

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

NOVEMBER 7, 2011

OAKHURST, NEW JERSEY

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

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

Absent: Deputy Mayor 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.

PRESENTATION OF CERTIFICATES:

Clean Communities Coloring and Poetry Contest Winners

Mayor Larkin and the Council invited Damian Sylvia from the Clean Communities Committee to assist in the presentation of the certificates.

Mr. Sylvia and Councilmember Schepiga presented Certificates to the following:

Coloring Contest

Kindergarten

Wayside School	Lia Bram
Wanamassa School	Amanda McLeod
Ocean Township Elementary School	Christopher Marrow

First Grade

Wayside School	Rachel Philip
Wanamassa School	Sarah Taylor
Ocean Township Elementary School	Jane Alto

Second Grade

Wayside School	Katherine Rogers
Wanamassa School	Mary Catherine Harvey
Ocean Township Elementary School	Tori Lee

Poster Contest***Third Grade***

Ocean Township Elementary School	Dale Alto
Wanamassa School	Audrey Delia
Wayside School	Catrina Kipnis

Poetry Contest

<i>First Place</i>	Emily Forgash
<i>Second Place</i>	Halle Krantz

Stormwater Poster Contest***Sixth Grade***

<i>First Place</i>	Reya Foster
<i>Second Place</i>	Nicole Di Pasquale
<i>Third Place</i>	Erin Fullen

Seventh Grade

Lauren Cooper

Eighth Grade

Rachel Xernakis

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

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

PUBLIC COMMENTS:

Larry Loigman – inquired about the expenditure for the City of Long Branch regarding animal control services and suggested that the Township look to other entities to provide animal control services, as he does not feel that the Township is receiving quality service for the amount of money being paid.

CONSENT AGENDA:**MINUTES:**

October 3, 2011 – Workshop Meeting
 October 19, 2011 – Workshop, Public and Closed Meeting

RESOLUTIONS:**11-192 Authorize the Release of Performance Guarantees for the following:****a. Block 3, Lots 7, 8 & 9 – 2121-2123 Highway 35 – Gold Coast Cadillac**

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

Developer's when said improvements have been certified as complete by the Township Engineer; and

WHEREAS, the Township Council did authorize and enter into a Developer's Agreement dated September 21, 2009 with Gold Coast Automotive, LLC and Serra Works of New Jersey, LLC for Preliminary and Final Site Plan Approval, Approval of Bulk Variances and Approval of Conditional Use for property located on Block 3, Lots 7, 8 and 9, 2121-2123 Highway 35 to expand and existing building to be used for automotive sales and service and to realign parking vehicle storage/display area in conjunction with the existing car dealership; and

WHEREAS, Gold Coast Automotive, LLC and Serra Works of New Jersey, LLC posted performance guarantees totaling \$941,040.00 by way of Performance Bond No. CA 1573413 issued by Great American Insurance Company in the amount of \$846,936.00 and cash in the amount of \$94,104.00 to guarantee the completion of all improvements on premises known as Block 3, Lots 7, 8 and 9 located at 2121-2123 Highway 35; and

WHEREAS, the Township Council granted a reduction of the performance guarantees to \$348,547.08 by way of resolution dated March 15, 2010; and

WHEREAS, the Township Council granted another reduction of the performance guarantees to \$282,312.00 by way of resolution dated October 18, 2010; and

WHEREAS, Gregory S. Blash, P. E., representing the Township Engineer has advised the Township Manager by letter dated October 18, 2011 and made a part hereof, that the improvements have been substantially completed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash and the performance guarantees in the amount of \$282,312.00 are hereby released, canceled and discharged subject to the following:

1. Receipt of a maintenance bond in the sum of \$117,630.00 and said maintenance bond is to run for a period of two (2) years to cover the maintenance of all improvements constructed under the original performance guarantee
2. Payment of pending and future engineering inspection and administrative fees in an amount to be determined by the Township Engineer to cover the estimated inspection fees
3. All required certificates of insurance be properly filed with the Office of the Township Clerk

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

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Gold Coast Automotive, LLC
6. Serra Works of New Jersey, LLC
7. Great American Insurance Company

b. Block 33, Lot 51.01 – 1606 Holbrook Street – Palatial Homes, Inc.

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

WHEREAS, Palatial Homes, Inc. has heretofore deposited with the Township of Ocean performance guarantees totaling \$9,225.60 in the form of Performance Bond No. S01375 issued by First Indemnity of America Insurance Company in the amount of \$8,303.04 and cash in the amount of \$922.56 to guarantee the completion of all improvements on premises known as Block 33, Lot 51.01 located at 1606 Holbrook Street; and

WHEREAS, the Township Clerk is in receipt of a letter dated February 2, 2011 from Linda Bernaski, on behalf of Palatial Homes, Inc. requesting the release of performance guarantees; and

WHEREAS, Gregory S. Blash, P.E. , representing the Township Engineer has advised the Township Manager by letter dated October 26, 2011 and made a part hereof, that the improvements have been substantially completed and said representative of the Township Engineer recommends the acceptance of same and the release of the aforementioned performance guarantees subject to the posting of a maintenance guarantees in the amount of 15% (\$1,153.20) 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 and the performance guarantees in the amount of \$9,225.60 are hereby released, canceled and discharged.

BE IT FURTHER RESOLVED by the Township Council that this resolution shall not become effective unless and until the Township of Ocean is furnished with the posting of a maintenance guarantee in the amount of 15% (\$1,153.20) 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. First Indemnity of America Insurance Company
6. Palatial Homes, Inc.

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

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

WHEREAS, Palatial Homes, Inc. has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$3,060.00 to guarantee the completion of all improvements on premises known as Block 33, Lot 51.02 also known as 1604 Holbrook Street; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated October 26, 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% (\$1,530.00) of the cost of the improvements and any outstanding engineering and administrative fees; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the performance guarantees totaling \$3,060.00 are hereby released, canceled and discharged.

BE IT FURTHER RESOLVED by the Township Council that this resolution shall not become effective unless and until the Township of Ocean is furnished with the posting of a maintenance guarantee in the amount of 15% (\$1,530.00) 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. Palatial Homes, Inc.

d. Block 33, Lots 51.01 & 51.02 – Holbrook Street – Bevin Irvin Builders

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 Developer's when said improvements have been certified as complete by the Township Engineer; and

WHEREAS, the Township Council did authorize and enter into a Developer's Agreement dated February 10, 2010 with Bevin Irvin Builders, Inc. for Minor Subdivision Approval for the property known as Block 33, Lot 51 located on Holbrook Street to subdivide the property to create three (3) conforming lots and dedicate one of the proposed lots to the Township; and

WHEREAS, Bevin Irvin Builders, Inc. has heretofore deposited with the Township of Ocean performance guarantees totaling \$20,160.00 in the form of cash to guarantee the completion of all improvements on premises known as Block 33, Lot 51 located on Holbrook Street; and

WHEREAS, the Township Council granted a reduction of the performance guarantees to \$10,934.40 by way of resolution dated June 14, 2010; and

WHEREAS, the Township Clerk is in receipt of a letter dated March 17, 2011 from Bevin Irvin, on behalf of Bevin Irvin Builders, Inc. requesting the release of the performance guarantees; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer has advised the Township Manager by letter dated October 26, 2011 and made a part hereof, that the improvements have been substantially completed and said representative of the Township Engineer recommends the release of the aforementioned cash performance guarantees and the waiver of the maintenance guarantees because the project is now covered by two separate bonds; 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 \$10,934.40 are hereby released, canceled and discharged subject to the payment of any outstanding engineering and administrative fees.

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

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Bevin Irvin Builders, Inc.

e. Block 36, Lot 9 – Kelly Court – Green Grove KB, LLC

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

WHEREAS, the Township Council did authorize and enter into a Developer's Agreement dated September 28, 2006 with Green Grove KB, LLC for Subdivision and Bulk Variance Approvals for property located on Block 36, Lot 9 also known as Kelly Court to subdivide the site into six (6) lots for single family dwellings; and

WHEREAS, Green Grove KB, LLC posted performance guarantees totaling \$313,911.06 by way of Performance Bond No. FP0011266 issued by First Indemnity of America Insurance Company in the amount of \$282,520.00 and cash in the amount of \$31,391.06 to guarantee the completion of all improvements on premises known as Block 36, Lot 9 located at Kelly Court; and

WHEREAS, the Township Council granted a reduction of the performance guarantees to \$99,880.73 by way of resolution dated October 15, 2007; and

WHEREAS, the Township Clerk is in receipt of a letter dated May 11, 2011 from a representative of Green Grove KB, LLC requesting the release of performance guarantees; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer has advised the Township Manager by letter dated October 18, 2011 and made a part hereof, that the improvements have been substantially completed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the performance guarantees in the amount of \$99,880.73 are hereby released, canceled and discharged subject to the following:

1. Receipt of a maintenance bond in the sum of \$39,238.88 and said maintenance bond is to run for a period of two (2) years to cover the maintenance of all improvements constructed under the original performance guarantee.
2. Payment of pending and future engineering inspection and administrative fees in an amount to be determined by the Township Engineer to cover the estimated inspection fees.
3. All required certificates of insurance be properly filed with the Office of the Township Clerk

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

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Green Grove KB, LLC
6. First Indemnity of America Insurance Company

f. Block 63, Lot 11 – 610 Palmer Avenue – Michael Basso

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, Michael Basso has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$8,136.00 to guarantee the completion of all improvements on premises known as Block 63, Lot 11 also known as 610 Palmer Avenue; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated October 26, 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% (\$3,390.00) of the cost of the improvements and any outstanding engineering and administrative fees; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the performance guarantees totaling \$8,136.00 are hereby released, canceled and discharged.

BE IT FURTHER RESOLVED by the Township Council that this resolution shall not become effective unless and until the Township of Ocean is furnished with the posting of a maintenance guarantee in the amount of 15% (\$3,390.00) 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. Michael Basso

g. Block 68, Lot 21 – 500 Corlies Avenue – T.B.C. Construction Group, Inc.

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

WHEREAS, T.B.C. Construction Group, Inc. has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$5,868.00 to guarantee the completion of all improvements on premises known as Block 68, Lot 21 also known as 500 Corlies Avenue; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated October 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 release of the aforementioned cash performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% (\$2,445.00) of the cost of the improvements and any outstanding engineering and administrative fees; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash, P.E. and the performance guarantees totaling \$5,868.00 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% (\$2,445.00) 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. T.B.C. Construction Group, Inc.

h. Block 137, Lot 30 – 909 Highway 35 – Acura of Ocean

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

WHEREAS, the Township Council did authorize and enter into a Developer's Agreement dated January 11, 2006 with Imported Cars of Ocean, Inc. d/b/a Acura of Ocean for premises known as Block 137, Lot 30 located at 909 Highway 35 for Phase II only, for an approximate 6,406 square foot expansion to the existing 18,663 square foot automotive sales and service building; and

WHEREAS, Imported Cars of Ocean, Inc. d/b/a Acura of Ocean posted performance guarantees totaling \$11,230.20 by way of Letter of Credit No. 13219050046 issued by Commerce Bank, N.A. in the amount of \$10,107.18 and cash in the amount of \$1,123.02 to guarantee the completion of all improvements on premises known as Block 137, Lot 9 located at 909 Highway 35; and

WHEREAS, the Township Council granted a time extension with no reduction of the performance guarantees by way of resolution dated October 4, 2010; and

WHEREAS, the Township Clerk is in receipt of a letter dated October 17, 2011 from Deborah Langella, representing Acura of Ocean, stating that none of the Phase II work was ever done and will never be done due to new design requests from the Acura Franchise; and

WHEREAS, said representative from Acura of Ocean is requesting full release of the performance guarantees.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the performance guarantees hereinbefore referred to

be and the same are hereby released, canceled and discharged subject to the payment of any outstanding engineering and administrative fees.

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

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Imported Cars of Ocean d/b/a Acura of Ocean
6. TD Bank, NA

11-193 Authorize the Release of Maintenance Guarantees for the following:

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

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

WHEREAS, Salvatore Dellomo has heretofore deposited with the Township of Ocean a cash maintenance guarantee in the amount of \$1,222.50 for premises known as Block 33, Lot 53 also known as 1603 Holbrook Street; and

WHEREAS, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated October 26, 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 maintained and said representative of the Township Engineer recommends the release of the aforementioned cash maintenance guarantee subject to the payment of any outstanding engineering and administrative fees.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean in the County of Monmouth, that the cash maintenance guarantee in the amount of \$1,222.50 is hereby released, canceled and discharged in accordance with the recommendation of the Township Engineer subject to the satisfaction of outstanding and anticipated engineering inspection fees which shall either be paid directly or subtracted from the cash maintenance posted.

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

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

11-194 Authorize a Developers Agreement for the following:

a. Block 40, Lots 1, 2, 3, 4 & 111 – 510 Roseld Avenue – Hollywood Golf Club

WHEREAS, Hollywood Golf Club (hereinafter the "Developer") is the owner of certain property know as Block 40, Lots 1, 2, 34 and 111 located within the R-1 (Low Density Single-Family Residential) Zone, as shown on the official tax map of the Township of Ocean, which property is located at 510 Roseld Avenue in the Township of Ocean, County of Monmouth and State of New Jersey; and

WHEREAS, the Developer has received Minor Site Plan Approval, Approval of Conditional Use and Approval of Bulk Variance by the Zoning Board of Adjustment of the Township of Ocean by way of resolutions dated September 8, 2011 to repair, renovate and expand the existing men's clubhouse; and

WHEREAS, this Agreement relates to Site Plan Maps entitled Final Site Plan prepared for Hollywood Golf Club, 510 Roseld Avenue, Lots 1, 2, 34 and 111 – Block 40, Ocean Township, Monmouth County, New Jersey by Aztec Architects, LLC, consisting of sixteen (16) sheets dated June 10, 2011; and

WHEREAS, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated November 1, 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 Hollywood Golf Club, 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 \$18,840.00 and Inspection Fees in the amount of \$1,785.00

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Jennifer S. Krimko, Esq.
5. Hollywood Golf Club

11-195 Authorize the Mayor and Municipal Clerk to execute an Agreement with Monmouth County for Cooperative Participation in the Community Development Program.

AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM PURSUANT TO THE INTERLOCAL SERVICES ACT

WHEREAS, certain Federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, it is necessary to establish a legal basis for the County and its people to benefit from this program; and

WHEREAS, an Agreement has been proposed under which the Township of Ocean and the County of Monmouth in cooperation with other municipalities will establish an Interlocal Services Program pursuant to N.J.S.A. 40:8B-1; and

WHEREAS, it is in the best interest of the Township of ocean to enter such an agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean that the agreement entitled "AGREEMENT BETWEEN THE COUNTY OF MONMOUTH AND CERTAIN MUNICIPALITIES LOCATED HEREIN FOR THE ESTABLISHMENT OF A COOPERATIVE MEANS OF CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES", a copy of which is attached hereto, be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its enactment.

11-196 Approve the placement of one storage container at Kelly's Hallmark for a period not to extend beyond December 31, 2011

WHEREAS, the Chapter 5, Section 5-3 prohibits the placement of any storage container on private property for a period of not more than 21 consecutive days; and

WHEREAS, Kelly's Hallmark is requesting approval to place one storage container on their property located on Block 182, Lot 75 (Route 35 and Deal Road) for a period ending January 15, 2012; and

WHEREAS, Kelly's Hallmark wishes to utilize said container for the storage of seasonal/holiday merchandise;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth that approval is hereby granted to allow Kelly's Hallmark to place one storage container on Block 172, Lot 75 (Route 35 and Deal Road) for a period not to extend past January 15, 2012; and

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

1. Kelly's Hallmark
2. Director of Community Development
3. Zoning Official
4. Code Enforcement Official

Vote on all Consent Agenda Items:

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				

INDIVIDUAL ACTION:

VOUCHERS: \$ 5,656,893.00

**Township of Ocean
Department of Finance
Voucher List for November 7, 2011**

MEETING MINUTES**NOVEMBER 7, 2011**

Vendor Name	Description	Amount	Contract
<u>Appropriation Reserves Payments</u>			
TREASURER STATE OF NJ	Annual elevator inspection	572.00	
<u>Total</u>		572.00	
<u>Total Appropriation Reserves Payments</u>		<u>572.00</u>	
<u>2011 Current Fund Appropriation Payments</u>			
ADP INC	September Payroll Services	1,137.67	
ADP INC	October Payroll Services	1,118.56	
ADVANCED COUNSELOR TRAINING	CLINICAL WORKSHOP	450.00	
AMBASSADOR MEDICAL SERVICE INC	Random drug test	54.00	
AMERICAN WEAR INC	October uniform rental	703.64	
ANGELA MICHELLI	REFUND MORNING REC CAMP FEES	75.00	
ASSOCIATION ADVISORS	2011 STREETLIGHT REIMBURSEMENT	239.52	
ASSOCIATION ADVISORS	2011 TWP GARBAGE	5,061.60	
ATLANTIC COAST HOTSY INC	Dual Lance Wand/Powerwasher	159.70	
ATLANTIC PLUMBING SUPPLY CORP	October misc plumbing supplies	351.12	
BANISCH ASSOCIATES, INC.	COURT APPOINT PLAN SVCS 10/11	5,593.35	
BERGEY'S INC	October misc parts for Twp.	823.29	
BIG TOP TENT RENTALS	Tents for Fall Fest	1,080.00	
BOARD OF FIRE COMMISSIONERS	3RD QTR 2011 SUBCODE INSP SVS	6,250.00	
BOARD OF FIRE COMMISSIONERS	4TH QTR 2011 SUBCODE INSP SVS	6,250.00	
BOARD OF FIRE COMMISSIONERS	2011 SUPPLEMENTAL FIRE SERVICE	6,101.00	
BOARD OF FIRE COMMISSIONERS	2011 SUPPLEMENTAL FIRE SERVICE	3,740.00	
BRIAN ANDERSON	REFUND BASKETBALL	110.00	
BROWN, SANFORD ESQ	PB General and Meeting Atten.	686.00	
BULLET LOCK & SAFE CO INC	October misc keys etc.,	319.00	
BUTTIGLIERI, VINCENT CMC	November 2011 Petty Cash	119.97	
CABLEVISION	Walepond(A)#07866-196447-01-6	80.40	
CABLEVISION	Becroft #7866-193927-2	157.08	
CABLEVISION	Townhall Acc#7866-186654	224.70	
CALABRO, PHIL	SUPERVISE ADULT BB OCTOBER	208.00	
CASO, SHERRY	SUPERVISE BOYS INST.SOCCER OCT	101.25	
CEDAR VILLAGE OCEAN	2011 STREETLIGHT REIMBURSEMENT	1,616.76	
CEDAR VILLAGE OCEAN	2011 GARBAGE REIMBURSEMENT	7,903.20	
CHRISTIE, JAMES J	PD- SLEO II UNIFORM REIMBURSE	98.46	
CITY OF LONG BRANCH	ANIMAL CONTROL SERVICES	8,525.00	
CLARKE CATON HINTZ C1100012	LITIGATION&PLANNING SVC9/14/11	196.96	
CLARKE CATON HINTZ C1100013	LITIGATION&PLANNING SVC9/14/11	1,467.68	
CLASSIC TOURS	OCEAN SENIOR TRIP 10/17/11	2,000.00	
CLEARVIEW SPRING WATER	October bottled water for Twp.	112.50	
CONNEY SAFETY PRODUCTS	RECREATION FIRST AID SUPPLIES	443.72	
CONTINENTAL LAND DEVELOPERS	2011 GARBAGE REIMBURSEMENT	26,728.80	
COTSWOLD GREEN CONDO ASSOC	2011 STREETLIGHT REIMBURSEMENT	359.28	
CRAFT OIL CORP	55 gallon Diesel Exhaust Fluid	506.25	
DANNY AIKEN	SUPERVISE JR/SR SOCCER OCT	115.50	
DARE NEW JERSEY INC	PD- TRAINING - ORBACH	175.00	
DEBRA MARINO	REIMBURSE FINGERPRINTING	26.25	
DELTA DENTAL OF NJ INC	November Dental Insurance	21,304.71	
DEPOSITORY TRUST COMPANY	11/1/2011 BOND INTEREST DUE	69,700.00	
EDWARDS TIRE CO INC	405/70/R20 Tires/loader #69	3,553.60	
EMERGENCY COM NETWORK INC	PD- CODERED ADD'L 9000-MINUTES	2,970.00	
FARRUGGIA, SALVATORE	CELL PHONE-JULY,AUG &SEPT 2011	75.00	
FEDEX	Shipping charge soil analysis	59.11	
FITZGERALD, WILLIAM	PB/BOA Reviews & Meeting Atten	3,003.75	
FLAGSHIP DENTAL PLANS	November Dental Insurance	629.32	
FOODTOWN	Hurricane û OEM food/supplies	749.44	
FORT DEARBORN LIFE INS CO	November Life Insurance	565.65	
GANNETT NJ NEWSPAPERS	ADVERTISING 10/15/2011	81.00	
GARIFINE, JACK	SUPERVISE/ASSIGN STAFF SOCCER	500.00	
GEESE CHASERS LLC	OCT 2011 GEESE CONTROL MAINT	862.33	

MEETING MINUTES

NOVEMBER 7, 2011

C1100003		
GEORGE WALL LINCOLN MERCURY	October misc parts for Twp.	12.82
GILES & RANSOME INC	Turbo Assembly 68 Loader	1,537.26
GOLF CAR SPECIALITIES LLC	OCT 2011 CTGC GOLF CART LEASE	2,024.00
C1100004		
GOLF CAR SPECIALITIES LLC	RENT UTILITY VEHICLES OCTOBER	140.00
GRAYBAR ELECTRIC CO	July misc supplies/electrical	512.06
HESS CORPORATION	Electric sustainable energy	15,118.90
HIDDEN MEADOWS CONDO ASSOC	2011 STREETLIGHT REIMBURSEMENT	1,437.12
INGENITO, NEIL CAPT	PD-PETTY CASH REIMBURSEMENT	155.50
JAMES HIGGINS ASSOCIATES	PB Meeting 9/25 and TWP Rev.	793.75
JAMM PRINTING	Fall Fest Flyers	120.00
JEFFREY R SURENIAN & ASSOC LLC	SEPT 2011 AFFORDABLE HOUSE	1,818.74
C1100008		
JENNIFER HERDEEN	REFUND YOUTH SOCCER PROGRAM	40.00
JERSEY CENTRAL POWER & LIGHT	Sept. electric general usage	9,158.92
JERSEY CENTRAL POWER & LIGHT	Sept. Street Lighting	17,496.40
JIM CURLEY PONTIAC GMC TRUCK	October misc parts for Twp.	102.64
JIM CURLEY PONTIAC GMC TRUCK	Replacement Fuel Tank #84	1,538.63
JOHN F TRAINOR INC	COURT REPORTING ON 9/27/11	698.75
JOHNNY ON THE SPOT INC	UNITS AT PALAIA PK & CTGC	159.70
JOSEPH FAZZIO WALL LLC	1/8x1" HR Flat Bar/Leaf Liner	452.10
JOYCE VOGLER	REFUND ROOM RENTAL	100.00
JUNGLE LASER LLC	ROLLBASE APPLICATION SEPT 2011	2,445.00
KELLY WINTHROP, LLC.	Remove dead deer	45.00
KEPWEL SPRING WATER CO	DHS WATER OCTOBER	54.70
L3 COM MOBILE-VISION INC	PD- SERVICE CALLS - SEPT 2011	183.75
LANGUAGE LINE SERVICES	Sept Telephone Interpreting	28.90
LASTING IMPRESSIONS	WORK CLOTHES FOR COMM DEV	445.50
LEE BATTERY SERVICE INC	Sept. misc batteries for Twp.	554.40
LEON S AVAKIAN INC	GENERAL ENGINEERING SERVICES	15,532.50
LEON S AVAKIAN INC	DRAINAGE IMPROVEMENTS W. DEAL	1,782.50
C1100022		
LERTCH RECYCLING CO	October recycle brush	3,370.22
LESCO - PROX	October misc supplies for Twp.	89.16
LINE SYSTEMS, INC.	SEPT 2011 PHONE SVC CHARGES	3,379.10
LOWES INC	Sept. misc building supplies	645.62
LOWES INC	PAINT POOL COMPLEX	1,277.95
LUCIANO DE OLIVEIRA	REFUND BALANCE OF SECURITY	94.00
LYNN PEAVEY CO	PD- EVIDENCE SUPPLIES	872.30
MAIN ELECTRIC SUPPLY CO INC	Outdoor Wire	320.00
MAJOR POLICE SUPPLY	PD- RPLMNT PUSH BUMPERS	493.50
MAZZA & SONS INC	October dump fees for Bulk	7,634.13
McHEFFEY, DR DINA A	MEDICAL CONSULTANT 3RD QUARTER	300.00
MIDDLEBROOK AT MONMOUTH	2011 GARBAGE REIMBURSEMENT	40,670.40
MILMOE, ALEXANDER	SUPERVISE WRESTLING OCTOBER	104.00
MILWIN FARMS HOMEOWNERS ASSOC	2011 STREETLIGHT REIMBURSEMENT	598.80
MISSING LINK FENCE COMPANY	Slit rail/existing fence lines	890.00
MONMOUTH COUNTY TREASURER	SENIOR TRANSPORTATION 3RD Q	3,000.00
MR MATTRESS	Fold away beds for storms	1,110.00
NEPTUNE AUTO SUPPLY	Sept. misc parts for Twp.	1,080.94
NEXTEL-SPRINT PO MANAGEMENT	AIR CARD 8/27/11 - 9/26/11	49.99
NJ BROOKLINE MACHINE CO INC	Foot Pedal Truck 5	252.78
NYSTROM	REPLACE WORLD MAP	213.62
O.T.U.S.A.	REFUND OF SECURITY DEPOSIT	292.49
OAK MEWS CONDO ASSOC	2011 STREETLIGHT REIMBURSEMENT	179.64
PACIFIC TELEMANAGEMENT SERVICE	PAYPHONE SERVICE FOR 11/2011	48.68
PILOT ELECTRIC CO	REPAIRS TO POOL PUMP	2,713.30
PROVIDENT CT CONDOMINIUM ASSOC	2011 STREETLIGHT REIMBURSEMENT	119.76
R&H AUTO SPRING & TRUCK	Reconditioned rear spring/#82	972.60
RACHLES/MICHELE'S OIL CO	October unleaded/diesel fuel	29,226.83
RESETAR, MICHAEL	PD- HOTEL ACCOM REIMBURSEMENT	296.70
ROLLING MEADOWS AT WAYSIDE	2011 STREETLIGHT REIMBURSEMENT	1,856.28
RUDERMAN & GLICKMAN PC	OCT 2011 LABOR RELATION MATTER	5,220.00
C1100006		
RUTGERS YOUTH SPORTS RESEARCH	SAFETY CLINIC PACKETS	762.50
SEA BREEZE FORD INC	October misc parts for Twp.	786.75
SEABOARD FIRE & SAFETY	PD- CO2 REFILLS - OCT 2011	59.15

MEETING MINUTES

NOVEMBER 7, 2011

SEABOARD WELDING SUPPLY INC	PD- OXYGEN REFILLS - SEPT 2011	400.50
SEABOARD WELDING SUPPLY INC	PD- OXYGEN REFILLS - OCT 2011	139.50
SEABOARD WELDING SUPPLY INC	October propane for trucks	130.00
SEACOAST CHEVROLET OLDSMOBILE	October misc parts for Twp.	864.53
SPRINT PO MANAGEMENT	Service for Sept 27 - Oct 26	49.99
STAVOLA ASPHALT CO INC	October 1st half patch program	293.91
STAVOLA ASPHALT CO INC	October 2nd half patch program	173.45
STEINBERG, MARK A ESQ	BOA General and Meeting Atten.	630.00
STEWART BUSINESS SYSTEMS	Printing Services	636.82
SULLIVAN BROTHERS FENCE CO.	Remove/Install Town Hall gate.	1,135.00
SUPERIOR OFFICE SYSTEMS INC	PD- COPIER SERVICE - AUG 2011	927.72
SUPPLY SAVER	Savin Type K staples #419801	59.90
THATCHER, LINDA	SUPERVISE BODDY SOCCER	258.00
THE MANOR @ WAYSIDE	2011 STREETLIGHT REIMBURSEMENT	1,197.60
THE NEW COASTER LLC	1/2 Page Fall Fest	490.00
THE NEW COASTER LLC	OCTOBER 2011 ADVERTISING	35.34
TODAY PUBLICATIONS	CTGC ADVERTISEMENT SEPTEMBER	195.00
TOWNE HARDWARE	October misc maint. supplies	133.54
TREASURER COUNTY OF MONMOUTH	October dumping fees	43,926.42
TWIN BROOK APARTMENTS	2011 GARBAGE REIMBURSEMENT	39,072.00
TWP OF OCEAN MUNICIPAL COURT	Sept & Oct credit card fees	412.35
TWP OF OCEAN SEWERAGE AUTH	4TH qtr 2011 sewerage payment	4,567.92
US 1 AUTO PARTS	October misc parts for Twp.	329.97
US POSTAL SVS(NEOPOST ON CALL)	REPLENISH POSTAGE IN METER	5,000.00
VALLEYCREST GOLF COURSE MAINT C1100005	OCTOBER 2011 CTGC GOLF COURSE	23,197.33
VAN CLEEF, KYMME	Sign Interpreter 9/20/11	240.00
VANTAGEPOINT TRANSFER AGENTS	RHS November-payment	10,743.56
VERIZON	BROADBAND SERVICES 11/11	118.57
VERIZON	HSD HIGH SPEED INTERNET 11/11	72.19
VERIZON	TELEPHONE SERVICE 11/11	196.37
VERIZON BUSINESS FIOS	FIOS@Library Acc#7325314664647	137.39
VERIZON WIRELESS	October Verizon air card	56.03
VISUAL COMPUTER SOLUTIONS INC	PD- SOFTWARE SUPPORT/UPGRADES	2,496.00
W B MASON CO INC	specialty Paper/ Batteries	255.22
WANAMASSA GARDEN ASSOCIATES	2011 GARBAGE REIMBURSEMENT	2,930.40
WEST PARK MANOR APARTMENTS	2011 GARBAGE REIMBURSEMENT	15,273.60
WITTEK GOLF SUPPLY CO INC	CTGC SUPPLIES	188.97
WITTEK GOLF SUPPLY CO INC	CTGC SUPPLIES	150.00
Total		536,109.94

Non Budget Account Payments

GREENE, D L & R W	2010 TAX APPEAL REF BL11 L34	1,044.00
LOGOTHETIS, MARIKA & MANOLAKIS	2010 TAX APPEAL REF BL175 L49	680.69
TREASURER OF SCHOOL MONIES	NOV 2011 SCHOOL TAXES PAYABLE	4,719,634.81
TREASURER ST OF NJ	Marriage Licenses 7/11 - 9/11	1,600.00
TREASURER STATE OF NJ	burial permits - 7/11 to 9/11	10.00
WILLIAM S. WINTERS	STATE TAX APPEALS-REFUNDS	1,192.07

Total Non Budget Account Payments

4,724,161.57

Total 2010 Current Fund Appropriations Payments**5,260,271.51****General Capital Payments**

BOISE'S BUSINESS INTERIORS	4 VERT FILE 5 DRAWER CABINETS	1,738.00
GOVCONNECTION INC	Canon imageCLASS MF4570dn	974.31
GOVCONNECTION INC	19"PL1910M Planar Monitors	1,592.46
JOHNSON & URBAN C1100011	ENGINEERING HVAC SVS 10/28/11	2,502.50
JOHNSON & URBAN C1100019	ENGINEER HVAC DESGIN 10/28/11	2,949.75
LEON S AVAKIAN INC C1100014	2011 ROAD PROGRAM ENGINEER SVC	17,655.00
MC LAUGHLIN GELSON LLC	LEGAL SERVICES - BOND ORD 2177	650.00

MEETING MINUTES

NOVEMBER 7, 2011

MECO, INC. C1100023	PMT # 1-2011 ROADWAY IMPR PROG	246,062.15
NORTHERN TOOL & EQUIP CO	Compressor for Shop truck #35	2,499.99
<u>Total</u>		276,624.16
<u>Total General Capital Payments</u>		<u>276,624.16</u>
<u>Grants Payments</u>		
BENDINER & SCHLESINGER INC	AUGUST DRUG SCREENS	1,480.50
BOW WOW PET WASTE PRODUCTS	Pet waste receptacles/Parks	340.00
DELTA DENTAL OF NJ INC	November Dental Insurance	171.57
GRAINGER	Health Fair items	216.34
LEON S AVAKIAN INC C1100021	ANJEC SCHOOL SIDEWALKS	3,012.50
MON CTY REGIONAL HEALTH	EMPLOYEE FLU CLINIC 10/7/11	731.00
<u>Total</u>		5,951.91
<u>Total Grants Payments</u>		<u>5,951.91</u>
<u>Law Enforcement Trust Payments</u>		
VERIZON BUSINESS FIOS	PD/LETF- CCTV PROJECT OCTOBER	136.83
<u>Total</u>		136.83
<u>Total Law Enforcement Trust Payments</u>		<u>136.83</u>
<u>TORTA Payments</u>		
GLOBAL GOLF EVENTS	GOLF BALL MARKERS	893.25
KATIE O'CONNOR	TORTA REFUND	50.00
REISER, KATHY	REIMBURSE CTGC TOURNAMENT	294.18
TWP OF OCEAN PAYROLL ACCOUNT	Torta	1,972.99
<u>Total</u>		3,210.42
<u>Total TORTA Payments</u>		<u>3,210.42</u>
<u>Trust Other Payments</u>		
BROWN, SANFORD ESQ	PB General	532.00
CLARKE CATON HINTZ 00004	LITIGATION&PLANNING SVC9/14/11	1,449.36 C0-
FITZGERALD, WILLIAM	PB & BOA Reviews	7,897.50
JAMES HIGGINS ASSOCIATES	PB & BOA Reviews	2,000.00
LEON S AVAKIAN INC	THUR APR 2011-CEDAR VILL PH 3	2,753.75
LEON S AVAKIAN INC	ENGINEERING SVCS THRU OCT 2011	13,947.50
LEON S AVAKIAN INC	SEPT 2011 ENGINEERING SERVICES	1,430.00
LEON S AVAKIAN INC	ENGINEERING SERVICES - TREES	2,014.50
MASER CONSULTING, P.A.	JAN-MAR 2011 SUNSET ARCADIA	2,386.25
MASER CONSULTING, P.A.	ENGINEERING FEES FOR JULY 2011	1,115.00
PHILIP VOORHEES	PERF RELEASE 34 BRANDYWINE RD	9,907.67
SEA BREEZE FORD INC	Reman Engine/Car 55	2,850.00
TWP OF OCEAN CURRENT FUND	Spec Duty	6,426.25
TWP OF OCEAN PAYROLL ACCOUNT	Deferred Sick	6,172.23
TWP OF OCEAN PAYROLL ACCOUNT	Spec Duty Payroll	24,255.00
TWP OF OCEAN PAYROLL ACCOUNT	Defferred Sick	5,140.38
<u>Total</u>		90,277.39
<u>Total Trust Other Payments</u>		<u>90,277.39</u>
<u>Animal Control Trust Payments</u>		
NJ STATE DEPT OF HEALTH	SEPT'11 STATE DOG REPORT	12.00
<u>Total</u>		12.00
<u>Total Animal Control Trust Payments</u>		<u>12.00</u>
<u>State Unemployment Insurance Trust Payments</u>		

MEETING MINUTES

NOVEMBER 7, 2011

NJ DEPT OF LABOR & WORKFORCE	3RD QTR 2011 UNEMPLOYMENT	19,836.78
<u>Total</u>		19,836.78
<u>Total State Unemployment Insurance Trust Payments</u>		<u>19,836.78</u>

Total Bill List for November 7, 2011

Appropriation Reserve Total	572.00
Current Fund Total	<u>5,260,271.51</u>
General Capital Fund Total	<u>276,624.16</u>
State & Federal Grant Total	<u>5,951.91</u>
Law Enforcement Trust Total	<u>136.83</u>
TORTA Total	<u>3,210.42</u>
Trust Other Total	<u>90,277.39</u>
Animal Control Total	<u>12.00</u>
Bid Deposit Refund	
State Unemployment Trust	<u>19,836.78</u>
Trust Assessment Fund	
Total of All Funds	<u>5,656,893.00</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.
- James Higgins Associates
- Kepwel Spring Water Co.

RESOLUTIONS:

11-197 Authorize an amendment to the contract awarded to Meco, Inc for the 2011 Roadway Improvement project to include a portion of Sunset Avenue

WHEREAS, the Township of Ocean authorized the receipt of bids for the 2011 Roadway Improvement Program on July 6, 2011; and

WHEREAS, the Township Clerk did duly advertise on August 9, 2011 to receive bids for said project; and

WHEREAS, in connection therewith the following six (6) bids were received by the Township of Ocean on August 30, 2011: Stavola Contracting Co., Inc., Red Bank, NJ; Black Rock Enterprises, LLC, Spotswood, NJ; C.J. Hesse, Inc., Atlantic Highlands, NJ; Meco, Inc., Clarksburg, NJ; Fiore Paving Company, Oceanport, NJ; Mixalia Enterprises, LLC, Shrewsbury, NJ; and

WHEREAS, the following two (2) companies picked up bid specifications but failed to submit said bid: Intercounty Paving Associates, LLC, Hackettstown, NJ; Helios Construction, Inc., Ocean, NJ; and

WHEREAS, it was determined that the lowest responsible bidder meeting specifications for the bid was Meco, Inc., Clarksburg, NJ; and

WHEREAS, on September 2, 2011, the Township Council approved a contract with Meco, Inc, for the repaving of all desired roadways except Sunset Avenue; and

WHEREAS, the Township Council now wishes to amend the contract to Meco, Inc. to include Sunset Avenue at an additional cost not to exceed \$190,000.00, bringing the total contract amount to \$1,248,000.00; and

WHEREAS, the Director of Finance has certified to the Township Manager that there are adequate funds available for the purpose of award of this contract in the following accounts:

C-04-55-924-918	\$ 48,000.00
C-04-55-934-916	\$625,000.00
C-04-55-934-917	\$165,000.00
C-04-55-934-918	\$160,000.00
C-04-55-934-914	\$160,000.00
C-04-55-935-901	<u>\$ 90,000.00</u>
 TOTAL	 \$1,248,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby amend the contract to Meco, Inc., Clarksburg, NJ, as per their be proposal for the 2011 Roadway Improvement Program as set forth in their bid submitted increasing the contract from \$1,058,000.00 to \$1,248,000.00, an increase of \$190,000.00; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to return all bid bonds and/or certified checks received from unsuccessful bidders; and

BE IT FURTHER RESOLVED that this award of contract is conditioned upon the delivery and execution thereof within ten (10) days from the date of the within resolution accompanied by such appropriate insurance certificate, Affirmative Action certificate and performance bonds as may be required by the specifications; and

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

1. Township Engineer
2. Director of Finance
3. Meco, 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
Opposed					
Not Voting/Recuse					
Absent/Excused	X				

11-198 Authorize the refund of successful County Tax Appeal(s)

AUTHORIZING ADJUSTMENTS TO 3RD AND 4TH QUARTER TAX LEVY AND REFUNDS FOR TAX OVERPAYMENTS RESULTING FROM MONMOUTH COUNTY TAX APPEAL JUDGMENTS

WHEREAS, the County of Monmouth has rendered judgment on appeals made by tax payers regarding the property assessment of certain properties and,

WHEREAS, there is one property which had their property assessment reduced by the County of Monmouth resulting in a reduction in the total taxes to be paid to the Township of Ocean for the year 2011, and,

WHEREAS, proper procedures require that an adjustment to the tax levy be made to the fourth quarter 2011 taxes and if necessary, third quarter taxes for reductions in property assessments which lower total taxes and do not result in the overpayment of taxes for the year, and tax refunds if tax levy reductions result in an overpayment of total taxes due for the year

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 apply said tax reductions to the 3rd and 4th quarter taxes and refunds of tax overpayments as per the following.

BL	LT/ Qual	Name	Property Address	Adjustment of 2011 Taxes
130	10	Pogwist, Raymond	1308 Vina Avenue	1,864.48
Totals				1,864.48

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

1. Tax Collector
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
Opposed					
Not Voting/Recuse					
Absent/Excused	X				

11-199 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 2010 AND 2011 TAXES AND REFUNDING THE TAX OVERPAYMENTS FROM 2010 AND 2011 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 2010 and 2011 tax assessments be adjusted and refunds be made for taxes overpaid in 2010 and 2011 that resulted from New Jersey Tax Court judgments reducing the property assessment reflected in the Tax Assessor's Field Book for 2010 and 2011.

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 2010 and 2011 tax assessment based on the State Tax Board Judgment and refund the tax overpayments for 2010 and 2011 taxes as listed below:

Block/Lot	Property Owner	Property Address	Tax Overpayments		Total
			2010	2011	Refund
34 01 17	MAGGS, MARY ANN	4 KENNETH DR	734.98		734.98
153 02 4	MAJMUNDAR, HARESH S & MITA H	1 WAINSCOTT CT	457.09		457.09
11 34	GREENE, D L & R W	233 S LINCOLN AVE	1,044.00		1,044.00
175 49	LOGOTHETIS, MARIKA & MANOLAKIS, G.	35 MEADOWS LN	680.69		680.69
35 03 3	HARVEY, BENJAMIN R III & LORI	15 DUFFIELD DR		2,131.00	2,131.00
Totals			2,916.76	2,131.00	5,047.76

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
Opposed					
Not Voting/Recuse					
Absent/Excused	X				

11-200 Authorize a contract with Sunset Garden Center for the replacement of various shade trees at a cost not to exceed \$7,425.00

WHEREAS, the Township of Ocean wishes to undertake a restoration project to replace various shade trees that were removed during the 2008, 2009 and 2010 road improvement projects; and

WHEREAS, the Township Engineer solicited proposals from various companies having expertise in tree replacement; and

WHEREAS, in connection therewith the following three (3) responses were received by the Township of Ocean: Gold Coast Gardens, Ocean, NJ; Sunset Garden Center, Ocean, NJ; Pat Scanlon Landscaping, Inc., New City, NY; and

WHEREAS, the following three (3) companies did not respond to this solicitation: Down to Earth Landscaping, Jackson, NJ; Precise Construction, Inc., Freehold, NJ; and Weisman Landscape Corp., Little Silver, NJ; and

WHEREAS, it was determined that the lowest responsible quote meeting specifications was Sunset Garden Center, Ocean, NJ at a cost not to exceed \$7,425.00; and

WHEREAS, the Director of Finance has certified to the Township Manager that there are adequate funds available for the purpose of award in the following account:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby award a contract to Sunset Garden Center, Ocean, NJ, as per their be proposal for the replacement of various shade trees damaged during the winter at a cost not to exceed \$7,425.00; and

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

1. Township Engineer
2. Director of Finance
3. Sunset Garden Center

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:

Sanford Brown, Esq.
Burke Construction, Inc.
James Higgins Associates
Jungle Laser, LLC
Kepwel Spring Water Co.

Council Reports:

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

PUBLIC COMMENTS:

Barbara Hudson inquired as follows:

- Is the Apple Farm parcel included in the Township's Affordable Housing Plan

Martin Arbus, Township Attorney, stated that it is included in terms of the Township's vacant land, however, it is not included as far as development.

- Mrs. Hudson read a statement concerning the flooding issues, COAH and over development. She also stated that she realizes there are no easy answers to these challenging issues but implored the Council to explore all options before settling.
- Implored the Council to not put any development in the Township's Green Acres.

Brian Lefferson stated that he heard that Roosevelt Properties was before the Zoning Board of Adjustment again. Also, Mr. Lefferson believes that there is tremendous run-off from properties located on Monmouth Road which contribute to the flooding in that area of the Township.

Mr. Lefferson feels that parking should not be allowed along Roosevelt Avenue.

F.K. Hudson asked if the Township met with the Army Corp of Engineers

Mr. Brannen stated that they did meet and re-examined the flood maps to see how the project would benefit the flood-prone areas. Mr. Brannen informed the Army Corp of the Township's desire to acquire an additional 32 units at Poplar Village, which would increase the cost benefit ratio of the project.

Mr. Hudson suggested that the Army Corp review possible expansion of the culverts leading out to the ocean as a way to move more water through the Township.

Tom Kraeutler inquired about the potential development of the property on Roosevelt Avenue with multi-family units, including a number of COAH units.

Mr. Arbus explained that a Case Management Hearing is slated for early January 2012.

Mr. Kraeutler questioned Mr. Arbus' position that a potential multi-family complex would not be detrimental to the neighborhood.

Much discussion occurred concerning the potential development, especially giving the traffic issues in that area.

Mayor Larkin vehemently defended the Township's actions in fighting the COAH litigation. He reiterated that the Township has done everything in its power to have these lawsuits dismissed, and actually has been able to settle one suit and have one other thrown out. The Township is still trying to resolve the two outstanding suits.

Steve Felton inquired about the number of affordable units the Township is obligated to build.

Mr. Arbus stated that Round No.1 and No. 2 yielded an obligation of 898 units. However, according to the Township's Housing Plan, the obligation would be 216 and the court-appointed Master has come up with a 242 unit obligation.

Sam Noel expressed frustration over the water issues that he has been experiencing since Monmouth Custom Builders located their operation on Monmouth Road. Mr. Noel believes that the whole area was a swamp prior to development.

Sharon Rosen Kelly spoke about the flooding issues she has been experiencing and expressed her concern that adding additional housing units would raise the water table.

Ms. Rosen also expressed concern about the wildlife that would be displaced. She also was concerned about the traffic and the potential for accidents along Roosevelt Avenue.

Additional discussion occurred concerning how the potential development would negatively impact the value of the properties.

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
Opposed					
Not Voting/Recuse					
Absent/Excused	X				

Respectfully submitted,

William F. Larkin
Mayor

Vincent Buttiglieri, RMC/CMC/MMC
Municipal Clerk