

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

**SEPTEMBER 12, 2011**

**OAKHURST, NEW JERSEY**

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

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

**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.

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

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

**PUBLIC COMENTS:**

**Florence Howell** – inquired about the costs associated with parent-child visitation program mentioned in Resolution #11-162

Andrew Brannen, Township Manager, stated that the costs are reimbursed by the State.

**Brian Lefferson** asked about the cost to the Township for the inter-local agreement with the Sewerage Authority mentioned in Resolution #11-165

Mr. Brannen said that the Township will be paid \$10,000.00 annually

**CONSENT AGENDA:**

**MINUTES:**

August 8, 2011 – Workshop, Public and Closed Meeting

**RESOLUTIONS:****11-158 Authorize the Release of Performance Guarantees for the following:****a. Block 33.01, Lot 8 – 537 West Lincoln Avenue – Mimma Maggio**

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

**WHEREAS**, Mimma Maggio has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$6,804.00 to guarantee the completion of all improvements on premises known as Block 33.01, Lot 8 also known as 537 West Lincoln Avenue; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated August 17, 2011, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially completed and said representative of the Township Engineer recommends the acceptance of same and the release of the aforementioned cash performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% (\$2,835.00) of the cost of the improvements and payment of any outstanding engineering and administrative fees; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the performance guarantees totaling \$6,804.00 are hereby released, canceled and discharged.

**BE IT FURTHER RESOLVED** by the Township Council that this resolution shall not become effective unless and until the Township of Ocean is furnished with the posting of a maintenance guarantee in the amount of 15% (\$2,835.00) of the cost of the improvements and payment of any outstanding engineering and administrative fees; and

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

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

**11-159 Authorize the Acceptance of Performance Guarantees for the following:****a. Block 74, Lot 4 – 515 South Edgemere Drive – Jack Green Construction, LLC**

**WHEREAS**, the Township of Ocean has approved a development project on Block 74, Lot 4 also known as 515 South Edgemere Drive; and

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

**WHEREAS**, Jack Green Construction, LLC has posted cash performance guarantees totaling \$5,148.00 along with engineering inspection fees totaling \$1,515.00 and the required certificate of insurance.

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

**BE IT FURTHER RESOLVED** that the performance guarantees are hereby accepted.

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Jack Green Construction, LLC

**11-160 Authorize the Developers Agreement for the following:**

**a. Block 207, Lots 1 & 8 – 1200 Roseld Avenue – Ilan High School Building Associates**

**WHEREAS**, Ilan High School Building Associates (hereinafter referred to as “Developer”) is the applicant and Temple Beth Torah is the owner of property known as Block 207, Lots 1 & 8 as shown on the official tax map of the Township of Ocean in the R-4 (Medium Density Single Family Residential) Zone, which property is located at 1200 Roseld Avenue, in the Township of Ocean, County of Monmouth, State of New Jersey; and

**WHEREAS**, the Developer was granted Approval of Conditional Use, Approval of Bulk Variances and Preliminary and Final Site Plan Approval by the Zoning Board of Adjustment of the Township of Ocean by way of resolutions dated September 8, 2011 to utilize an existing synagogue for the purposes of a parochial high school and synagogue; and

**WHEREAS**, the Agreement relates to a Site Plan Map entitled Ilan High School, Conditional Use Site Plan of Block 207, Lots 1 & 8, situated in Township of Ocean, Monmouth County, New Jersey by Richard Difolco, P.E., P.P. of JKR Engineering and Planning Service, LLC consisting of nine (9) sheets dated March 21, 2011 and last updated July 25, 2011; and

**WHEREAS**, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated July 26, 2011 prepared by the Township of Ocean Engineer Louis J. Lobosco, P.E., P.P. of Leon S. Avakian, Inc.

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

1. It hereby authorizes the Mayor to execute and the Township Clerk to attest to a Developer’s Agreement between the Township of Ocean and Ilan High School Building Associates, subject to the following conditions first being met:
  - a. All required certificates of insurance be properly filed with the Office of the Township Clerk
  - b. Posting of performance Guarantees in the total amount of \$137,400.00 and Inspection Fees in the amount of \$6,725.00.00

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Ilan High School Building Associates
5. Nestor A. Winters, Esq.

**11-161 Authorize the receipt of bids/proposals for the following:**

**a. Food/Beverage Concession(s) for the Community Pool/Tennis Facility and for Colonial Terrace Golf Course**

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

**Food/Beverage Concession(s) for the Ocean Community Pool & Tennis Facility  
and  
Colonial Terrace Golf Course**

**WHEREAS**, specifications for the aforesaid item are to be prepared and will be made 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 proposals for the aforesaid item to be received by the Township Manager at 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 Human Services
3. Recreation Supervisor

**11-162 Authorize the Human Services Department to enter into an Agreement with the State of New Jersey Department of Children and Families wherein Human Services will provide parent – child visitation and other associated services**

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth, that the Township of Ocean Department of Human Services is authorized to provide services of parent-child visitation and associated services as stipulated in Contract #12SKNC; and

**BE IT FURTHER RESOLVED**, that the Township Manager or his designee is authorized to provide any additional information or take any additional steps, which may be lawful and necessary to execute the above named contract; and

**BE IT FURTHER RESOLVED**, that the Mayor, and/or other required Township Officials, are hereby authorized to affix their signature(s) to the 2011-2012 contract; and

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

1. New Jersey Department of Children and Families
2. Director of Human Services

3. Township Manager
4. Director of Finance

**11-163 Authorize various auctions of public property by the Township of Ocean through PropertyRoom.com. from the period October 1, 2011 through April 1, 2012**

**WHEREAS**, the Township of Ocean has accumulated numerous items of personal property over the years through the normal course of business; and

**WHEREAS**, these items include bicycles, surplus Police and Township equipment; and

**WHEREAS**, it is in the best interest of the Township that said property be sold; and

**WHEREAS**, the State of New Jersey, Department of Community Affairs has authorized and approved the on-line sale of surplus property which will comply with N.J.S.A. 40A:14-157; and,

**WHEREAS**, it is the desire of the Township Council of the Township of Ocean to use PropertyRoom.Com to conduct said auctions at various times between October 1, 2011 and April 1, 2012; and

**WHEREAS**, PropertyRoom.Com has been approved by the Department of Community Affairs to facilitate said auction;

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

1. The appropriate Township employees are hereby authorized to prepare a list of items which will be forwarded to PropertyRoom.Com, Inc. for various on-line auctions between October 1, 2011 and April 1, 2012.
2. That notice of the sale shall be published at least once in a newspaper circulating in the Township of Ocean not less than ten (10) days prior to the sale.

**INDIVIDUAL ACTION:**

**VOUCHERS: \$ 9,316,941.32**

**Township of Ocean  
Department of Finance  
Voucher List for September 12, 2011**

Vendor Name	Description	Amount	Contract
<b><u>Appropriation Reserves Payments</u></b>			
SEMCOR EQUIPMENT & MFG CORP	Rental 20' Tow lift for lights	195.00	
VANTAGEPOINT TRANSFER AGENTS	September RHS Benefits	7,991.02	
<b><u>Total</u></b>		<b>8,186.02</b>	
<b><u>Total Appropriation Reserves Payments</u></b>		<b><u>8,186.02</u></b>	
<b><u>2011 Current Fund Appropriation Payments</u></b>			
33 EAST CAR WASH OF OCEAN	PD- CAR WASHES - AUGUST 2011	175.00	
ACCURINT FOR LAW ENFORCEMENT	PD-BACKGROUND SEARCHES- AUG 11	34.00	
AFLAC - NEW YORK - FLEX ONE	JULY 2011 MEDFLEX ADMIN FEES	50.00	
AIR SYSTEMS MAINTENANCE INC	August Heating & Air Contract	4,338.51	

## MEETING MINUTES

SEPTEMBER 12, 2011

ALL HANDS FIRE EQUIPMENT LLC	Equipment brackets & batteries	92.48
AMERICAN WEAR INC	August uniform rental	861.15
AMERICAN WEAR INC	August rags for Shop use.	60.00
ARBUS, MARTIN ESQ C1100015	TWP ATTORNEY - RETAINER & SVC	7,259.66
ARMSTRONG TREE SERVICE LLC	Emergency tree removal/Wells	300.00
ARMSTRONG TREE SERVICE LLC	Emergency-261 S. Lincoln	300.00
ARMSTRONG TREE SERVICE LLC	Emergency tree fallen/Alpern	500.00
ASSOCIATION ADVISORS	2011 TWP GARBAGE	5,061.60
ATLANTIC PLUMBING SUPPLY CORP	August misc plumbing supplies	43.56
ATLANTICOM COMMUNICATION	PD- MOBCOM TELESCOPING UNIT	596.50
BARI BRADLEY	REFUND MORNING REC CAMP FEES	75.00
BECKERS TREE SERVICE INC	Remove hazardous Tree/Stumps	1,200.00
BERGEY'S INC	August misc parts for Twp	454.12
BROWN, SANFORD ESQ	PB General & BOA Meeting	343.00
BROWN, SANFORD ESQ	Comart Litigation	255.00
BULLET LOCK & SAFE CO INC	August misc keys etc.	219.50
BUTTIGLIERI, VINCENT CMC	September 2011 Petty Cash	248.45
CABLEVISION	W.Park Rec #07866-184155-02-7	49.95
CABLEVISION	Walepond(A)#07866-196447-01-6	108.90
CABLEVISION	Beecroft #07866-193927-02-9	74.90
CABLEVISION	Townhall #07866-186654-01-9	82.18
CAMPBELL FOLEY DELANO & ADAMS	Prosecution Services	250.00
CAPTUREPOINT.COM	10/2011-9/2012 SUBSCRIPTION	7,996.00
CATHY MOSTOW	REFUND YOUTH SOCCER PROGRAM	40.00
CLARKE CATON HINTZ C1100012	PLANNING SERVICES THROUGH 6/24	2,229.00
CLARKE CATON HINTZ C1100012	LITIGATION PLANNING DEFENSE	14,581.34
CLAYTON SAND CO INC	Asphalt blade for road repairs	388.38
CLAYTON SAND CO INC	Parking Concrete Bumpers	198.00
CLAYTON SAND CO INC	July misc building supplies	154.00
CLEARVIEW SPRING WATER	August bottles water for Twp	108.00
CMF BUSINESS SUPPLIES INC	PD- REPLENISH COPY PAPER	698.50
COAST CITIES EQUIP SALES INC	Emission Test for Twp. vehicle	2,162.50
CODED SYSTEMS LLC	Code Supplement #44 (12/10)	4,183.50
COMCAST SPOTLIGHT INC	JULY: CTGC ADVERTISING	1,200.00
COMCAST SPOTLIGHT INC	AUGUST:CTGC ADVERTISING	96.00
COMCAST SPOTLIGHT INC	AD CAMPAIGN DHS	4,273.00
COMCAST SPOTLIGHT INC	AD CAMPAIGN JUNE - DHS	1,380.00
CONVENTION DATA SERVICES	Registration APWA Conference	660.00
COOPER POWER SYSTEMS	Repair to generator at Gym	1,865.93
COOPER POWER SYSTEMS	Service Contract/Gym Generator	860.00
COOPER POWER SYSTEMS	Service Contract/Town Hall	860.00
COUNTRY CLEAN INC	MISC. PAPER PRODUCTS DHS	46.79
COUNTRY CLEAN INC	MISC SUPPLIES CT GOLF COURSE	67.16
DEBORAH WALSH	REFUND YOUTH SOCCER PROGRAM	40.00
DELTA DENTAL OF NJ INC	September Dental Insurance	10,552.62
DON KLIEM	REFUND OF SECURITY DEPOSIT	56.00
EDWARDS TIRE CO INC	August recap & service tires	4,855.01
EDWARDS TIRE CO INC	August tires for Twp vehicles	1,424.92
EDWARDS TIRE CO INC	Tires/68 loader	6,003.80
ELITE FORMS INC	5,000 # 10 WINDOW ENVELOPES	269.50
ELITE FORMS INC	1,000 # 10 WINDOW ENVELOPES	98.75
ELLEN ALFIER	REFUND FOR MEMBERSHIP CHANGE	112.50
EMERGENCY COM NETWORK INC	PD- ANNUAL CODERED RENEWAL	5,300.00
FARRUGGIA, SALVATORE	CELL PHONE APRIL - JUNE 2011	75.00
FASCO SECURITY PRODUCTS	PD- GUN LOCKER	415.00
FIRE SECURITY TECH INC	Fire Alarm/Township Buildings	2,116.00
FIRE SECURITY TECH INC	Fire alarm strobe and box	310.94
FIRE SECURITY TECH INC	Fire Alarm Service/Human Serv.	82.00
FIRE SECURITY TECH INC	Fire/Burglar Alarm-Golf Course	418.50
FLAGSHIP DENTAL PLANS	September Dental Insurance	532.00
FLEETWASH INC	Wash truck inside/outside	522.50
FOLEY INC	Sonic Sensor for 56 Paver	1,160.21
FORT DEARBORN LIFE INS CO	September Life Insurance	570.00
G.F.O.A. OF N.J.	2011 MEMBERSHIP DUES	90.00

## MEETING MINUTES

SEPTEMBER 12, 2011

G.F.O.A. OF NJ	FALL CONFERENCE REGISTRATION	325.00
GANNETT NJ NEWSPAPERS	ACCT 9459 - ADVERTISING AUG 11	114.00
GANNETT NJ NEWSPAPERS	ACCT 9459 - ADVERTISING MAY 11	364.50
GANNETT NJ NEWSPAPERS	PLANNING BOARD AD - 8/25/11	39.00
GARDEN STATE FIRE & SECURITY	Alarm monitoring Bldg&Grnds	307.80
GARDEN STATE LABS INC	POOL ANALYSIS SERVICES	1,195.00
GARIPPO, LOUIS JUDGE	SUBSTITUTE JUDGE	800.00
GARIPPO, LOUIS JUDGE	Substitute Judge-July 12,2011	800.00
GEESE CHASERS LLC C1100003	AUG 2011 GEESE CONTROL MAINT	862.33
GEORGE WALL LINCOLN MERCURY	July misc parts for Twp.	367.46
GILES & RANSOME INC	July misc loader parts	101.67
GILES & RANSOME INC	August misc loader parts	1,401.08
GOFFCO INDUSTRIES INC	UTT 20 tickets per book	519.00
GOLDEN RULE CREATIONS INC	PD-DEPARTMENT SHOULDER	668.63
GOLF CAR SPECIALITIES LLC C1100004	AUG 2011 CTGC GOLF CART LEASE	2,024.00
GOLF CAR SPECIALITIES LLC	UTILITY VEHICLES CTGC AUGUST	140.00
GOLF CAR SPECIALITIES LLC	REPLACE WINDSHIELD GOLF CART	143.67
GOVCONNECTION INC	Replacement Battery/Officejet	497.09
GRASS ROOTS TURF PRODUCTS	SIGNS & REPAIR KITS	290.52
GRAYBAR ELECTRIC CO	Aug misc electrical supplies	161.93
GROSSMAN'S DELI	Emergency Storm/Meals	650.00
HANDI-LIFT SERVICE CO INC	Auto lube canister for lift.	81.00
HANDI-LIFT SERVICE CO INC	Maintenace Agreement/Human Ser	1,190.00
HESS CORPORATION	Electric sustainable energy	15,868.38
IDEAL LUMBER & SUPPLY CO	August misc lumber & support	232.43
ISLAM KEIKAL	REFUND OF 2011 FOOD LICENCE	30.00
JAMES HIGGINS ASSOCIATES	BOA Meeting Attendance	200.00
JEFFREY R SURENIAN & ASSOC LLC C1100008	JUNE 2011 AFFORDABLE HOUSE	5,089.91
JEFFREY R SURENIAN & ASSOC LLC C1100008	JULY 2011 AFFORDABLE HOUSE	2,688.00
JERSEY CENTRAL POWER & LIGHT	June electric usage	11,183.78
JERSEY CENTRAL POWER & LIGHT	July electric general usage	12,412.69
JERSEY CENTRAL POWER & LIGHT	July street lighting	21,336.95
JET-VAC INC	Sensing Rod for #77 Sewer Jet	7,383.38
JET-VAC INC	Spring clip/Truck #77	15.76
JIM CURLEY PONTIAC GMC TRUCK	August misc parts for Twp.	29.23
JOHNNAIRA BAILEY	REFUND PREPAID POOL DAILY FEES	120.00
JOHNSTONE SUPPLY	DIGITAL POCKET THERMOMETER	44.00
JOHNSTONE SUPPLY	COMBUSTIBLE GAS DETECTOR	189.50
JOSEPH FAZZIO WALL LLC	Steel I Beam for restock	561.71
JUAN CARLOS ROSAS	REFUND FOR CANCELLATION	145.00
JUNGLE LASER LLC	ROLLBASE APPLICATION JULY 2011	2,990.00
KELLY WINTHROP, LLC.	Deer removal	90.00
KEPWEL SPRING WATER CO	WATER DHS OFFICE	83.20
KEPWEL SPRING WATER CO	WATER-CTGC RETAIL	80.00
L3 COM MOBILE-VISION INC	PD- SERVICE CALLS - AUG 2011	183.75
L3 COM MOBILE-VISION INC	PD- MVR HARD DRIVES	512.00
LANGUAGE LINE SERVICES	April Phone Interpreting	107.10
LANGUAGE LINE SERVICES	July Telephone Interpreting	22.10
LATOIA BROWN	REIMBURSE FINGERPRINTING	26.25
LEE WARNER	REFUND YOUTH SOCCER PROGRAM	40.00
LEISURE SPORTING GOODS	SOCCER T-SHIRTS	4,417.98
LEISURE SPORTING GOODS	SOCCER BALLS/LANYARDS/ETC	461.75
LERTCH RECYCLING CO	August recycle brush	11,430.16
LESCO - PROX	July misc supplies for Twp.	414.23
LESCO - PROX	August misc supplies for Twp.	250.57
LESCO - PROX	5 gallon paint/ball field	604.00
LIBERTY SAMPILO	REFUND RENTAL OVERPAYMENT	40.00
LINE SYSTEMS, INC.	JULY 2011 PHONE SVS CHARGES	2,973.58
LYNN PEAVEY CO	PD- EVIDENCE SUPPLIES	420.75
MAIN ELECTRIC SUPPLY CO INC	August misc electric supplies	173.07
MAJOR POLICE SUPPLY	PD- REAR COMPARTMENT	581.00
MARK DELTIN	Workers' Comp	271.18
MARY ANN WALKER	REFUND FOR CANCELLATION	50.00

## MEETING MINUTES

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MAZZA & SONS INC	August dump fees for bulk	5,840.10
MC MAHON, WILLIAM	Cell phone reimbursement	25.00
MC MAHON, WILLIAM	Reimbursement for CPWA license	100.00
MC MAHON, WILLIAM	Reimbursement for food	57.22
MIRACLE CHEMICAL CO	CHLORINE AUGUST	5,197.50
MON CTY POLICE ACADEMY	PD- TRAINING - JUNE 2011	90.00
MON CTY POLICE ACADEMY	PD- MONTHLY TRAINING/AUG 2011	20.00
MONMOUTH TRUCK EQUIPMENT	Tool box/Phil's truck/mounted	339.00
MOORE WALLACE NORTH AMERICA	Reg 42B Certified Paper	62.50
MORPHOTRAK INC	PD- LIVESCAN MAINTENANCE/UPGRD	2,146.00
MR JOHN INC	FOURTH OF JULY RESTROOM	575.00
MULLANE, EDWARD	Reimburse for CTA Renewal	50.00
NATVARIAL PATEL	REFUND OF POOL PERMIT FEE	93.75
NENA	PD- 2011 MEMBERSHIP DUES	130.00
NEOPOST, INC.	POSTAL MACHINE SUPPLIES	222.00
NEPTUNE AUTO SUPPLY	July misc parts for Twp.	2,391.65
NEPTUNE AUTO SUPPLY	August misc parts for Twp.	2,432.86
NEPTUNE DOOR CO	Garage door/Beecroft bay 7	275.00
NEW SYSTEM KITCHEN VENTILATION	STEAM HOODS,FILTERS AT POOL	345.00
NEXTEL-SPRINT PO MANAGEMENT	AIR CARDS 5/27/11 - 6/26/11	49.99
NEXTEL-SPRINT PO MANAGEMENT	AIR CARDS 6/27/11-7/2/11	49.99
NJ EMERGENCY PREPAREDNESS ASSN	Mandatory NJ EPA Training	100.00
NJ NATURAL GAS CO	July Gas useage for Twp.	1,613.90
NJ STATE SAFETY COUNCIL	PD- ANNUAL RENEWAL/RESEAR	55.00
NJAWC	July water usage	8,734.06
P F PETTIBONE & CO	Order Minute Books	309.85
PERRY'S TROPHY CO INC	REPLACEMENT PLAQUES 4 BENCHES	384.00
PICKELNY, JEFFREY & LINDA	REFUND YOUTH SOCCER PROGRAM	40.00
QSCEND TECHNOLOGIES INC	10/1/11-9/30/12 SOFTWARE MAINT	4,305.00
QUALITY DISCOUNT WRISTBANDS	WRISTBANDS POOL PATRONS	239.66
R PAUL SURFACING TECHNOLOGIES	REPAIR JOINT GYM FLOOR	1,950.00
R&H AUTO SPRING & TRUCK	Leaf spring front Truck #86	995.83
RACHLES/MICHELE'S OIL CO	August unleaded/diesel fuel	50,939.40
REGINALDO ANTONIO	REFUND OF ROOM RENTAL FEES	165.00
REMEDIOS ODON	REFUND - CANCEL ROOM RENTAL	140.00
RENEE WALSH	REFUND SOCCER REGISTRATION	40.00
RESNICK DISTRIBUTORS	CTGC RETAIL ITEMS	552.26
ROBERT LEFURGE	REFUND YOUTH SOCCER PROGRAM	90.00
ROSE MCVEY	REFUND YOUTH SOCCER PROGRAM	40.00
ROY PRESS INC	Envelopes for mailings	148.00
RUDERMAN & GLICKMAN PC C1100006	JUL 2011 LABOR RELATION MATTER	6,240.00
RUDERMAN & GLICKMAN PC C1100006	AUG 2011 LABOR RELATION MATTER	3,600.00
RUTGERS STATE UNIVERSITY	Tax Collection Classes	1,602.00
SEA BREEZE FORD INC	July misc parts for Twp.	352.43
SEA BREEZE FORD INC	August misc parts for Twp.	497.56
SEABOARD FIRE & SAFETY	PD- CO2 REFILLS - AUG 2011	66.85
SEABOARD WELDING SUPPLY INC	PD- OXYGEN REFILLS - AUG 2011	245.50
SEABOARD WELDING SUPPLY INC	REPLENISH CO2 TANKS POOL AUG	300.00
SHELLY SALEM	REFUND RENTAL CANCELLATION	15.00
SHORE LANES	MORNING REC BOWLING TRIPS JULY	2,517.50
SIPERSTEIN'S PAINT	August misc paint & brushes	409.70
SPRINT PO MANAGEMENT	PD- NEXTEL SERV PLAN - JULY 11	456.63
SPRINT PO MANAGEMENT	Service for June 27-July 26	49.99
STAPLES PRINT SOLUTIONS	ATS/ACS MAILERS	446.53
STATE EXTERMINATING CO	Extermination/Court/Ants	200.00
STAVOLA ASPHALT CO INC	July 2nd half patch program	2,042.55
STAVOLA ASPHALT CO INC	August 1st half patch program	1,915.65
STAVOLA ASPHALT CO INC	August 2nd half patch program	465.85
STEINBERG, MARK A ESQ	BOA Special Meeting Attendance	140.00
STEINBERG, MARK A ESQ	BOA Attendance 8/3/11	140.00
STEWART BUSINESS SYSTEMS	Printing Services	622.50
STEWART BUSINESS SYSTEMS	REPAIR SAVIN 9945DPE COPIER	205.13
STORR TRACTOR CO	July misc parts for Toro mower	829.35
SUNSET FARM MARKET	July misc supplies for Twp.	24.91
SUPERIOR OFFICE SYSTEMS INC	TONER	580.68

## MEETING MINUTES

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SUPPLY KING INC	FLOOR PRODUCTS	270.06
T.E.A.M. LIFE INC	AED BATTERY FOR DEFIB	720.00
T.E.A.M. LIFE INC	PD- AED BATTERY REPLACEMENT	362.00
THE NEW COASTER LLC	ADVERTISING AUGUST 2011	234.98
THE NEW COASTER LLC	PLANNING BOARD AD - 8/25/11	19.84
THE NEW COASTER LLC	ADVERTISING AUGUST 2011	24.18
THE PASSION GROUP	REFUND SECURITY DEPOSIT	559.88
TOWNE HARDWARE	August misc maint supplies	124.19
TRAFFIC SAFETY STORE	PD- TRAFFIC CONES/REPLENISH	1,096.91
TREASURER COUNTY OF MONMOUTH	August dumping fees	58,259.25
TREASURER STATE OF NJ	Solid waste dumping permits	712.00
TREASURER STATE OF NJ	Recycling center fees	7,928.00
TRICO EQUIPMENT SERVICES LLC	June misc parts	1,020.07
TRICO EQUIPMENT SERVICES LLC	July misc parts for Twp.	416.53
TRICO EQUIPMENT SERVICES LLC	Tink Claw Cylinders/Stock	1,003.70
TWP OF OCEAN RECREATION ACCT	2ND INSTALLMENT SOCCER REFS	2,300.00
UNITED STATES POSTAL SERVICE	POSTAGE FOR TAX COLLECTOR	650.00
US 1 AUTO PARTS	August misc parts for Twp.	671.70
US POSTAL SVS(NEOPOST ON CALL)	REPLENISH POSTAGE IN METER	5,000.00
VALLEYCREST GOLF COURSE MAINT C1100005	AUGUST 2011 CTGC GOLF COURSE	23,197.33
VERIZON	HSD HIGH SPEED INTERNET	68.99
VERIZON	TELEPHONE SERVICE 9/11	360.19
VERIZON	BROADBAND SERVICES 9/11	114.99
VERIZON BUSINESS FIOS	FIOS@Library Acc#7325314664647	115.27
VERIZON WIRELESS	PD- AIRCARD SERV PLAN - AUG 11	400.10
VERIZON WIRELESS	PD- AIRCARD SERV PLAN - AUG 11	440.11
VICKI L. GUNN	REIMBURSE FINGERPRINTING	26.25
W B MASON CO INC	OFF. SUPPLIES AS PER ATTACHED	406.50
W W GRAINGER INC	July misc supplies for Twp.	72.11
WILTBANK, LARRY	INSTRUCTOR:COACHES TRAINING	180.00
WPCS INT'L INC - LAKEWOOD	PD- SERV/MAINTAINANCE-AUG 2011	137.50
<b>Total</b>		<b>441,077.34</b>
<b><u>Non Budget Account Payments</u></b>		
ANSELL GRIMM & AARON P.C.	TAX APPEAL REFUND BL 1.02 L 61	3,704.00
ANSELL GRIMM & AARON P.C.	TAX APPEAL REFUND BL 33.16 L 3	7,259.67
ASHEAR, MARILYN M.	2009 TAX APPEAL BL 138 L 61	2,857.50
AZRAK, SARAH	TAX OVERPAYMENT BL 11 LOT 19	6,362.14
GRASSO, STEVEN M	2010 TAX APPEAL BL33.23 L 8	386.28
MICHAEL A. VESPASIANO	2008-2009 TAX APPEAL BL1.02L40	57,712.03
MONMOUTH COUNTY TREASURER	3RD QTR 2011 GENERAL CTY TAXES	3,006,848.82
MONMOUTH COUNTY TREASURER	3RD QTR 2011 OPEN SPACE TAXES	172,863.77
MONMOUTH COUNTY TREASURER	3RD QTR 2011 LIBRARY TAXES	170,507.69
TREASURER OF SCHOOL MONIES	SEPT 2011 SCHOOL TAXES PAYABLE	4,719,634.81
TREASURER STATE OF NJ	2ND QTR ST FEES /APR-JUNE 2011	5,266.00
<b>Total Non Budget Account Payments</b>		<b>8,153,402.71</b>
<b><u>Total 2010 Current Fund Appropriations Payments</u></b>		<b><u>8,594,480.05</u></b>
<b><u>General Capital Payments</u></b>		
BERGEY'S INC	New Automated Garbage Truck	298,888.00
FERNANDES CONSTRUCTION INC 00012	PAYMENT CERTIFICATE # 5	58,061.19 C0-
GOVCONNECTION INC	PD/MIS- 1500VA UPS	516.37
MONMOUTH TRUCK EQUIPMENT	Body installed truck 35	7,375.00
SCHAEFER SYSTEMS INT'L INC	95/65 Gallon Garbage/Recycle	21,598.65
<b>Total</b>		<b>386,439.21</b>
<b><u>Total General Capital Payments</u></b>		<b><u>386,439.21</u></b>
<b><u>Grants Payments</u></b>		
CLOTHES MADE FROM SCRAP INC	Tee Shirts for Clean Community	2,280.75
DELTA DENTAL OF NJ INC	September Dental Insurance	171.57
DRAEGER SAFETY DIAGNOSTIC INC	PD/DDEF- SIMULATOR SOLUTION	224.95
QUIKIE PRINT & COPY SHOPS	Doorhanger/Blue & Green notice	304.00
W B MASON CO INC	OFF. SUPPLIES AS PER ATTACHED	100.02

## MEETING MINUTES

SEPTEMBER 12, 2011

<u>Total</u>		3,081.29
	<u>Total Grants Payments</u>	<u>3,081.29</u>
	<u>Law Enforcement Trust Payments</u>	
ASI ACCESS SYS INTEGRATION LLC	PD/LETF-CCTV PROJ - 3RD PARTY	15,096.26
<u>Total</u>		15,096.26
	<u>Total Law Enforcement Trust Payments</u>	<u>15,096.26</u>
	<u>TORTA Payments</u>	
ASCA	INSTRUCTORS YOUTH TENNIS	1,742.00
BUTTIGLIERI, VINCENT CMC	September 2011 Petty Cash	27.37
MAGHAN, DAWN RYT	YOGA INSTRUCTION AUGUST	500.00
MC ALOON, WALT	INSTRUCTOR SUMMER BAND	1,155.00
REISER, KATHY	CTGC JUNIOR LEAGUE BBQ	449.19
TWP OF OCEAN SCHOOL DISTRICT	BUS SERVICE MORNING RECREATION	8,000.00
<u>Total</u>		11,873.56
	<u>Total TORTA Payments</u>	<u>11,873.56</u>
	<u>Trust Other Payments</u>	
ABE M COHEN	MAINTENANCE RELEASE	5,436.25
CLARKE CATON HINTZ 00002	COAH PLANNING CONSULTATION SVC	931.94 C9-
CLARKE CATON HINTZ 00004	COAH PLANNING CONSULTATION SVC	1,786.39 C0-
CLARKE CATON HINTZ 00016	LITIGATION PLANNING DEFENSE	4,938.82 C9-
IAATO	Off Duty Escrow Reimbursement	1,787.50
LEON S AVAKIAN INC	2011 ENGINEERING SERVICES	755.00
LEON S AVAKIAN INC	ENGINEERING SVC THROUGH 8/1/11	283.75
LUMBER LIQUIDATORS	PERFORMANCE RELEASE	3,663.25
MARK DELTIN	Workers' Comp Scibal Ck#47288	2,294.93
MARK DELTIN	Township Share Scibal CK#47288	81.07
MARK DELTIN	Workers' Comp	1,018.29
MASER CONSULTING, P.A.	MAR-JUN 2011-ROLLING MEAD PH 2	7,030.00
MASER CONSULTING, P.A.	APR/MAY 2011-ROLLING MEADOWS 1	1,052.00
MASER CONSULTING, P.A.	APR-JUN 2011 ROLLING MEAD PH 3	1,162.50
MASER CONSULTING, P.A.	ENGINEERING SVC THROUGH 8/7/11	772.50
ROLLING MEADOWS AT WAYSIDE LLC	PERFORMANCE GUARANTEE	127,458.45
ROLLING MEADOWS AT WAYSIDE LLC	PERFORMANCE GUARANTEE	64,155.09
ROLLING MEADOWS AT WAYSIDE LLC	PERFORMANCE GUARANTEE	63,433.12
RYAN'S AUTO BODY	REPAIRS 2010 FORD CV S#100201	2,286.50
SCOTT LOVETRO	REIMB. OF VEH. DAMAGE 8/8/11	185.28
STEINBERG, MARK A ESQ	BOA Hollywood Gold Club	735.00
THE PASSION GROUP	OFF DUTY ESCROW	1,885.00
U.S. ROAD SPORTS & ENT - NJ	OFF DUTY ESCROW	4,062.50
<u>Total</u>		297,195.13
	<u>Total Trust Other Payments</u>	<u>297,195.13</u>
	<u>Animal Control Trust Payments</u>	
NJ STATE DEPT OF HEALTH	JULY'11 STATE DOG LIC. REPORT	22.80
<u>Total</u>		22.80
	<u>Total Animal Control Trust Payments</u>	<u>22.80</u>
	<u>State Unemployment Insurance Trust Payments</u>	
STATE OF NEW JERSEY	2010 CATASTROPHIC ILLNESS FUND	567.00
<u>Total</u>		567.00
	<u>Total State Unemployment Insurance Trust Payments</u>	<u>567.00</u>

Total Bill List for September 12, 2011

Appropriation Reserve Total	<u>8,186.02</u>
Current Fund Total	<u>8,594,480.05</u>
General Capital Fund Total	<u>386,439.21</u>
State & Federal Grant Total	<u>3,081.29</u>
Law Enforcement Trust Total	<u>15,096.26</u>
TORTA Total	<u>11,873.56</u>
Trust Other Total	<u>297,195.13</u>
Animal Control Total	<u>22.80</u>
Bid Deposit Refund	
State Unemployment Trust	<u>567.00</u>
Trust Assessment Fund	
Total of All Funds	<u>9,316,941.32</u>

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

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

- Association Advisors
- Sanford Brown, Esq.
- Country Clean
- James Higgins Associates
- Kepwel Spring Water Co.

**RESOLUTIONS:**

**11-164 Authorize the Tax Collector to place a lien on the following Township properties:**

**a. Block 34.02, Lot 7 – 7 Christie Lane - \$487.20**

**WHEREAS**, property located within the Township of Ocean, commonly known as Block 34.02, Lot 4 (7 Christie Lane), has been cited by the Township Code Enforcement Officer as a public health nuisance; and

**WHEREAS**, said public health nuisances were not abated in a reasonable time period and the Code Enforcement Officer instructed the Department of Public Works to clean said property; and

**WHEREAS**, the cost to abate said nuisance was \$487.20; and

**WHEREAS**, said cost may be assessed to the property owner through a lien against the affected property;

**BE IT FURTHER RESOLVED**, that the Tax Collector of the Township of Ocean be authorized to place a lien of \$487.20 on property known as Block 34.02, Lot 4 (7 Christie Lane), for costs incurred by the Township to abate a public health nuisance.

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

1. Director of Finance
2. Code Enforcement Officer
3. Director of Public Works

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

**b. Block 22, Lot 93 – 214 West Morgan Avenue - \$373.18**

**WHEREAS**, property located within the Township of Ocean, commonly known as Block 22, Lot 93 (214 West Morgan Avenue), has been cited by the Township Code Enforcement Officer as a public health nuisance; and

**WHEREAS**, said public health nuisances were not abated in a reasonable time period and the Code Enforcement Officer instructed the Department of Public Works to clean said property; and

**WHEREAS**, the cost to abate said nuisance was \$373.18; and

**WHEREAS**, said cost may be assessed to the property owner through a lien against the affected property;

**BE IT FURTHER RESOLVED**, that the Tax Collector of the Township of Ocean be authorized to place a lien of \$373.18 on property known as Block 22, Lot 93 (214 West Morgan Avenue), for costs incurred by the Township to abate a public health nuisance.

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

1. Director of Finance
2. Code Enforcement Officer
3. Director of Public Works

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

**c. Block 213, Lot 2 – 1605 Logan Road - \$672.18**

**WHEREAS**, property located within the Township of Ocean, commonly known as Block 213, Lot 2 (1605 Logan Road), has been cited by the Township Code Enforcement Officer as a public health nuisance; and

**WHEREAS**, said public health nuisances were not abated in a reasonable time period and the Code Enforcement Officer instructed the Department of Public Works to clean said property; and

**WHEREAS**, the cost to abate said nuisance was \$672.18; and

**WHEREAS**, said cost may be assessed to the property owner through a lien against the affected property;

**BE IT FURTHER RESOLVED**, that the Tax Collector of the Township of Ocean be authorized to place a lien of \$672.18 on property known as Block 213, Lot 2 (1605 Logan Road), for costs incurred by the Township to abate a public health nuisance.

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

1. Director of Finance
2. Code Enforcement Officer
3. Director of Public Works

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

**11-165 Authorize an Inter-local Agreement between the Township and the Township of Ocean Sewerage Authority wherein the Township will assume the full billing and collection function of the Authority**

**WHEREAS**, the Township of Ocean and the Township of Ocean Sewerage Authority (the "Authority") are desirous of entering into an Inter-local Services Agreement in accordance with the provisions of N.J.S.A. 40:8A-1 et. seq.; and

**WHEREAS**, said Agreement stipulates that the Township of Ocean will provide monthly review of the Authority's bank reconciliations, general ledger entries and such other financial review services as required by the Authority; and

**WHEREAS**, the said Agreement shall extend from October 1, 2011 to September 30, 2021, or ten (10) years from the effective date of this Agreement; and

**WHEREAS**, the Authority will compensate the Township of Ocean a sum of \$10,000.00 annually, with an annual increase of 2% over the previous year's fee for the period October 1, 2012 to September 30, 2021;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that the Mayor and Municipal Clerk are hereby authorized to execute and deliver the Inter-local Services Agreement between the Township of Ocean and

the Township of Ocean Sewerage Authority for a ten (10) year period extending from October 1, 2011 to September 30, 2021 whereby the Township of Ocean will provide monthly review of the Authority's bank reconciliations, general ledger entries and such other financial review services as required by the Authority; and

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

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

1. Township Manager
2. Director of Finance
3. Township of Ocean Sewerage Authority

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

**11-166 Authorize the confirmation of the Assessments for curb, sidewalk and driveway aprons along portions of Belmont Avenue, Colonial Avenue, Lakeview Avenue, Parkview Avenue, Alpern Avenue, Dixon Avenue, Elm Avenue, Howard Avenue, Perrine Avenue, Chestnut Avenue and Grasmere Avenue**

**CONFIRMING BELMONT AVENUE, COLONIAL AVENUE, LAKEVIEW AVENUE, LINCOLN AVENUE, PARKVIEW AVENUE, ALPERN AVENUE, DIXON AVENUE, ELM AVENUE, HOWARD AVENUE, PERRINE AVENUE, CHESTNUT AVENUE AND GRASMERE AVENUE CURBING, SIDEWALK AND APRON ASSESSMENTS**

**WHEREAS**, Ordinance 2146 authorized the installation of curbs, sidewalks and driveway aprons along portions of Belmont Avenue, Colonial Avenue, Lakeview Avenue, Lincoln Avenue, Parkview Avenue, Alpern Avenue, Dixon Avenue, Elm Avenue, Howard Avenue, Perrine Avenue, Chestnut Avenue and Grasmere Avenue; and

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

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Township of Ocean, County of Monmouth, State of New Jersey, that the report as submitted be and the same is hereby adopted and confirmed for Belmont Avenue, Colonial Avenue, Lakeview Avenue, Lincoln Avenue, Parkview Avenue, Alpern Avenue, Dixon Avenue, Elm Avenue, Howard Avenue, Perrine Avenue, Chestnut Avenue and Grasmere Avenue in the amount of \$101,594.64 and that such report be forthwith filed with the Collector of Taxes of the Township of Ocean.

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

**BE IT FURTHER RESOLVED**, that the due date for the first payment is December 1, 2011 with a sixty day grace period ending January 29, 2012 in which either a lump sum payment or the first (1<sup>st</sup>) installment be made. Subsequent payments for those electing the installment plan shall be December 1<sup>st</sup> of each of the following four (4) years.

**BE IT FURTHER RESOLVED**, that pursuant to N.J.S.A. 40:56:32 that when any assessment shall not be paid within the 2 month grace period ending January 29, 2012 interest shall be imposed at the same rate as delinquent taxes, this being 8% on the first \$1,500.00 delinquent and 18% for the balance.

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

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

1. Director of Finance
2. Tax Collector

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

**11-167 Approve the purchase of three (3) police vehicles from Winner Ford (State Contract # A72467) in the amount of \$85,599.00**

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

**WHEREAS**, the State of New Jersey, Division of Purchase and Property has awarded a cooperative purchasing contract to Winner Ford, Cherry Hill, NJ under State Contract A72467; and

**WHEREAS**, the Director of Finance has certified that there are sufficient funds available in the Reserve for Joint Insurance Refund account, #T-03-56-855-855

**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 Winner Ford, Inc., Cherry Hill, NJ in an amount not to exceed \$85,599.00 for the purchase of three (3) Ford Crown Victoria Police vehicles; and

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

1. Director of Finance

2. Chief of Police
3. Township Auditor

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

**11-168 Authorize a Professional Services contract with Leon s. Avakian, Inc. to provide a drainage study for the West Deal and Harvey Brook drainage basin areas at a cost not to exceed \$18,500.00**

**WHEREAS**, the Township of Ocean is in need of the services of an engineering firm to provide a drainage study to determine if the Township can alleviate flooding for the West Deal and Harvey Brook Drainage basin areas of the Township of Ocean; and

**WHEREAS**, the Township Council of the Township of Ocean has elected to make this appointment pursuant to the provisions of N.J.S.A. 16:44A-20 et seq. for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Pay-to-Play Law; and

**WHEREAS**, Leon S. Avakian, Inc., Neptune, NJ, is an experienced firm in this field who is available to provide the necessary engineering services for the Township of Ocean at a cost not to exceed \$18,500.00 for the services referenced above; and,

**WHEREAS**, the Township Manager has determined that the value of the services Leon S. Avakian, Inc., Neptune, NJ, will provide will exceed \$17,500.00 for the calendar year 2011; and

**WHEREAS**, the Director of Finance has certified that there are sufficient funds available for the purpose of the award of this contract in the Engineering Budget, account #1-01-20-703-201; and

**WHEREAS**, Leon S. Avakian, Inc., Neptune, NJ has previously submitted a Business Entity Disclosure Certification and the C. 271 Political Contribution Disclosure Form certifying that Leon S. Avakian, Inc. has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous one year, and that the contract will prohibit Leon S. Avakian, Inc. from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract;

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey hereby authorizes the Township Manager to enter into a contract with Leon S. Avakian, Inc., Neptune, NJ, as described herein with a not to exceed provision of \$18,500.00; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be published according to law; and

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

1. Director of Finance
2. Township Manager
3. Leon S. Avakian, Inc.

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

**11-169 Authorize a contract with QScend Technologies, Inc. to perform website redesign at a cost not to exceed \$7,850.00**

**WHEREAS**, the Township of Ocean had awarded a contract to QScend Technologies, Inc., Waterbury, CT to design the website for the Township of Ocean on September 15, 2008, and

**WHEREAS**, the Township of Ocean wishes to update and redesign the current layout to meet the needs of both the Township and the users of the website; and

**WHEREAS**, QScend Technologies, Inc., Waterbury, CT submitted a proposal to perform said redesign and updates on the Township of Ocean website at a cost not to exceed \$7,850.00 for the services referenced above; and,

**WHEREAS**, the Director of Finance has certified that there are sufficient funds available for the purpose of the award of this contract in the Data Processing Budget, account #1-01-20-707-335; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey hereby authorizes the Township Manager to enter into a contract with QScend Technologies, Inc., Waterbury, CT, as described herein with a not to exceed provision of \$7,850.00; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be published according to law; and

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

1. Director of Finance
2. Township Manager
3. QScend Technologies, Inc.

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

11-170 Approve a Ch. 159 for the following:

a. Mid Jersey Municipal JIF Safety Awareness Program Grant 2011

**CHAPTER 159  
MID JERSEY MUNICIPAL JOINT INSURANCE FUND SAFETY AWARENESS PROGRAM -  
2011 GRANT**

**WHEREAS**, N.J.S.A.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for any equal amount, and

**WHEREAS**, the Township of Ocean has received an award of \$4,095.00 for the Safety Awareness Program 2011 Grant now available from the Mid Jersey Municipal Joint Insurance fund,

**NOW, THEREFORE BE IT RESOLVED** that the Township of Ocean, County of Monmouth hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget year 2011 in the sum \$4,095.00 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of the Division of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:

**Mid Jersey Mun JIF Safety Awareness Program Grant 2011 ... \$4,095.00**

**BE IT FURTHER RESOLVED** that a like sum is and the sum is hereby appropriated under the caption of:

General Appropriations:

(A) Operations Excluded from "CAPS"

Public and Private Program's Off-Set by Revenues:

Mid Jersey Mun JIF Safety Awareness Program Grant 2011 ... \$4,095.00

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

1. Director, Division of Local Government Services  
PO Box 803, Trenton NJ 08625-0803
2. Director of Finance
3. Chief of Police
4. Township Auditor

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

**b. 2011 Sustainable Land Use Planning Grant**

**CHAPTER 159  
2011 SUSTAINABLE LAND USE PLANNING GRANT**

**WHEREAS, N.J.S.A.40A:4-87** provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS,** said Director may also approve the insertion of any item of appropriation for any equal amount, and

**WHEREAS,** the Township of Ocean has received an award of \$4,500.00 from the Association of New Jersey Environmental Commissions for the Fiscal Year 2011 Sustainable Land Use Planning Grant and

**WHEREAS,** the Township of Ocean is required to provide \$4,500.00 for Matching Funds which is available in the 2011 budget under the title Matching Funds for Grants

**NOW, THEREFORE BE IT RESOLVED** that the Township of Ocean, County of Monmouth hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget year 2011 the sum \$4,500.00 which is now available as revenue from the Association of New Jersey Environmental Commissions.

**BE IT FURTHER RESOLVED** that a like sum is hereby appropriated under the caption of:

2011 Sustainable Land Use Planning Grant  
 Other Expenses.....\$: 4,500.00

**BE IT FURTHER RESOLVED** that \$4,500.00 for grant matching funds be provided from the Matching Funds for Grants Budget Line in the 2011 Municipal Budget.

**BE IT FURTHER RESOLVED** that two copies of this resolution be forwarded to the Director, Division of Local Government Services, PO Box 803, Trenton NJ 08625-0803 and one copy to the following:

1. Director of Finance
2. Township Auditor

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

**c. Recycling Tonnage Grant**

**RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2011 BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said director may also approve the insertion of any item of appropriation for equal amount, and

**WHEREAS**, the Township of Ocean has received from the State of New Jersey Department of Environmental Protection Solid Waste Administration funds in the amount of \$57,682.10

**NOW, THEREFORE, BE IT RESOLVED**, that the Township of Ocean, County of Monmouth, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$57,682.10 which item is now available as an unappropriated grant revenue received from the New Jersey Department of Environmental Protection Solid Waste Administration.

**BE IT FURTHER RESOLVED**, that a like sum of \$57,682.10 be and the same is hereby appropriated under the caption of:

Recycling Tonnage Grant.

Recycling Tonnage Grant . . . . . \$57,682.10

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution are to be filed with:

1. Director of the Division of Local Government Services.
2. Director of Finance
3. Township Auditor

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

**d. 2011 Clean Communities Grant**

**CHAPTER 159  
CLEAN COMMUNITIES GRANT**

**WHEREAS**, N.J.S.A.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for any equal amount, and

**WHEREAS**, the Township of Ocean has received funds from the New Jersey Department of Environmental Protection in the amount of \$50,406.55 for the Fiscal Year 2011 Clean Communities Program and

**NOW, THEREFORE BE IT RESOLVED** that the Township of Ocean, County of Monmouth hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget year 2011 the sum \$50,406.55 which is now available as revenue from the State of New Jersey Department of Environmental Protection.

**BE IT FURTHER RESOLVED** that a like sum is hereby appropriated under the caption of:

Clean Communities Grant 2011:  
 Other Expenses.....\$ 50,406.55

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

1. Director, Division of Local Government Services  
 PO Box 803, Trenton NJ 08625-0803
2. Director of Public Works
3. Director of Finance
4. Township Auditor

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

**11-171 Authorize the Tax Collector to issue a refund to property owner(s) who have received a 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 tax payer regarding the assessment of their property, and,

**WHEREAS**, the property had the 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:

**MEETING MINUTES**

**SEPTEMBER 12, 2011**

Block/Lot	Property Owner	Property Address	Tax Overpayments			Total Refund
			2008	2009	2010	
1 40	02 SATELLITE SELF STORAGE OF OCEAN	2120 KINGS HWY	28,653.46	29,058.57	-	57,712.03
33 8	23 GRASSO, STEVEN M	1904 VERNON ST	-	-	386.28	386.28
138 61	ASHEAR, MARILYN M.	758 ROSELD AVE	-	2,857.50	-	2,857.50
Totals			28,653.46	31,916.07	386.28	60,955.81

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

**11-172 Authorize the extension of the deadline for payment for delinquent assessments until September 30, 2011**

**WHEREAS**, the Township Council of the Township of Ocean previously authorized for the installation of curbs, sidewalks and driveway aprons along portions of various streets in the Township of Ocean ; and

**WHEREAS**, said assessments were confirmed by the Township Council of the Township of Ocean on April 19, 2010 with an initial due date of June 1, 2010; and

**WHEREAS**, the following property owner is delinquent for the payment due June 1, 2011 and is hereby required to make the payments that were due June 1, 2011 plus delinquent interest due payment now due to the Township of Ocean by September 30, 2011 in order to continue in the installment plan, or if no payment is received by the Township of Ocean then full payment of the assessment will be required:

<u>Block</u>	<u>Lot</u>	<u>Account</u>	<u>Due Date</u>	<u>Installment Amount</u>
5.04	5	2106-21	6/1/2011	227.25 (1)
5.04	5	2106-22	6/1/2011	491.47 (1)
TOTAL DUE:				718.72

(1) – includes delinquent Interest

**WHEREAS**, it is the intention of the Township Council to extend the payment period for those property owner affected by said assessments until September 30, 2011 and allow the

property owner to continue the installment plan for the payment of the outstanding balance of the assessment; and

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Township of Ocean, County of Monmouth, State of New Jersey, that authorization is hereby given to extend the deadline for payment for the delinquent installment on the assessments due on the above noted property until September 30, 2011; and

**BE IT FURTHER RESOLVED**, that the installment plan for the payment of the special assessments be reinstated as long as payment of the 2011 installments for a total of 718.72 is made by September 30, 2011; and

**BE IT FURTHER RESOLVED**, that said property owners will be notified by mail of the time extension and the provisions for payment of said monies due the Township of Ocean; and

**BE IT FURTHER RESOLVED**, that any property owner who fails to make the required payment by September 30, 2011, the entire balance of the assessment due shall become and be immediately due with interest imposed at the same rate as delinquent taxes, this being 8% on the first \$1,500.00 delinquent and 18% for the balance; and

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

1. Director of Finance
2. Tax Collector

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

**11-173 Authorize the Tax Collector to issue refund check(s) in the amount of \$6,933.62 to the owner of Block 11, Lot 19, due to an overpayment of taxes**

**WHEREAS**, the homeowner and Hudson City Savings Bank both paid the 1<sup>st</sup> quarter, 2011 taxes; and

**WHEREAS**, Hudson City Savings Bank has requested that the tax overpayment in the amount of \$6,362.14 be refunded to the homeowner;

**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
11	19	Azrak, Sarah 212 Maplewood Avenue Oakhurst, NJ 07755-1618	6,362.14	Homeowner and Hudson City Savings Bank paid 1 <sup>st</sup> QTR 2011
<b>Total Taxes Overpaid</b>			\$6,362.14	

**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	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	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 #2174 – A Bond Ordinance providing for curb and sidewalk improvements to various Township roadways appropriating \$90,000 therefor, authorizing the issuance of \$85,500 bonds or notes to finance a portion of the cost thereof and direct the Special Assessment of the costs thereof  
(Coaster)

The following vote was taken to open the Public Hearing on Ordinance #2174:

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

Mr. Brannen stated that this is for the 2011 assessment program.

Public Comments:

Dennis Galvin – said that his curb and sidewalk was cracked by JCP&L and inquired about them fixing it

Mr. Brannen explained that the repairs will be performed by the contractor for JCP&L

Seeing that there were no additional comments on Ordinance #2174, the following vote was taken to close the Public Hearing:

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	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 #2174 and advertise according to law:

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

Ordinance #2175 – An Ordinance to amend Chapter 21 of the Comprehensive Land Development Ordinance amending Section 21-20.18 entitled: “Roof Structures”  
(Coaster)

The following vote was taken to open the Public Hearing on Ordinance #2175:

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

Public Comments:

Seeing that there were no comments on Ordinance #2175, the following vote was taken to close the Public Hearing:

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	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 #2175 and advertise according to law:

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	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 #2176 – Amend Chapter V of the “Revised General Ordinances of the Township (P.H. 10/17/11 Coaster) of Ocean, 1965” entitled: Peddlers, Solicitors, Canvassers, Vending Machines and Mercantile License

**ORDINANCE #2176****AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER V OF THE “REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF OCEAN, 1965” ENTITLED: PEDDLERS, SOLICITORS, CANVASSERS, VENDING MACHINES AND MERCANTILE LICENSE**

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

**CHAPTER V** be and is hereby amended to include as follows:

**SECTION I**

**5-1.1. e. Canvasser or Solicitor.** The term “canvasser” or “solicitor” shall mean any person who goes from place to place, house to house, or person to person, selling or taking orders or offering to sell or take orders for goods, wares, merchandise or any article, for future delivery, or for services to be performed in the future or for the making, manufacture or repair of any article or thing whatsoever, for future delivery, or for the solicitation of money for any purpose whatsoever.

**5-1.2.a. Peddlers, Transient Merchants, Transient Merchant Peddlers, Canvassers and Solicitors.** No peddler, transient merchant, transient merchant peddler, canvasser or solicitor shall sell or dispose of, or offer to sell or dispose of, or solicit for, any wares, goods, merchandise or services within the Township of Ocean, without first having obtained a permit therefore in accordance with the provisions of this section and without having paid the permit fee as hereinafter prescribed.

**5-1.3 Exceptions.** The requirements of this section shall not be construed to apply to the following persons:

- a. Any person selling fruits, vegetables or farm products grown by himself/herself, with or without the help of others.
- b. Any honorably discharged veteran of the armed services of the United States, as defined in, and who has procured a license under, the provisions of N.J.S.A. 45:24-9 et seq.
- c. Any person who conducts a judicial sale under the authority of State or Federal laws.
- d. Any exempt member of a volunteer fire department, volunteer fire engine, hook and ladder, hose supply company, or salvage corps of any municipality, or fire district in this

State, who holds an exemption certificate issued to him/her as an exempt member of any such department, company of corps, who is a resident of the State of New Jersey and who has procured a license in the manner and under the conditions prescribed in N.J.S.A. 45:24-9, et seq.

- e. Any person soliciting for a lawful and recognized religious, charitable, educational or political organization; provided, however, that the local chairman or other person in charge of solicitation for such lawful and recognized religious, charitable, educational or political organization in the Township of Ocean shall apply for and obtain a permit in the manner hereinafter provided in subsection 5-1.4, and all persons engaged in such solicitation shall carry identification cards signed by such local chairman or person in charge of such solicitation, except that no more than 20 cards shall be issued to any one group at any one time; and provided, further,

that nothing herein contained shall allow any such person to engage in any business within these provisions without having first applied for and obtained the prescribed permit.

**5-1.4 Application for Permit of License: Fee.** Any person applying for a permit or license under this section shall file with the township police department, township license officer, in accordance with the provisions which follow, an application for such permit or license, together with the appropriate fee prescribed in this subsection and subsection 5-1.13, which fee shall be returned if such permit or license is rejected.

- a. Any person desiring a permit as a peddler, solicitor, transient merchant, transient merchant peddler, canvasser or solicitor shall furnish the following information on forms to be supplied by the police department.
  1. Name and physical description of applicant
  2. Permanent home and local address of applicant
  3. Name and address of employer or firm represented
  4. Place or places of residence of the applicant for the preceding three years
  5. A description of the nature of merchandise to be sold or offered for sale or the nature of the service to be furnished or literature to be distributed
  6. Date on which the applicant desires to commence such activity and length of time for which the license is requested
  7. Three business references
  8. The number, if any, of convictions for misdemeanors, crimes or other infractions of the law in the nature of a criminal offense, and the nature of the offenses for which convicted
  9. Such applicant shall also furnish to the township police department two recent photographs of himself, one of which shall be approximately two inches by two inches, showing the head and shoulders of the applicant in a clear and distinguishing manner
  10. The applicant shall additionally supply to the township police department a letter from the firm or organization for which he intends to solicit, authorizing the applicant to act as its representative
  11. Any person applying for a permit as a canvasser or solicitor shall pay an investigation fee in the amount of twenty-five (\$25.00) dollars to cover the investigation of the application by the police department of the township pursuant to subsection 5-1.5. Upon renewal of an existing permit by any person, the investigation fee shall be reduced below the twenty-five (\$25.00) dollars to encompass only the actual clerical and investigation cost for such renewal
- b. For persons soliciting on behalf of religious and charitable organizations, in addition to such other information as may be required by the township police department, the applicant, local chairman or other person in charge of the solicitation shall set forth upon his application the names and addresses of all persons authorized to solicit on behalf of such religious or charitable organization for the period of the permit, and shall attach to the application the form of identification card to be carried by each person engaged in

such solicitation, with the following proviso. When the intended solicitation is to be made by school children under the age of 19 who reside in the Township of Ocean, and is for the purpose of raising funds for the assistance of local schools and churches, the permit shall be secured in the manner hereinabove provided, except that the identification cards may be signed by any member of the committee in charge of said solicitation for such local school or church; provided, however, that the chairman of said committee has filed his signature with, and as part of, the application for permit made by such chairman. As indicated in subsection 5-1.3, no more than 20 cards shall be issued to any one group at any one time.

**5-1.5 Investigation.** Following the filing of any application for a permit to peddle, solicit or canvass under the provisions of this section, the chief of police of the township shall conduct an investigation to ascertain the truth of the statements made by the applicant upon his application and any such other investigation of the applicant's business and background as he deems necessary for the protection of the public good. Except where a person has applied under this chapter to solicit for or on behalf of a religious, educational or political nonprofit organization, the chief is authorized to submit applicant fingerprint cards and receive State criminal history record information from the Division of State Police/State Bureau of Identification for use in considering the suitability of all applicants covered under this section. Each applicant shall be responsible to pay any State user fees related to the processing of a criminal history check. If, as a result of such investigation, the applicant's background or business responsibility is found to be unsatisfactory according to the guidelines as set forth below, the chief of police shall endorse his disapproval and the reasons thereof on the application and the permit shall not be issued. No permit shall be issued to any individual who has been convicted of a felony within the past five years which, in the discretion of the police department, would indicate that the individual is a threat to the health, safety and welfare of the community. The background investigation by the Division of State Police is for a three (3) year period.

**5-1.6 Time Permitted for Investigation.** The above investigation by the chief of police shall be completed within 20 days of the date of filing of the application and the permit either issued or denied within that time period.

**5-1.7 Issuance of Permit.** If, upon completion of such investigation, it appears that the statements made by a potential canvasser, peddler or solicitor upon the application are true and that the applicant has not been disqualified as a result of a conviction for one of the above offenses, the chief of police shall endorse his approval, and the permit will be issued by the appropriate township department. The permit shall show the name, address and photograph of the applicant, the kind of goods or services to be sold or performed or distributed thereunder, the date of issuance and the date on which such permit shall expire. Hours of operation must be displayed in bold on front of badge.

**5-1.8 Procedure in Case of Denial.** In the event that any application for canvassing or soliciting is denied, for reasons of reported unethical business practices or for a conviction of one of the above offenses within five years of the date of the application, the township shall carry the burden of justifying its decision in court.

**5-1.9 Conditions.** It shall be unlawful for any person holding a permit under this section to:

- a. Canvass, solicit or peddle as defined in this section 9:00 a.m. or later than 6:00 p.m., Monday through Saturday. No Sundays or Holidays.
- b. Enter into or upon any house, building or other structure or any land or property, without the prior consent of the owner or occupant thereof where there is placed or posted on the premises in a conspicuous position at or near the usual means of ingress, a sign or other form of notice stating or indicating that the owner or occupant thereof forbids or

otherwise does not wish persons engaged in canvassing or soliciting activities to enter upon the premises.

- c. Fail to immediately and peacefully depart from the premises when requested to do so by the owner or occupant.
- d. Fail to give a written receipt to the purchaser, which receipt shall be signed by the holder and shall set forth a brief description of the articles ordered or purchased, the total purchase price thereof and the amount of the payment, if any, received by the holder from the purchaser.

**5-1.10 Transferability.** No permit or license issued under the provisions of this section shall be used at any time by any person other than the one to whom it was issued and for the premises and location stated in the permit or license application, and shall not be transferable unless such transfer is first approved by the police department or building inspector, as the case may be.

- a. For peddlers, solicitors or transient merchants, or transient merchant peddlers, the permit issued shall not authorize any person, except the designated person named in said permit, to engage in such peddling, soliciting and merchandising. A separate permit must be obtained for every agent and employee. A separate permit, must be obtained by a transient merchant or transient merchant peddler, for each branch or separate place of business in which his business is conducted, and each permit shall authorize the person to conduct business only at the location which is indicated thereon.
- b. A separate license shall be required for each vending machine or juke box, if more than one is in or on a premise, and a separate fee shall be required for each juke box or vending machine.

**5-1.11 Permit or License in Possession.** Every person holding a permit or license under the provisions of this section shall display the same as follows:

- a. Any person holding a permit to peddle or solicit goods, wares, merchandise and/or services, or as a transient merchant or transient merchant peddler, and for door-to-door canvassing, shall be required to carry said permit with him at all times, and in door-to-door canvassing or soliciting, he must hand the permit to the person being solicited or canvassed, for inspection at the time said permit holder first approaches the individual.

**5-1.12 Registration of Business.**

- a. Every person who engages in business in the township who is not required to obtain a license under subsection 5-1.2 and does not qualify for any exemption under the provisions of subsection 5-1.3, shall register with the license office and pay the fees provided in subsection 5-1.13.
- b. For the purposes of this section, any person shall be deemed engaged in business and subject to the provisions of this section when he/she performs or does one or more of the following acts:
  1. Sells any goods or services
  2. Solicits business or offers goods or services for sale or hire
  3. Acquires or uses any vehicle, machine or device, or any premises in the Township of Ocean, for business purposes
- c. Registration as a business shall be made on forms to be supplied by the township license officer, which forms shall contain the following information:
  1. Name of applicant
  2. Home address of applicant

- 3. Name under which said business will be operated
  - 4. Address of said business premises
  - 5. A description of the wares or services to be offered for sale by said business
  - 6. Zone in which the said business will be located, as outlined in the zoning ordinance of the Township of Ocean
- d. Any person holding a license to conduct a business, as defined in paragraph a. of subsection 5-1.1, shall be required to keep his license on display in a prominent place at his/her place of business.

**5-1.15 Term of Permit or License; Renewal.**

- a. A permit issued under this section to peddle, solicit or canvas shall expire 90 days after the date of its issuance. The holder may renew said license before the end of the 90 day term by following the same procedure set forth in subsection 5-1.4, except that no additional fee nor additional photographs shall be required. The permit may be renewed in this matter for successive 90 day terms, except that at the end of the fourth 90 day term, a new fee will be charged, which shall be in accordance with the provisions of subsection 5-1.4a,11.

**5-1.16 Violations and Penalties**

Any person violating any of the terms and provisions of this section shall, on conviction thereof by the municipal judge of this township, be subject to a fine not exceeding one thousand two hundred fifty (\$1,250.00) dollars or by imprisonment for any term not exceeding 90 days, or by both such fine and imprisonment, at the discretion of the judge. Additional penalties may include a revocation of said permit(s) for a period up to twelve (12) months.

**SECTION II.**

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

**SECTION III.**

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

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

**Council Reports:**

**Councilmembers Evans, Garofalo, Schepiga and Deputy Mayor Siciliano** thanked the Township employees, including the Department of Public Works, Police Department, Fire District and emergency response personnel for their service to the residents during the recent hurricane.

**Councilmember Schepiga** reminded everyone that FallFest will be held on Saturday, September 24, 2011 at Joe Palaia Park.

**Andrew Brannen**, Township Manager, responded to an article that appeared in the newspaper criticizing the Township with regard to the recent storm. Mr. Brannen stated that while the Township realized the severity of the storm and the need to assist the residents, it was also imperative that the workers providing assistance and cleanup remained safe and out of harms way. Mr. Brannen concluded by saying that he felt the Township employees should be commended for their efforts in this very difficult situation.

The following Councilmember(s) offered no report:  
Martin Arbus, Esq., Township Attorney

### **PUBLIC COMMENTS:**

**Brian Lefferson** inquired as follows:

1. Resolution #11-165 – asked for a clarification as to the nature of this resolution

Andrew Brannen, Township Manager, explained that this agreement is the second such agreement between the Authority and the Township. This agreement was necessary due to the retirement of the remaining office personnel at the Authority.

2. How much does the Township make from the West Long Branch Court lease agreement?

Mr. Brannen stated that the Township receives \$15,000 - \$20,000 per year.

Mr. Lefferson feels that the Township should increase what they charge West Long Branch for this service based on other agreements that surrounding municipalities have recently entered in to.

Mr. Brannen responded that the fee collected by the Township does not include any administrative services, which the agreements that other municipalities have entered in do contain an administrative duties charge.

3. Road Opening Permits

Mr. Lefferson inquired about the condition of Logan Road in the area where the utility work was done.

Mr. Brannen stated that Logan Road will be repaved in 2012 and we will be requesting a contribution from the utility company.

4. Asked as to why an alarm was not installed at Poplar Village so that residents could be alerted when situations warranted such.

**Dennis Galvin** wanted to recognize the Police, Fire and Public Works departments for their efforts during the hurricane.

**Brenda Harshman** inquired about the Township's intentions with regard to Poplar Village

Mayor Larkin explained that the Township has received a grant from FEMA that would be used towards the demolition of the first 32 units. Additionally, the Township will be requesting another FEMA grant for the next 32 units.

Mayor Larkin went on to say that the Township is looking into locating re-locating 70-90 units on the Skinner Avenue site. Also, based on the amount of damage that was done to the 64 units from the flood, it was determined that those units could not be rehabilitated so the residents have been re-located to comparable housing. Mayor Larkin stated that those establishments will be accepting the same payment that these residents have been making at Poplar Village.

Mayor Larkin stated that the Township will be having a meeting with the Army Corp of Engineers to discuss their proposal to deal with the flooding issues in the Township.

**Ben Harvey** expressed his concern about his neighbor parking various trailer(s) and/or pop-up camper(s) on the street around his property, especially with the incline of the roadway. Mr. Harvey inquired about what the Township would do to see that this problem is rectified once and for all.

Mayor Larkin expressed concern about adopting legislation as each instance is different and it would be impossible to issue standardized regulations on what is and is not allowable.

Deputy Mayor Siciliano discussed the residents forming a homeowners association to deal with these issues.

Mr. Brannen will reach out to surrounding communities to get copies of legislation that they have adopted.

**F.K. Hudson** stated that the Township had done a Master Drainage Plan in 1974-1975. He also suggested that the Township get input from Bill Fitzgerald with regard to the flooding issues.

Mr. Hudson also feels that the Township should look carefully at birm maintenance and retention pond maintenance before agreeing to go in that direction to help solve the flooding problem.

Mr. Hudson also feels that the Board of Education should send out a mailer explaining the reasons for the decisions made regarding the regionalization.

Mr. Hudson also inquired about the status of the following litigation:

1. COAH

Mr. Arbus reported that there is a Case Management Hearing on September 13, 2011. Also, the Township's affordable housing obligation has been increased from 216 to 240 units by the Master.

2. COMART

Mr. Arbus reported that this litigation is in response to a decision by the Planning Board and to date, the matter is still ongoing.

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

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	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/MMC  
Municipal Clerk