects the health, safety, security and welfare of Township residents and the general public.

21-46A.2 SCOPE AND APPLICABILITY

The regulations and standards contained in this Chapter apply to (1) *outdoor lighting* upon any property for which site plan review and approval is required; (2) the alteration to and/or the changing of *outdoor lighting* upon any *property* not occupied by exactly one single-family, detached dwelling; and (3) the replacement of any outdoor *light fixture* made subsequent to the adoption of this Chapter. *Outdoor lighting* shall be considered an accessory use within the Township.

21-46A.3 SEVERABILITY

If any provision of this Chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this Chapter, and to this end, the provisions of this Chapter are declared to be severable.

21-46A.4 DEFINITIONS

The following words and terms, when used within this Chapter, shall have the following meanings:

Artificial Light Source: a man-made thing or object from which *light* originates (ex: an electrically-powered *lamp*)

Candela: (formerly, "candle") the "SI" unit of *luminous intensity*; one *candela* describes a *luminous intensity* of one *lumen* per *steradian*

Cutoff Luminaire: an *IESNA* classification describing a *luminaire* that emits at least 97.5% of its *light* output below vertical angles of 90° from *nadir* at the lowest *light*-emitting point of its *light source* and not more than 10% of its *light* output above angles greater than 80 degrees from *nadir* at the lowest point of its *light source*

Developed Property: real *property* which has been altered from its natural state by the lawful addition of improvements such as buildings, structures, impervious area, etc.

Downward-Aimed Light Fixture: a *light fixture* aimed no higher than sixty (60) degrees above *nadir* from the lowest *light*-emitting point of its *light source*;

Energy: the ability to do work

Externally Illuminated Sign: a sign any face of which is illuminated by one or more *artificial light sources* located between the reader and the sign face and directed toward the sign face

Floodlight: an unshielded *artificial light source* or *lamp* designed to produce relatively uniform *illumination* across a broad area

Footcandle: (abbreviated “fc”) a unit of measurement of *illuminance*; 1 *footcandle* equals 1 *lumen* per square foot of area)

Full Cutoff Luminaire: an *IESNA* classification describing a *luminaire* that emits 0% of its *light* output above angles greater than 90 degrees from *nadir* at the lowest *light*-emitting point of its *light source* and not more than 10% of its *light* output above angles greater than 80 degrees from *nadir* at the lowest point of its *light source*

Fully Shielded Luminaire: a *luminaire* that emits no direct uplight (i.e., 100% of its *light* output is below a vertical angle of 90° from *nadir* at the lowest *light*-emitting point of the *light source*)

Glare: *illuminance* within the visual field of a human eye which is sufficiently greater than the intensity of *illuminance* to which the eye is adapted that it causes annoyance, discomfort, reduced vision and/or momentary blindness

Horizontal Illuminance: the measure, in *footcandles*, of the total amount of *visible light* incident upon (i.e. illuminating) a point within a horizontal surface taken through the sensor of a light meter held horizontally upon the point. Within this Ordinance, standards for “*horizontal illuminance*” levels shall be interpreted as “*horizontal illuminance* measured at ground level” unless specifically stated otherwise.

IESNA: abbreviation for “Illuminating Engineering Society of North America” (also known as “IES”) which has a membership consisting of architects, engineers, designers, educators, students, contractors, manufacturers, and scientists and which provides technical guidelines, standards, professional journals, and educational training forums related to the practice of *lighting*

Illumination: (see “*Lighting*”)

Illuminance: the total amount (density) of *visible light* incident upon (i.e. illuminating) a point of a surface from all directions above the surface measured in *footcandles* (note: the “surface” may be a part, or all, of a physical object or an imaginary plane)

Initial Light Output: the *light* output of a lamp, in *lumens*, after 100 hours of seasoning

Intensity: (see “*Luminous Intensity*”)

Internally Illuminated Sign: a sign any face of which is opaque and illuminated by one or more *artificial light sources* enclosed entirely within the sign cabinet and not directly visible from any point outside of the sign cabinet.

International System of Units: (abbreviated “SI”) the modern form of the metric system

Lamp: a radiant *light source*; the replaceable, electrically-powered *light source* of a *light fixture*

Light: (see “*Visible Light*”)

Lighting: the deliberate utilization of one or more *artificial light sources* to achieve an aesthetic or intended effect

Lighting Power: (see “*Power*”)

Light Fixture: an electrically powered *lighting* device consisting of a *lamp*, a *lamp* holder, an electrical ballast (if necessary), and the means for connecting the device to an electrical *power source*.

Light Output: (see “*Initial Light Output*”)

Light Source: a thing or object from which *light* originates (note: an object that reflects *light* originating from a different object is not a *light source*)

Light Spillage: *light* projected onto a *property* from an *artificial light source* not located upon that *property*

Light Trespass: *light spillage* not compliant with the requirements of this Chapter

Lumen: (abbreviated "lm") a unit of measurement of *luminous flux* (i.e., of the total amount of *light* emitted in all directions per unit time) within the *International System of Units*

Luminaire: a self-contained *lighting* system component containing a *light fixture* and, as necessary, an outer shell or housing, a mirror or reflector, an aperture, a lens or refractor and a mounting bracket or pole socket; within this Chapter, the term "luminaire" shall refer to *outdoor lighting luminaires* unless otherwise stated

Luminous Flux: the perceived rate of flow of *light* from a *lamp* or *light source*; measurements of *luminous flux* reflect the variability in sensitivities of the human eye to different wavelengths of *light*

Luminous Intensity: the total *luminous flux* within a given *solid angle*, in units of *candelas*, or *lumens per steradian*

Mounting Height: the distance, measured along the *nadir*, between the lowest *light-emitting* point of the *light source* within a *luminaire* or *light fixture* and the ground surface below

Nadir: the nadir at a particular point is the local vertically downward direction from that point (i.e., the nadir at a point is directed from that point along the line of force of the earth's gravity)

Outdoor Lighting: the *lighting* of areas exterior to the walls of enclosed buildings and/or within structures having open or partially open walls such as canopies, porte cocheres, pavilions, gazebos, etc.

Power: the rate at which energy is utilized used by a device to produce useful work (also called input power or active power); in lighting, it is the system input power (in watts) for a *lamp* / ballast combination

Property: a tract of land depicted upon the Municipal Tax Map as one or more lots and which is assessed as a single tax parcel by the Municipal Tax Assessor

Searchlight: An aimable *light fixture* designed for outdoor use containing an *artificial light source* having a *power* rating in excess of 500 watts and reflectors designed to produce a narrowly conical, *high intensity light* beam visible for a relatively long distance but generally unsuitable for *illumination* of streets, driveways, parking fields, pedestrian paths, flags, architectural features, site improvements, etc.

Shielded Lamp: (see "Shielded Light Source")

Shielded Light Source: a *light source* which is positioned and/or equipped with *light shielding* devices so that it is not directly visible to any person distant 10 feet or more from the *light source*, or from any point upon or outside of the *property* boundary.

Shielding: the blocking of an electromagnetic field with a metallic substance in a manner that reduces electromagnetic waves radiated; electronic components, wires, lamps, and similar devices can all be shielded

Solid Angle: a conical volume of space defined by a point (the vertex of the solid angle), a sphere centered upon the vertex point, an area segment upon the surface of the sphere and

the collection of rays which begin at the center point of the sphere and which pass through the points of the perimeter of the area segment upon the surface of the sphere

Spotlight: an unshielded *artificial light source or lamp* designed to produce a narrow, well-directed beam of *light* upon a small area

Steradian: (abbreviated "sr") a unit of measure of a *solid angle* the value of which can be determined by placing a sphere so that its center point is upon the vertex of the solid angle and dividing the area measure of the surface area segment of the sphere which subtends the angle by the square of the radius of the sphere (note that this quantity is not dependent upon the shape of the subtending area segment but only upon the measure of the segment area)

Temporary Lighting: Temporary *lighting* is *outdoor lighting* which does not conform to the provisions of this Chapter and which will not be used for longer than a period of thirty (30) consecutive days; temporary *lighting* is intended for uses which, by their nature, are of limited duration such as holiday decorations, civic events, or construction projects; (note: applications for Temporary Lighting Permits shall be reviewed and permitted on a case-by-case basis)

Undeveloped Property: real *property* which is not *developed property*

Uniformity: a term utilized to describe the variation of *illuminance* upon a given plane where variation is expressed as either the numerical ratio of the minimum level of *illuminance* to the maximum level of *illuminance* or the numerical ratio of the minimum level of *illuminance* to the average (i.e., arithmetic mean) level of *illuminance*

Vertical Illuminance: the measure, in *footcandles*, of the total amount of *visible light* incident upon (i.e. illuminating) a point of a vertical surface taken through the sensor of a *light* meter held vertically at the point

Visible Light: electromagnetic radiation which is detectable by a typical human eye

21-46A.5 PROHIBITED OUTDOOR LIGHTING

The following are prohibited as, or as the result of, *outdoor lighting*:

- A. The installation of *outdoor lighting* improvements upon, and/or the *illumination* of, vacant or undeveloped property unless the installation has obtained all required construction permits and is being accomplished in accordance with an approved site plan and/or the requirements of this Chapter
- B. *Temporary lighting* except as permitted by Special Lighting Permit
- C. *Lighting* not specifically permitted by this Chapter
- D. *Luminaires* having drop-type or sagging lenses
- E. *Spotlights* utilized as a means of *outdoor lighting* at times other than during periods of emergency or power outage
- F. Architectural *luminaires* not equipped with full cut-off optics
- G. Exposed strip *lighting* used to illuminate building facades or outline buildings
- H. Neon tubing except as allowed as a means of *illumination* for signage
- I. Any *light* that may be confused with, or construed as, a traffic control device
- J. Laser, flashing, pulsing, and / or rotating *lights* and/or *light sources* except when utilized within emergency or traffic control lighting
- K. *Searchlights* except as permitted by Special Lighting Permit
- L. Tower *lighting* unless required by the Federal Aviation Administration
- M. *Glare*
- N. *Light Trespass*

21-46A.6 STANDARDS FOR OUTDOOR LIGHTING

No person shall install any new, or replacement, *outdoor lighting* that fails to meet the requirements of this Chapter.

A. White Light Source Required: *White light sources* including, without limitation, metal halide, fluorescent, or induction *lamps*, but excluding incandescent and halogen *lamps*, shall be required for any outdoor *light fixture* having a *lamp* output exceeding two thousand four hundred initial *lumens* and which illuminates a driveway, parking lot, circulation drive, pedestrian area, architectural or landscape feature, flag, or other outdoor object.

B. Use of High Pressure Sodium Lamps: *Full cutoff luminaires* having high pressure sodium *lamps* with *initial lamp outputs* not exceeding sixteen thousand *lumens*, may be utilized to illuminate outdoor storage and /or similar use areas which areas are not accessible to the general public and for which the need for good color rendition is not essential to the safety and security of the area(s).

C. General Requirements

1. All outdoor parking areas, driveways, pedestrian ways and walks, entrances and yard areas shall be illuminated using *full cut-off luminaires* except if/as otherwise permitted herein.
2. Outdoor *light poles* and/or *luminaires* upon properties other than those zoned for or containing exactly one single family dwelling shall be no closer than 7 feet to side and rear lot lines and no closer than 22 feet to a front lot line except that in no case shall a light pole and/or luminaire be located within 25 feet of a residentially-zoned or residentially-used property.
3. *Outdoor lighting* in all non-residential land use zones shall be directed toward, and confined to, ground areas of walks, driveways, parking lots and lawns. *Illuminance* levels of *light spillage* shall not exceed 0.25 footcandles at any *property* boundary line except that *light spillage* upon any residentially-zoned or residentially-used *property* shall not exceed 0.06 *footcandles*.
4. Parking lot *illuminance* levels on all non-residentially developed properties containing 4 or more parking lot *luminaires* must be reduced by at least 50% of full operational levels within 30 minutes after the close of business provided, however, that a minimum level of *horizontal illuminance* of 0.20 fc shall be maintained within such parking areas at all times.
5. Maximum allowable *mounting heights* for outdoor *light fixtures* shall be as follows:
 - a. sixteen (16) feet when the *light fixture* is located upon a non-residentially used site which is either (a) adjacent to or directly across a street from a property zoned for, or containing, exactly one single family residence; or, (b) located within, or within seventy five (75) feet of, a single-family residential land use zone;
 - b. twenty-four (24) feet when the *light fixture* is located upon a non-residential site smaller than two (2) acres in total area and which is not subject to "a" above and the *light fixture* or mounting pole is within fifteen (15) feet of a boundary line of the site;
 - c. twenty-eight (28) feet when the *light fixture* is located upon a non-residential site which is not subject to "a" above and the *light fixture* or mounting pole is located farther than fifteen (15) feet from a boundary line of the site;

- d. thirty-six (36) feet when the *light fixture* is located upon a non-residential site larger than two (2) acres in total area and which is not subject to "a" above and the *light fixture* or mounting pole is located farther than twenty five (25) feet from a boundary line of the site;
 - e. forty (40) feet when the *light fixture* is located upon a non-residential site larger than six (6) acres in total area and which is not subject to "a" above and the *light fixture* or mounting pole is located farther than twenty five (25) feet from a boundary line of the site;
6. Foundations and/or structural support of outdoor lighting installations shall be stable for onsite soil conditions and anticipated wind and ice loads. The upper portion of any light pole foundation which projects, vertically, above finished grade shall be sized no larger than necessary to adequately support the light pole assembly and accommodate its mounting hardware, regardless of the design size of its subsurface component(s).

Where a pole-mounted site light will be installed directly within a parking field, or within three feet (3') of the edge of a head-in parking stall, its foundation shall be of reinforced concrete and shall extend, vertically, a minimum of thirty six inches (36") above adjacent finished grade. Mounting pole length shall be as required to elevate the mounted light fixture(s) to design mounting height(s).

All permanently exposed concrete surfaces of light pole foundations shall be finished with a rubbed finish as follows: (a) remove form; (b) patch holes, depressions, voids, and honeycombs by chipping away coarse or broken material until a dense uniform surface of concrete exposing solid coarse aggregate is obtained, saturating surfaces of deficient areas with water, filling with a stiff mortar and finishing the surface of the mortar with a wooden float before initial set takes place; (c) rub exposed concrete surfaces with a wetted wooden block or a medium coarse carborundum stone, using a small amount of mortar on its face (note: do not use the carborundum stone until the concrete has hardened to the state where the sand grinds rather than ravel or rolls); (d) continue rubbing until form marks, projections, and irregularities have been removed, voids are filled, and a uniform surface of paste produced by the rubbing has been obtained; (e) after the paste has dried, obtain the final finish by rubbing with a fine carborundum stone and water until the entire surface is of a smooth texture and uniform color.

D. Outdoor Lighting Types / Standards for Outdoor Illumination:

1. Multi-Family Residential Parking Areas (including circulation drives, parking fields, pedestrian ways)

- a. minimum level of *horizontal illuminance*: 0.6 fc
- b. maximum level of *horizontal illuminance*: 6.0 fc
- c. minimum maintained average *horizontal illuminance*: 1.0 fc
- d. maximum maintained average *horizontal illuminance*: 3.0 fc
- e. average-to-minimum *uniformity* ratio ≤ 4
- f. maximum-to-minimum *uniformity* ratio ≤ 10

2. Non Residential Parking Areas (including circulation driveways, parking fields, pedestrian ways)

- a. minimum level of horizontal illuminance: 0.6 fc
- b. maximum level of horizontal illuminance: 10.0 fc
- c. minimum maintained average horizontal illuminance: 1.5 fc
- d. maximum maintained average horizontal illuminance: 3.5 fc
- e. average-to-minimum uniformity ratio ≤ 5
- f. maximum-to-minimum uniformity ratio ≤ 12

3. Merchandise Display / Sales Areas: These areas include outdoor areas where active nighttime sales activity occurs and where accurate color perception of merchandise by customers is required. To qualify as a display/sales area, one of the following specific uses must occur on the lot: automobile sales, boat sales, tractor sales, building supply sales, gardening or nursery sales, assembly lots, swap meets.

- a. minimum level of *horizontal illuminance*: 2.0 fc
- b. maximum level of *horizontal illuminance*: 30.0 fc
- c. minimum maintained average *horizontal illuminance*: 10 fc
- d. maximum maintained average *horizontal illuminance*: 20 fc
- e. average-to-minimum *uniformity* ratio ≤ 4
- f. maximum-to-minimum *uniformity* ratio ≤ 10

4. Canopy Lighting: All canopy *light fixtures* shall be recessed into the lower surface of the canopy, shall be *full cutoff* types and shall utilize flat lenses and/or diffusers that do not extend below the plane of the lower horizontal canopy surface. No edge of the canopy shall be considered to be a *light source* shield.

- a. minimum level of *horizontal illuminance*: 5.0 fc
- b. maximum level of *horizontal illuminance*: 35.0 fc
- c. minimum maintained average *horizontal illuminance*: 10 fc
- d. maximum maintained average *horizontal illuminance*: 20 fc
- e. average-to-minimum *uniformity* ratio ≤ 4
- f. maximum-to-minimum *uniformity* ratio ≤ 8

5. Architectural Luminaires: Historic, period, or pole-mounted decorative *light fixtures* or *luminaires* may be used provided:

1. they are *full cut-off* type units with *shielded light sources*;
2. *mounting heights* are no greater than 16 feet;

3. no *light fixture* or *luminaire* shall have a *light source* with an *initial light output* greater than 17,600 *lumens*; and,
4. all other requirements of this Chapter are met.

6. Architectural Lighting of Building Facades

- a. *Lighting* may be used only to accentuate architectural or aesthetic elements of a building facade, not to illuminate the entire exterior façade of a building.
- b. Upward aimed *lighting* shall not exceed 4,000 *lumens* per architectural or aesthetic façade element, shall be aimed no higher than 135 degrees above *nadir* at the lowest *light-emitting* point of the *light source*, shall utilize only *shielded light sources* and shall be mounted as flush to the wall as is physically possible.
- c. *Lighting* exceeding 4,000 mean *lumens* per architectural or aesthetic façade element shall be aimed no higher than 45 degrees above *nadir* at the lowest *light-emitting* point of the *light source*, shall utilize only *shielded light sources*, and shall be mounted as flush to the wall as is physically possible.

7. Illumination of the United States Flag: If displayed at night, the flag of the United States must be properly illuminated. Proper *illumination* means that the stars and stripes can be readily perceived from a reasonable distance. *Illumination* of the flag of the United States shall meet the following:

- a. only *shielded light sources* shall be utilized;
- b. the horizontal distance(s) between upwardly aimed *light fixtures* and the vertical plane of the flag shall not exceed 40% of the height of the highest point of the flag nor shall it be less than 15% of the height of the highest point of the flag unless it can be quantitatively demonstrated that a closer mounting of the *light fixture(s)* results in less sky illumination; and,
- c. the collective (i.e., summed) *initial light output(s)* of *light source(s)* dedicated solely to *illumination* of a United States Flag shall not exceed 12,000 *lumens* within residential land use zones or 22,000 *lumens* within non-residential land use zones.

8. Outdoor Lighting Within Residential Areas: Within any Municipal land use zone permitting detached, single-family dwellings, a *developed* residential *property* containing exactly one, detached, single family dwelling shall be permitted an area-dependent Total Outdoor *Light Output* in accordance with the following:

Total Outdoor Light Output (*lumens*) = 1,750 *lumens* + 210 *lumens* per 1,000 s.f. of total property area

where Total Outdoor Light Output is the sum of the *initial light outputs* of all outdoor *artificial light sources* upon the *property*, and,

- a. every *lamp* and/or *radiant light source* having an *initial light output* of 1,750 *lumens* or greater must be *shielded*;
- b. within the Allowable Total Outdoor Light Output permitted upon any *property* containing a detached, single-family residence, a maximum total of 4,720 *lumens* of unshielded *outdoor light* output shall be permitted provided no unshielded

- lamp* or radiant *light source* is visible from a bedroom window of another residence;
- c. no permitted residential *spotlight* or *floodlight* shall be aimed higher than 45 degrees above *nadir* at the lowest *light-emitting* point of the *light source*;
 - d. no *lamp* or *radiant light source* shall create *glare* as defined in this Chapter;
 - e. no *lamp* or *radiant light source* shall be operated or directed so as to result in *light trespass* as defined in this Chapter; and,
 - f. allowable Total Outdoor Light Output shall not exceed 20,000 *lumens*.

9. Illumination of Signage

- a. *Light sources* shall be used judiciously to illuminate signs and shall be directed only upon the sign area that they are intended to illuminate. Illuminated signs shall be designed, located, *shielded*, and directed so as to prevent the *glare* or *light trespass* from the *illumination*. All exposed conduit, wire, junction boxes and/or other hardware shall be concealed from public view.
- b. *Externally illuminated signs* must be illuminated by downward-aimed *light fixtures*. *Light sources* must be *shielded*. *Illumination* must, to the maximum extent physically possible, be directed upon the sign face area. The maximum allowed *lighting power* for an *externally illuminated sign* is 3.0 watts per square foot of sign face area to be illuminated.
- c. *Internally illuminated signs* are acceptable provided that, if the sign is located adjacent to or across a street from a single family land use zone or use, either (a) only the lettering and symbols on the sign shall be illuminated; or, (b) if the entire cabinet interior is illuminated, the background shall be a dark shade or color that minimizes glare, with the foreground (letters and symbols) being of a lighter or contrasting color. The maximum allowed *lighting power* for *internally illuminated signs* is 12 watts per square foot of sign face area to be illuminated. For double-faced signs, only the area of a single face may be utilized to determine the allowed *lighting power* except that for deep sign cabinets where the lamps are isolated by an opaque divider so that they illuminate only one sign face, or for irregularly shaped signs where the faces are not parallel and the lamps are shielded by an opaque divider so that they illuminate only one sign face, the total area of all of sign faces may be utilized to determine allowed *lighting power*.

21-46A.7 SITE LIGHTING AND ILLUMINATION PLAN

A Site *Lighting* and *Illumination* Plan shall be submitted in sufficient detail to evaluate its conformance with standards and requirements of this Chapter. The plan shall include the following:

- A. an accurate, scalable drawing of the site with all *outdoor light fixture* locations clearly depicted and accurately dimensioned relative to property boundaries, buildings, curb lines walks, etc.
- B. complete specifications for all *light fixtures* depicted upon the plan including, for each fixture type, its manufacturer, model, shape, dimensions, color(s), *lamp* type, wattage, rated *initial light output* in *lumens*, reflector and lens types, *illumination* distribution pattern, shielding, etc. (note: the plan shall depict or be accompanied by manufacturer's catalogue information, brochures, drawings, etc., for each fixture type specified)

- c. mounting pole shape(s), material(s), height(s), color(s), finish(s) and foundation details
- D. mounting heights, mounting detail(s), tilt angle(s), and orientation(s) for all *light fixtures*
- E. a photometric plan providing outdoor *horizontal illumination* levels, in *footcandles*, upon the points of a 10' x 10' calculation grid superposed upon pavement areas and pedestrian ways of the site as well as upon site boundaries
- F. a tabulation, or tabulations, demonstrating compliance of the plan with the "Standards for Outdoor Illumination" of SECTION IV of this Chapter where sites having physically and/or functionally disjoint areas shall require a separate tabulation for each such area; and, illumination levels upon lawn/landscape areas and/or upon, or outside of, the boundary of the project shall not be included in determinations of tabulated values
- G. any and all supplemental, or other, information necessary to demonstrate adequacy of the design proposal as well as its compliance with the requirements of this Chapter including, without limit, product manufacturers catalogue information and/or specifications, strength/stability analyses of pole-mounted installations for anticipated wind and soil conditions, etc.

AMEND:

Article V, Section 21-55.3, Item f, as follows:

f. Lighting. All outdoor lighting within the Township of ocean, including that for off-street parking areas, and appurtenant drives and pedestrian ways shall conform with the requirements of Section 21-46A

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

Council Reports:

Councilmember Siciliano reminded everyone that golf lessons are being given at Colonial Terrace Golf Course. Also, the Recreation Department is looking for volunteer's to assist with the numerous recreation programs.

The following Councilmember(s) offered no report:
 Councilmember(s) Garofalo, Schepiga, Evans
 Andrew Brannen, Township Manager
 Martin Arbus, Esq., Township Attorney

PUBLIC COMMENTS:

Barbara Hudson read a statement concerning the Loch Arbour School issue. Among the items addressed were:

- Ocean Township is considering changing from a consolidated school system to a regional school system, which would provide tax relief to Loch Arbour
- Wants to make sure that Ocean Township residents are provided adequate notice if and when this change occurs
- While they sympathize with Loch Arbour, they also realize that Loch Arbour has had a long and generous respite from high taxes based on the previous legislation.
- The previous agreement with Loch Arbour burdened Ocean taxpayers
- For over forty years, they have paid high taxes without having children in the school system because she realizes that having a top notch education system helps to increase property values and a good school system is what children need to obtain a good education

Mayor Larkin commended Mrs. Hudson for a great statement. He also stated that any change would probably require a referendum. Also, the Township is discussing this matter in the hopes it can come up with a reasonable resolution because should Loch Arbour leave, Ocean Township would need to make up \$1.9 million.

Councilmember Garofalo stated that during these meetings, both the Township and Loch Arbour reiterated that they would not agree to anything that would hurt the Township.

Brian Lefferson inquired about the changing of the polling location for Districts #4, #5 and #7 from the Wanamassa Fire House/First Aid Squad to The English Manor.

Mr. Lefferson also inquired about the profitability of the St. Patrick's Day Dinner and how much money did the Township make, if any.

Councilmember Schepiga stated that the final number had not been calculated yet but the Township did make a small profit.

Norm Broznaik inquired as follows:

1. Will the tennis courts at Fireman's Field be redone

Mr. Brannen stated that the contractor will be finishing the repairs once the weather warms up.

2. Can the Township place additional trash receptacles in and around Palaia Park

Mr. Brannen will have Public Works add additional receptacles.

Scott Yates discussed an incident that occurred resulting in a possible assault of a minor. Mr. Yates was concerned that nothing had been done to the assailant.

Police Chief Amodio addressed the situation and reassured everyone that his Department was looking into the incident and will be determining what exactly occurred based on the evidence they have gathered from all of the involved parties.

F.K. Hudson inquired as follows:

1. What was discussed at the Workshop Meeting with regard to the Deal Lake Commission

Mr. Brannen stated that the Commission had secured a \$425,000.00 Grant and they wanted to discuss potential plans for the use of that Grant, including projects on Comstock Avenue, Colonial Terrace Golf Course and "hydro-raking" of the lake.

2. Updates on:

a. COAH

Mr. Arbus stated that the Township continues to work on the development of the Housing Plan and additional meetings have been held with the Court-appointed Master and the Township's Planner.

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

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

Respectfully submitted,

William F. Larkin
Mayor

Vincent Buttiglieri, RMC/CMC
Municipal Clerk