

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

**OCTOBER 17, 2012**

**OAKHURST, NEW JERSEY**

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

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

**Others:** Martin J. Arbus, Esq., Township Attorney  
Andrew G. 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 Meeting 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 5, 2011.

**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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**PRESENTATION OF CERTIFICATES:**

Clean Communities Coloring and Poetry Contest Winners

Clean Communities Representative Damian Sylvia presented the following with Certificates of Accomplishment:

**Coloring Contest**

***Pre-Kindergarten***

Ocean Township Elementary School	William Walsh
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***Kindergarten***

Wayside School	Favian Bautista
Wanamassa School	Ava Cardwell
Ocean Township Elementary School	Ben Robinson

***First Grade***

Wanamassa School	Kaia Abbatiello
Ocean Township Elementary School	Jane Rogers

***Second Grade***

Wayside School	Chelsea DeLalla
Wanamassa School	Lola Imbrerda
Ocean Township Elementary School	Jane Alto

**Poster Contest**

***Third Grade***

Ocean Township Elementary School	Leo Failla
Wayside School	Brianna Sorrentino

Wayside School

Rayna Poukish

***Fourth Grade***

Ocean Township Elementary School  
Wanamassa School  
Wayside School

Mya Sexton  
Julienne Walsh  
Andrew Dilloian

***Intermediate School***

***Sixth Grade***

First Place  
Second Place  
Third Place

Taylor Yim  
Alexis LaRosa  
Lindsey Stevens

***Seventh Grade***

First Place  
Second Place  
Third Place

Angelica Patel  
Skyler Theodora  
Matthew Dilloian

**Poetry Contest**

***Intermediate School***

First Place  
Second Place  
Third Place

Tiana Pritzlaff  
Ria Philip  
Abbey Reisler

**PROCLAMATION:**

***Put the Brakes on Fatalities Day***

***Put the Brakes on Fatalities Day***

*October 10, 2012*

**WHEREAS**, across the nation, traffic crashes caused 32,310 fatalities in 2011, and are the leading cause of death for young people ages 15 to 34: and,

**WHEREAS**, in New Jersey, 627 individuals lost their lives in traffic crashes in 2011; and,

**WHEREAS**, alcohol-related crashes accounted for 24 percent of the State's traffic fatalities, while speed related fatalities for 2011 climbed to 174 from 61 recorded in 2007; and,

**WHEREAS**, motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation; and,

**WHEREAS**, 92 motorcyclists, 17 bicyclists and 143 pedestrians were killed in New Jersey in traffic related crashes in 2011; and,

**WHEREAS**, safer driving behaviors such as buckling up every ride; obeying posted speed limits; avoiding aggressive driving behaviors; never drinking and driving; wearing proper safety gear when riding motorcycle or bicycle; and, focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and death on our roadways;

**NOW, THEREFORE, BE IT PROCLAIMED** by the Governing Body of the Township of Ocean, County of Monmouth that October 10, 2012 is proclaimed **Put the Brakes on Fatalities Day** and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

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

1. Office of Attorney General Division of Highway Traffic Safety P.O. Box 048  
Trenton NJ 08625-0048
2. Chief of Police
3. Traffic Safety Bureau

### ***Fire Prevention Week***

#### **Fire Prevention Week October 7-13, 2012**

**WHEREAS**, the Township of Ocean, County of Monmouth, is committed to ensuring the safety and security of all those living in and visiting our township; and

**WHEREAS**, fire is a serious public safety concern both locally and nationally, and homes are where people are at greatest risk to fire; and

**WHEREAS**, home fires killed more than 2,600 people in the United States in 2010' according to the latest research from the nonprofit National Fire Protection Association (NFPA), and fire departments in the United States responded to more than 369,000 home fires; and

**WHEREAS**, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

**WHEREAS**, only one-third of Americans have both developed and practiced a home fire escape plan; and

**WHEREAS**, almost three-quarters of Americans do have an escape plan, however, less than half actually practiced it; and

**WHEREAS**, one-third of American households who made one and estimate they thought they would have at least 6 minutes before a fire in their home would become life threatening. The time available is often less; and

**WHEREAS**, working smoke alarms cut the risk of dying in reported home fires in half; and

**WHEREAS**, Township of Ocean, County of Monmouth, first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

**WHEREAS**, Township of Ocean, County of Monmouth, residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

**WHEREAS**, the 2012 Fire Prevention Week theme, "Have Two Ways Out!" effectively serves to remind us all of the simple actions we can take to keep our homes and families safe from fire during Fire Prevention Week and year-round.

**NOW, THEREFORE, BE IT PROCLAIMED**, I William F. Larkin, Mayor of the Township of Ocean, along with the entire Governing Body, do hereby proclaim October 7-13, 2012 as

#### **Fire Prevention Week**

throughout the Township of Ocean, and I urge all people of the Township to practice their home fire escape plan during Fire Prevention Week 2012, and to support the many public safety activities and efforts of the Township of Ocean, County of Monmouth fire and emergency services.

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

The purpose of this public portion is solely to ask questions to understand Resolutions 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:**

Don Geiger inquired as follows:

- Resolution #12-156 – where will the closure occur

Andrew Brannen, Township Manager, stated that the closure will be towards the western end of Sunset Avenue.

- Resolution #12-169 – does this pertain to labor relations

Mr. Brannen responded that the need to amend the contract is due to various unresolved disciplinary matters.

- Resolution #12-173 – is there really a need to purchase the new vehicle

Mr. Brannen stated that the vehicle being replaced is over 20 years old and it is not fiscally prudent to put any more money into it.

- Vouchers – asked for an explanation of the following expenditures: 33 East Car Wash of Ocean, A & S Sound, Alliance Asset Tags, Beckers Tree Service, CapturePoint.com, DMS Demolition & Removal, LLC, Eatontown Medical Associates, Fleetwash, Full Source, LLC, Raymond F. Hanbury, PhD, Jersey Paper Plus, Ken's Tree & Shrub Service, Staples Print Solutions, Suplee, Clooney & Company, and TEAM Life, Inc.

**CONSENT AGENDA:**

**MINUTES:**

September 12, 2012 – Workshop, Public and Closed Meeting

September 20, 2012 – Special Public Meeting

October 3, 2012 – Workshop and Closed Meeting

**RESOLUTIONS:**

**12-149 Authorize a Developers Agreement for the following:**

**a. Block 22, Lot 43 – 259 Overbrook Avenue – 259 Overbrook Group, LLC**

**WHEREAS**, 259 Overbrook Group, LLC is the owner and CDS, Inc. is the tenant (hereinafter referred to as "Developer") of certain property known as Block 22, Lot 43, as shown on the official tax map of the Township of Ocean which property is located at 259 Overbrook Avenue in the R-4 (Medium Density Single Family Residential) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

**WHEREAS**, the Developer has received Minor Site Plan Approval by the Zoning Board of Adjustment of the Township of Ocean by way of Resolution dated May 30, 2012 to amend a previously approved use variance to allow the site to be used for an office/warehouse; and

**WHEREAS**, this Agreement relates to a Map entitled Landscaping Plan, Block 22, Lot 43, Township of Ocean, Monmouth County, New Jersey by Victor J. Wymbs, C.L.A., consisting of one (1) sheet dated October 25, 1996 and last updated May 7, 1997 and a Map entitled Addendum to Amended Preliminary and Final Site Plan & Use Variance, Site and Lighting Plan for Office/Warehouse, Tax Map Lot 43, Block 22, Township of Ocean, Monmouth County, New Jersey by Stephen P. Atkins, P.E. of KZA Engineering P.A., consisting of one (1) sheet dated November 14, 2011 and last updated January 16, 2012; and

**WHEREAS**, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated June 18, 2012 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 259 Overbrook Group, LLC, subject to the following conditions first being met:
  - a. All required certificates of insurance be properly filed with the Office of the Township Clerk
  - b. Posting of Performance Guarantees in the total amount of \$16,920.00 and Inspection Fees in the amount of \$1,705.00

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Peter S. Falvo, Jr., Esq.
5. 259 Overbrook Group, LLC
6. CDS, Inc.

**b. Block 152, Lot 1 and Block 153, Lot 73 – Center Street – Amboy Bank**

**WHEREAS**, the Township of Ocean, a municipal corporation (hereinafter "Township") entered into a Developer's Agreement (hereinafter "Agreement") with Nobility Crest at Ocean, LLC (hereinafter "Nobility Crest") dated November 5, 2003 for certain property known as Block 152, Lot 1, Block 153, Lot 73 on the official tax map of the Township of Ocean, which property is located on Center Street, in the Township of Ocean, County of Monmouth, State of New Jersey; and

**WHEREAS**, the Agreement between the Township and Nobility Crest acknowledged that Nobility Crest had obtained all the requisite Amended Preliminary and Final Site Plan Approval with Variances from the Township of Ocean Planning Board by way of resolution dated April 23, 2003 to make certain changes to the previously approved site for the development of a 120 unit senior citizen residence facility, which changes are fully set forth as No. 3(a)-(g) in the aforesaid resolution, which includes signage variances and multiple bulk variances; and

**WHEREAS**, based upon the Agreement, Nobility Crest and its successors or assigns was obligated to undertake certain improvements, post certain guarantees and take such actions as more specifically set forth within the Agreement; and

**WHEREAS**, Nobility Crest posted performance guarantees in the total amount of \$1,429,335.12, ten percent (10%) (\$142,933.51) of which was cash and deposited with the Township in accordance with the ordinances of the Township and the remaining ninety percent (90%) (\$1,286,401.61) was in the form of a surety performance bond and cash in the sum of

\$15,726.41 representing twenty-five percent (25%) of the inspection costs of the Township Engineer; and

**WHEREAS**, the Township Council granted a reduction of the performance guarantees to \$428,800.54 by way of resolution dated March 22, 2006; and

**WHEREAS**, Nobility Crest and Amboy Bank entered into a Settlement Agreement and Assignment and Assumption Agreement dated March 28, 2011, whereby Nobility Crest assigned onto Amboy Bank all of its rights, title and interest for the Preliminary and Final Major Subdivision Approvals for Block 152, Lot 1, Block 153, Lot 73 located on Center Street; and

**WHEREAS**, the Agreement is further subject to the Township's written consent to any assignment of interest in the property by Nobility Crest evidencing such Assignee's willingness to be bound by the terms and conditions of the original Agreement; and

**WHEREAS**, Amboy is seeking the assignment from the Township/Assignor of said Developer's Agreement to the Contract Purchaser/Assignee Amboy.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of Ocean, County of Monmouth, State of New Jersey, that it does hereby authorize the following:

1. The execution of the assignment of the aforesaid Developer's Agreement from the Township of Ocean to Assignee, Amboy Bank
2. The assignment to Amboy Bank shall be conditioned upon the following:
  - 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 \$428,800.54 and Inspection Fees in the amount of \$5,000.00

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Amboy Bank
5. Nobility Crest at Ocean, LLC

**12-150 Authorize the Acceptance of Performance Guarantees for the following:**

**a. Block 33.27, Lot 5 – 1803 Fanwood Street – Marla J. Jensen & Charles Hux**

**WHEREAS**, the Township of Ocean has approved a development project on Block 33.27, Lot 5 also known as 1803 Fanwood Street; and

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

**WHEREAS**, Marla J. Jensen and Charles Hux have posted cash performance guarantees totaling \$10,332.00 along with engineering inspection fees totaling \$2,635.00 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. Marla J. Jensen and Charles Hux

**b. Block 17, Lots 36, 37.01 & 39 – 304 Garfield Avenue – Elo Residence**

**WHEREAS**, the Township has approved a development project on Block 17, Lots 36, 37.01 & 39 also known as 304 Garfield Avenue; and

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

**WHEREAS**, Elliot Elo has posted cash performance guarantees totaling \$4,590.00 along with engineering inspection fees totaling \$1,965.00 and the required certificate of insurance; and

**WHEREAS**, the Escrow Fund for Stormwater Management will be addressed under a separate resolution.

**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. Elliot Elo

**12-151 Approve the placement of one storage containers at Kelly's Hallmark for a period not to extend beyond December 31, 2012**

**WHEREAS**, the Chapter 5, Section 5-3 prohibits the placement of any storage container on private property for a period of 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 December 31, 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 (1) storage container on Block 172, Lot 75 (Route 35 and Deal Road) for a period not to extend past December 31, 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

**12-152 Authorize the receipt of bids for the following:**

**HVAC Maintenance  
 Various Road Materials  
 Uniforms (3 years)  
 Recap Tires, Accessories and Road Service  
 Removal of Compost Leaves**

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

1. Recap Tires, Accessories and Road Service
2. Various Road Construction Material including dense grade aggregate, clean broken stone, bituminous asphalt (winter use), sodium chloride, reinforced concrete pipe, plastic drainage pipe, inlet frames and grates, manhole frames and grates and high performance cold patch
3. HVAC Maintenance
4. Uniforms (3 years)
5. Removal of Composted Leaves

**WHEREAS**, specifications for the aforesaid items will be on file in the Township Clerk's Office, and will be available for inspection.

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

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

1. Township Manager
2. Director of Finance
3. Public Works Department
4. Township Engineer

**12-153 Authorize the submission of the Neighborhood Preservation Balanced Housing Program Grant application**

**WHEREAS**, the Township Council of the Township of Ocean desires to apply for and obtain funds from the New Jersey Department of Community Affairs, Neighborhood Preservation Balanced Housing Program for an amount not to exceed the maximum amount allowed in accordance with N.J.A.C. 5:43-1.12 et seq. for the purpose of developing/acquiring approximately 96 units of affordable housing in the Whalepond Village Development ("Project"); and

**WHEREAS**, the Municipality has determined that the housing project referenced above, will meet all or part of the Municipality's low and moderate housing obligation in its 1987-2014 Housing Element and Fair Share Plan; and

**WHEREAS**, the Township of Ocean is seeking credit for the units in this project towards meeting its affordable housing obligation as set forth in the Municipality's Housing Element and Fair Share Plan;

**BE IT THEREFORE RESOLVED** that the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey does hereby authorize the application for and the execution of a contract for the receipt of such funds from the New Jersey Department of Community Affairs, Neighborhood Preservation Balanced Housing Program and acknowledge that they are an eligible municipality in accordance with N.J.A.C. 5:43-1.3(a)(3). The

municipality will upon execution of such a contract, authorize the expenditure of such funds pursuant to the terms of said contract between the Township of Ocean and the New Jersey Department of Community Affairs.

**BE IT FURTHER RESOLVED**, that the persons whose names, titles and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign the contract and any other documents necessary in connection therewith:

**12-154 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 #13SKNC; 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 2012-2013 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

**12-155 Authorize the submission of the FY2013 Transportation Trust Fund Grant Application**

**WHEREAS**, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2013; and

**WHEREAS**, the Township of Ocean is desirous of submitting an application under this program for the following purpose:

- Improvements to Sunset Avenue (Phase VI) from Logan Road to State Highway Route 35

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

**BE IT FURTHER RESOLVED**, that the Township Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2013-Ocean Township - 00381 to the New Jersey Department of Transportation on behalf of the Township of Ocean; and

**BE IT FURTHER RESOLVED**, that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Ocean and that their signatures constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**12-156 Authorize the closure of Sunset Avenue between Birch Avenue and Logan Road from November 1, 2012 through December 31, 2012.**

**WHEREAS**, the Township Council of the Township of Ocean awarded a contract to Meco, Inc. on September 20, 2012 to perform various roadway improvements throughout the Township; and

**WHEREAS**, based on the improvements slated to be performed by Meco, Inc. along a portion of Sunset Avenue in the Township, it has been determined that it may be necessary to close a portion of that roadway from approximately November 1, 2012 through December 31, 2012; and

**WHEREAS**, it is the recommendation of the Township Engineer, the Director of Public Works and the Township Manager that the following road closure be implemented during the construction period:

<b>Roadway</b>	<b>Limitations</b>
Sunset Avenue	Birch Avenue to Logan Road

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby authorize the closure of Sunset Avenue between Birch Avenue and Logan Road between the period of November 1, 2012 through December 31, 2012; and

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

1. Township Manager
2. Director of Public Works
3. Township Engineer
4. Meco, Inc.

**12-157 Authorize an appointment of an Alternate #4 member to the Zoning Board of Adjustment**

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

<b>BOARD OF ADJUSTMENT</b>	<b>Member</b>	<b>Starting</b>	<b>Ending</b>
2 year term	Maureen Bonney – Alternate #4	July 1, 2012	June 30, 2013

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

1. Board/Committee or Department
2. Administrative Assistant to the Township Manager
3. Public Agency Compliance Officer

**12-158 Authorize the Stormwater Management Agreement for Block 141, Lots 1 & 23 – 2301 Route 66 – Seaview Acquisition, LLC**

**WHEREAS**, the Township of Ocean Planning Board as part of a site plan approval for lands designated as **Block 141, Lots 1 & 23** located at **2301 Route 66 (Seaview Square Mall)**, required the applicant to enter into a Stormwater Management Easement and Escrow Fund Agreement; and

**WHEREAS**, the Township professionals in conjunction with the property owners' representatives prepared a Stormwater Management Easement and Escrow Fund Agreement; and

**WHEREAS**, this Stormwater Management Easement and Escrow Fund Agreement is subject to review and approval by the Township Attorney.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Ocean, County of Monmouth, State of New Jersey, that the Mayor and Township Clerk are hereby authorized to sign this Agreement on behalf of the Township of Ocean so that said Agreement can be recorded in the County of Monmouth.

**BE IT FURTHER RESOLVED** that a condition of the approval of this Agreement shall be that the metes and bounds description for the entire property be included as an attachment to the Agreement and the attached recorded in the County of Monmouth.

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

1. Seaview Acquisition, LLC
2. Township Attorney
3. Director of Community Development

**12-159 Authorize the transfer of liquor license #1337-33-013-008, issued to JMichaels Holdings, LLC to Zvi P. Berger effective June 30, 2012**

**WHEREAS**, Zvi P. Berger, 1610 Route 35 South, Oakhurst, NJ made application on June 4, 2012 for a Person-to-Person Transfer of Plenary Retail Distribution Liquor License, Number 1337-33-013-010; and

**WHEREAS**, the submitted transfer application is complete in all respects, all appropriate State and Township fees have been paid, and the license has been renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed in accordance with all standards established by Title 33 of the New Jersey Statutes, regulations promulgated hereunder, as well as pertinent local ordinances pertaining to same; and

**WHEREAS**, the transfer of said license is being done *nunc pro tunc* to June 30, 2012;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that it does hereby approve, effective June 30, 2012, the Person-to-Person Transfer of the aforesaid Plenary Retail Distribution License to Zvi P. Berger and does hereby direct the Municipal Clerk to endorse the license as follows: ***“This license, subject to all its terms and conditions, is hereby transferred to Zvi P. Berger, 1610 Route 35 South, Oakhurst, NJ 07755; and***

**FURTHER BE IT RESOLVED** that the Municipal Clerk of the Township of Ocean is hereby authorized to change the number of the license to #1337-33-013-011 reflecting this transfer and to so advise the State of New Jersey, Division of Alcoholic Beverage Control

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

1. Jason Klein, Esq., attorney for Zvi P. Berger
2. Chief of Police
3. State of New Jersey, Division of Alcoholic Beverage Control

**12-160 Authorize the renewal of the 2012-2013 liquor license for Zvi P. Berger who has met all Township and State requirements and paid all applicable fees**

**WHEREAS**, the Retail Renewal Application forms for the 2012-2013 license term has been deemed complete in all respects, the annual fees have been paid to both the Township of Ocean and the State of New Jersey, Division of ABC; and

**WHEREAS**, the Mayor and Council of the Township of Ocean, County of Monmouth, hereby authorizes the renewal of the following Retail Alcoholic Beverage Licenses for the 2012-2013 license term:

**PLENARY RETAIL CONSUMPTION**

#1337-33-013-011                      Zvi P. Berger

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Ocean, County of Monmouth, State of New Jersey that authorization is hereby given to renew, effective July 1, 2012, the aforesaid liquor licenses for the license term 2012-2013; and

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

1. Jason Klein, Esq., attorney for Zvi P. Berger
2. Chief of Police
3. State of New Jersey, Division of Alcoholic Beverage Control

**12-161 Authorize the Ring Road Easement Agreement between the Township and Seaview Acquisition, LLC**

**WHEREAS**, the Township of Ocean and Seaview Acquisition, LLC wish to enter into an Agreement to allow public access to the private road known as "Ring Road"; and

**WHEREAS**, the purpose of this Agreement is to clarify the rights and responsibilities between the Township of Ocean and Seaview Acquisition, LLC; and

**WHEREAS**, it has been agreed to that Seaview Acquisition, LLC will maintain responsibility for design, operation and maintenance, including snow plowing, of Ring Road; and

**WHEREAS**, the Township of Ocean reserves the right to inspect the condition of Ring Road and should any deficiency exist, written notice shall be provided to the Seaview Acquisition, LLC giving them 30 days to repair said deficiency; and

**WHEREAS**, Seaview Acquisition, LLC agrees to fund and maintain with the Township Clerk an escrow account in the amount of \$1,000.00 to fund the cost of an annual Township inspection;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean that authorization is hereby given for the Mayor and Municipal Clerk to execute the Ring Road Easement Agreement between the Township of Ocean and Seaview Acquisition, LLC; and

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

1. Seaview Acquisition, LLC
2. Director of Community Development
3. Director of Public Works

**12-162 Authorize the Release of the Maintenance Guarantee for the following:**

**a. Block 138, Lot 75 – 73 Wickapecko Drive – Search Day Program**

**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 completed by the Township Engineer; and

**WHEREAS**, the Township Council did authorize and enter into a developer's agreement dated June 22, 2005 with Search Day Program, Inc. for preliminary and final site plan approval for property located on Block 138, Lot 75 also known as 73 Wickapecko Drive; and

**WHEREAS**, Search Day Program, Inc. posted performance guarantees totaling \$501,905.04 in the form of New Jersey Subdivision/Site Plan Bond No. B201652 issued by Selective Insurance Company of America in the amount of \$451,714.54 and cash in the amount of \$50,190.50, which was reduced to a total of \$150,571.51 by resolution dated May 5, 2008 to guarantee the completion of all improvements for property located on Block 138, Lot 75 also known as 73 Wickapecko Drive; and

**WHEREAS**, the Township Council did authorize the release of performance guarantees and acceptance of a maintenance guarantee in the amount of \$62,828.13 for Block 138, Lot 75 located at 73 Wickapecko Drive; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated October 15, 2012, a copy of which is on file in the Office of the Township Clerk and made apart hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned maintenance guarantee.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the maintenance guarantee in the amount of \$62,828.13 is hereby released, canceled and discharged.

**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. Search Day Program, Inc.
6. Selective Insurance Company of America, Inc.

**12-163 Authorize an auction of public property by the Township of Ocean through PropertyRoom.com. for the period November 1, 2012 through April 1, 2013**

**WHEREAS**, the Division of Purchasing has requested that the Township Council of Ocean authorize the participation in a contractual relationship with PropertyRoom.com for the sale of

**MEETING MINUTES****OCTOBER 17, 2012**

certain surplus items currently in possession of the Township of Ocean Police Department:  
and

**WHEREAS**, such items may be sold at public auction to the highest bidder in accordance with N.J.S.A. 40A:14-157; and

**WHEREAS**, it is not the intention of the Township Council to deprive any person their right to retrieve any personal items which may have become part of this accumulated property as the result of loss, theft, or some other reason; and

**WHEREAS**, the Township of Ocean has attached said list of items that will be sold at auction; and

**WHEREAS**, the Township of Ocean will advertise each time property is picked up by Propertyroom.com for 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. That the Township of Ocean or its designee, be and hereby is authorized to participate in a contractual relationship with Propertyroom.com to sell over the internet to the highest bidder, any and all surplus items.
2. The Township of Ocean reserves the right to reject any and all bids if it determines such rejection to be in the public interest
3. That notice of these sales 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.

**12-164 Authorize the release of 2011 and 2012 Closed Session Minutes (minus those items which will be redacted due to the fact that they are ongoing)**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Ch. 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstance; and

**WHEREAS**, the public shall be excluded from discussions of and actions upon specified subject matters including:

1. Personnel
2. Pending litigation matters involving the Township, its employees and/or agents
3. Pending or future land acquisitions
4. Pending or future contract negotiations

**WHEREAS**, the Township of Ocean adopted procedures to make closed session minutes available for public inspection; and

**WHEREAS**, the Municipal Clerk, on a periodic basis shall review the minutes of the closed sessions of the Township of Ocean and make a recommendation to the Township Council which minutes should be made available for public inspection. The minutes which are made public shall not thereafter be treated as confidential but may be viewed by and copies issued to any person so requesting them; and

**WHEREAS**, the release of the below noted closed session minutes are subject to certain item(s) being redacted prior to the release due to the fact that the matter has not been concluded, and therefore, are not subject to release;

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Township of Ocean, County of Monmouth that authorization is hereby given to release the following closed session minutes, subject to any appropriate redaction:

**MEETING MINUTES****OCTOBER 17, 2012**

**2011**  
 October 3, 2011  
 October 19, 2011  
 November 7, 2011  
 December 5, 2011

**2012**  
 January 10, 2012  
 January 25, 2012  
 February 8, 2012  
 February 22, 2012  
 March 7, 2012  
 March 21, 2012  
 April 4, 2012  
 April 18, 2012

May 2, 2012  
 May 16, 2012  
 June 12, 2012  
 July 11, 2012  
 August 6, 2012  
 August 23, 2012  
 September 12, 2012  
 October 3, 2012

Vote on all Consent 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	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**INDIVIDUAL ACTION:****VOUCHERS: \$ 5,906,296.32**

**Township of Ocean  
 Department of Finance  
 Voucher List for October 17, 2012**

Vendor Name	Description	Amount	Contract
<b><u>Appropriation Reserves Payments</u></b>			
CRAFT OIL CORP	Lithium Grease Kegs/vehicles	4,317.00	
<b><u>Total</u></b>		<b>4,317.00</b>	
<b><u>Total Appropriation Reserves Payments</u></b>		<b><u>4,317.00</u></b>	
<b><u>2012 Current Fund Appropriation Payments</u></b>			
33 EAST CAR WASH OF OCEAN	Housing Inspector Car Wash	152.50	
A & S SOUND	Estimate for Service Call	100.00	
ACTION OFFICE SUPPLIES INC	CONST PRMT FORMS	1,560.00	
ACUSHNET CO	Footjoy Softjoy Gloves-CTGC	392.64	
ADP INC, CORPORATE COLLECTIONS	ADP Payroll Processing	2,594.91	
AFLAC - NEW YORK - FLEX ONE	SEPT 2012 FLEX ONE ADMIN FEE	50.00	
AIR SYSTEMS MAINTENANCE INC	October heating & Air Contract	7,732.33	
ALL AMERICAN TURF INC	September misc lawn mower part	187.07	
ALLIANCE ASSET TAGS	Asset Tags	846.00	
ALLIED BUILDING PRODUCTS CORP	12" roll tape for roof repair	233.20	
ALLIED OIL LLC	September unleaded/diesel fuel	47,389.31	
AMC EMBROIDERY	Inclement weather gear	253.00	
AMERICAN HOSE & HYDRAULICS CO	Grader Cylinder Repair/#48	774.00	
AMERICAN WEAR INC	September uniform rentals	1,993.54	
AMSTERDAM PRINTING	PD- DEPARTMENT PENS	143.77	
ARBUS, MARTIN ESQ C1200016	TOWNSHIP ATTORNEY - SEPT 2012	5,916.66	
ATLANTIC PLUMBING SUPPLY CORP	Sept misc plumbing supplies	95.47	
BECKERS TREE SERVICE INC	Trees trim/Beecroft Place	350.00	
BERGEY'S INC	Sept misc parts for Twp	372.98	
BIG TOP TENT RENTALS	FALL FEST 2012 RENTALS	985.00	
BROWN, SANFORD ESQ	PB General	224.00	
BURKE CONSTRUCTION INC	Sinkhole repair Monmouth Rd.	9,200.00	
BUTTIGLIERI, VINCENT CMC	October 2012 Petty Cash	242.21	

## MEETING MINUTES

OCTOBER 17, 2012

CABLEVISION	Townhall Acc#7866-186654	404.40
CALABRO, PHIL	SUPERVISE ADULT BB AUGUST	156.00
CAMPBELL SUPPLY CO INC	Entry Door/PD/West Enterance	2,249.00
CAPTUREPOINT.COM	OCT/12-SEPT/13 SUBSCRIPTION	7,996.00
CARTRIDGE WORLD OF OAKHURST	GRP-24 Toner	255.00
CASO, SHERRY	PYMT-SUPERV. INST.BOYS SOCCER	192.63
CEDAR VILLAGE OCEAN	2012 GARBAGE REIMBURSEMENT	5,308.38
CENTRAL JERSEY OFFICE	Canon GPR-1 Toner	190.75
CHAS. S. WINNER/TJH CHEVROLET	PD- 3-CHEV CAPRICE POLICE PKGS	77,246.07
CHRISTINE G. HANLON, ESQ.	CONFLICT PROSECUTOR JULY 2012	875.00
CLARKE CATON HINTZ C1200013	LITIGATION PLANNING AUG 2012	556.05
CLEARVIEW SPRING WATER	September bottled water/Twp	80.50
COMCAST SPOTLIGHT INC	CTGC ADVERTISING SEPTEMBER	2,130.00
CONTINENTAL LAND DEVELOPERS	2012 GARBAGE REIMBURSEMENT	13,364.40
COOPER ELECTRIC SUPPLY CO	September misc electric supply	951.23
COTSWOLD GREEN CONDO ASSOC	2012 MUNICIPAL REIMBURSEMENTS	143.64
DANNY AIKEN	PYMT-SUPERV. JR/SR SOCCER	191.25
DEBRA MARINO	Reimburse for Supplies	60.00
DELTA DENTAL OF NJ INC	October Delta Dental Premium	10,229.00
DMS DEMOLITION & REMOVAL LLC	Demolition 1317 Opdyke Avenue	1,500.00
EAST COAST EMERGENCY LIGHTING	PD- NEW VEHICLE EQUIPMENT	602.64
EATONTOWN MEDICAL ASSOC PA	PD- PHYSICAL - #984	844.00
EDWARDS TIRE CO INC	September tires for vehicles	11,959.08
F & C AUTOMOTIVE SUPPLY INC	September misc parts for Twp	4,639.46
FEDEX	PD- PACKAGES TO IPMA-HR	37.46
FITZGERALD, WILLIAM	PB & BOA Reviews and Meetings	3,712.50
FLAGSHIP DENTAL PLANS	Dental Flagship Premium	439.32
FLEETWASH INC	Wash sanitation truck in/out	538.50
FORT DEARBORN LIFE INS CO	Oct-Dearborn National Premium	550.88
FULL SOURCE LLC	Safety Vest/DPW - Inventory	635.40
GANNETT NJ NEWSPAPERS	FALL FEST ADS 9/8-9/22/2012	816.00
GEESE CHASERS LLC C1200006	OCT 2012 GEESE CONTROL CTGC	1,724.66
GEORGE WALL LINCOLN MERCURY	September misc parts for Twp	219.45
GILES & RANSOME INC	September misc loader parts	615.18
GOMEZ, CRISTINA	REFUND FACILITY RENTAL FEE	155.00
H A DEHART & SONS INC	Door w/Hine & Latch Truck #30	182.93
HANBURY, RAYMOND F. JR. PHD	PD- PSYCH EVALUATION - #984	500.00
HANEY, JOHN	REFUND POOL DAILY FEES	120.00
HESS CORPORATION	Gas sustainable energy	12,542.60
HIDDEN MEADOWS CONDO ASSOC	2012 MUNICIPAL REIMBURSEMENTS	574.56
ICE KING	SEPT ICE SUPPLY CTGC	180.00
IDEAL LUMBER & SUPPLY CO	September misc lumber/support	47.04
INNOVATIVE DATA SOLUTIONS	PD-PowerDMS.com ANNUAL	3,228.00
IPMA-HR	PD- SERGEANT'S EXAM	292.00
JAMES HIGGINS ASSOCIATES	PB & BOA Meeting Attendance	400.00
JEFFREY R SURENIAN & ASSOC LLC C1200002	JULY 2012 AFFORDABLE HOUSING	234.95
JERSEY CENTRAL POWER & LIGHT	August street lighting	26,439.66
JERSEY PAPER PLUS	Cormatic 2500 Toilet Tissue	1,746.00
JIM CURLEY PONTIAC GMC TRUCK	Sept misc parts for Twp	48.87
JOHNNY ON THE SPOT INC	SEPT ADA UNITS	159.70
JUNGLE LASER LLC	ROLLBASE APPLICATION - AUG. 12	3,530.00
KELLY WINTHROP, LLC.	Deer Carcass Removal	45.00
KEN'S TREE & SHRUB SERVICE	Spraying for Bagworm	465.00
KEPWEL SPRING WATER CO	WATER FOR DHS SEPTEMBER	65.70
KOSTIDAKIS, DEBBIE	REFUND RECREATION FEES	110.00
L3 COM MOBILE-VISION INC	PD- NEW VEHICLE EQUIPMENT	1,147.74
LAKWOOD AUTO/ASBURY NAPA	September misc parts	3,105.51
LANGUAGE LINE SERVICES	Aug Telephone Interpreting	85.00
LANIGAN ASSOCIATES INC	PD- SAFETY SUPPLIES - SEP 2012	75.00
LAWSON PRODUCTS INC	Shop supplies for all Depts.	761.41
LEE BATTERY SERVICE INC	August misc batteries for Twp	366.90
LEON S AVAKIAN INC	COPIES OF PLANS - 1405 LAUREL	369.00
LERTCH RECYCLING CO	September recycle brush	5,020.26
LESCO - PROX	Grass Seed	5,188.77
LINE SYSTEMS, INC.	AUG/SEPT 2012 PHONE SVC CHARGE	2,923.47
LOWE'S HOME CENTERS INC	New Doors for Human Service	368.53

## MEETING MINUTES

OCTOBER 17, 2012

LOWES INC	Roofing Material/Roller Rd.	663.33
LUCIEN, LAURENCE	REFUND OF FACILITY RENTAL FEE	180.00
LYNN MAGNER	FALL FEST CLOWN, ETC. 9/22/12	1,300.00
MAACO COLLISION REPAIR & AUTO	PD- PAINTING (3) NEW VEHICLES	1,500.00
MAIN ELECTRIC SUPPLY CO INC	September misc electric	105.79
MARTINEZ, PHILLIP	REFUND RECREATION FEES	40.00
MAZZA & SONS INC	August dump fees for bulk	12,812.80
MC EVOY, SALLY	PYMT FOR SUPERVISING REC SOCC.	126.00
MC MAHON, WILLIAM	Cell reimbursement/McMahon	25.00
McHEFFEY, DR DINA A	MEDICAL CONSULT JULY,AUG,SEPT	300.00
MIDDLEBROOK AT MONMOUTH	2012 GARBAGE REIMBURSEMENT	20,335.20
MILWIN FARMS HOMEOWNERS ASSOC	2012 MUNICIPAL REIMBURSEMENTS	239.40
MR JOHN INC	FALL FEST - TEMP RESTROOM RENT	330.00
NEOPOST USA, INC.	POSTAGE MACHINE SUPPLIES	252.99
NEPTUNE AUTO SUPPLY	Sept misc parts for Twp	2,750.82
NEXTEL-SPRINT PO MANAGEMENT	AIR CARDS 7/27/12 - 8/26/12	99.98
NJ DIV OF PENSION & BENEFITS	DCRP Life Ins/LTD 8/19-9/22	13.68
NJ LEAGUE OF MUNICIPALITIES	Violations Clerk Advertisement	110.00
NJ NATURAL GAS CO	August gas usage for Twp	1,279.33
NJ PLANNING OFFICIALS	NJPO Mandatory Training	72.00
NJ ST LEAGUE OF MUNICIPALITIES	12/3/12 LPCL SEMINAR	55.00
NJ STATE HEALTH BENEFITS FUND	October Health Ins Premiums	346,912.58
NJAWC	August water usage	8,745.95
NJ-IAAO	USPAP CLASS 7 HOURS CREDIT	50.00
NJRPA INC	Professional Workshop	50.00
NOBILITY CREST CONDO ASSOC.	2012 MUNICIPAL REIMBURSEMENTS	2,693.16
OAK MEWS CONDO ASSOC	2012 MUNICIPAL REIMBURSEMENTS	71.82
OCEAN TREE SERVICE INC	Trim Trees/Sunset & Logan Rd	300.00
OLD DOMINION BRUSH CO	Duct Gasket/Sweepers & Leaf	2,603.00
PALESTRA GROUP INTERNATIONAL	PD- HIDDEN COMPARTMENT TRNG	99.00
PARTY PERFECT RENTALS	FALL FEST RENTAL - 9/22/2012	1,647.80
PENTA, BRIAN	PD-VEHICLE DETAILING//NEW #43	150.00
PESTICIDE TRAINING &	Pesticide Training/Kliem	140.00
PMAM CORPORATION	PD- ALARM REG/FINES - MAY	5,570.00
PROVIDENT CT CONDOMINIUM ASSOC	2012 MUNICIPAL REIMBURSEMENTS	47.88
QUALITY COMMUNICATIONS	PD- EQUIPMENT INSTALL CAR #43	1,116.00
R&H AUTO SPRING & TRUCK	Sept misc repairs for Twp	89.99
REISER, KATHY	K. Reiser-Reimburse CTGC Supp.	107.91
ROBERT A. VERRY	PD- TRAINING	200.00
ROLLING MEADOWS AT WAYSIDE	2012 MUNICIPAL REIMBURSEMENTS	742.14
RUDERMAN & GLICKMAN PC C1200001	SEPT 2012 LABOR RELATIONS ATTY	10,224.00
RUTGERS, THE STATE UNIVERSITY	R.Goncharko Class Registration	756.00
SANITATION EQUIPMENT CORP	Sept misc truck parts	1,045.95
SAWYERS, TANISHA	REFUND FACILITY RENTAL FEE	180.00
SEA BREEZE FORD INC	Instrucment Cluster/51 Police	2,527.96
SEABOARD FIRE & SAFETY	PD- CO2 REFILLS - AUG 2012	30.75
SEABOARD WELDING SUPPLY INC	PD- OXYGEN REFILLS - AUG 2012	843.60
SEACOAST CHEVROLET OLDSMOBILE	Sept misc parts for Twp.	154.21
SIPERSTEIN'S PAINT	Sept. misc paint & brushes	163.62
SPRINT PO MANAGEMENT	SERVICE AUGUST 27 û SEPTEMBER	1,141.78
STAPLES PRINT SOLUTIONS	ATS/ACS Mailers	860.64
STATE EXTERMINATING CO	Bed Bug Inspect./Court	80.00
STAVOLA ASPHALT CO INC	September 2nd half patch	10,193.25
STEINBERG, MARK A ESQ	BOA Resolutions and Meeting	2,240.00
STEWART BUSINESS SYSTEMS	Printing Services	1,273.64
STORR TRACTOR CO	August misc parts for Toro	1,216.98
STOUT, KAREN	REFUND OF FACILITY RENTAL FEE	105.00
SUPERIOR OFFICE SYSTEMS INC	Service Call for Canon Copier	224.09
SUPLEE, CLOONEY & COMPANY	PROF SVC - SECONDARY MKT DISCL	2,650.00
SUPPLY KING INC	FLOOR MAINT. REC. CENTER	147.95
T.E.A.M. LIFE INC	PD- DEFIBRILATOR BATTERIES	714.00
TAYLOR FENCE CO INC	Stockade Fence/Golf Course	660.00
TERRY GRIBBEN'S TRANSCRIPTION	PD- OPR TRANSCRIPTIONS	80.00
TF MEDIA GROUP, INC.	CTCG ADVERTISING	400.00
THATCHER, LINDA	PYMT-BIDDY SOCCER SUPERVISION	168.00
THE MANOR @ WAYSIDE	2012 MUNICIPAL REIMBURSEMENTS	478.80
THE NEW COASTER LLC	AUG/SEP 2012 LEGAL ADVERTISING	306.90
TONK'S WASTE OIL SERVICE LLC	Removal/Waste anti-freeze	175.00

## MEETING MINUTES

OCTOBER 17, 2012

TOWNE HARDWARE	Sept. misc maint supplies	901.79
TREASURER COUNTY OF MONMOUTH	September dumping fees	49,624.06
TRICO EQUIPMENT SERVICES LLC	Tink Claw/50 & 69 Loader	8,390.29
TRIDENT ABSTRACT CO	COUNTY SEARCH - BROOKSIDE AVE	380.00
TRUMP PLAZA	Rooms for Conference	1,330.00
TWIN BROOK APARTMENTS	2012 GARBAGE REIMBURSEMENT	19,536.00
TWP OF OCEAN RECREATION ACCT	2ND INSTALL SOCCER REFEREES	2,300.00
TWP OF OCEAN SEWERAGE AUTH	4th qtr 2012 sewer payment	3,627.65
UP TITE FASTENERS INC	Sept misc maint supplies	68.51
US 1 AUTO PARTS	September misc parts	1,137.59
US POSTAL SVS(NEOPOST ON CALL)	REPLENISH POSTAGE IN METER	5,000.00
VALENTINO, JOSEPH	Cell Phone Reimburs. June-Aug	75.00
VALLEYCREST GOLF COURSE MAINT C1200012	SEPT 2012 CTGC MAINTENANCE	46,394.66
VANTAGE CUSTOM CLASSICS INC	Staff Shirts - CTGC	758.90
VANTAGEPOINT TRANSFER AGENTS	October RHS Reimbursement	10,658.01
VERIZON	TELEPHONE SERVICE 9/12	390.13
VERIZON BUSINESS FIOS	Library FIOS #7325314664647	330.00
VERIZON WIRELESS	September Verizon Air Card	1,010.39
VISUAL COMPUTER SOLUTIONS INC	PD- SOFTWARE SUPPORT/UPGRADES	2,570.88
W B MASON CO INC	misc equipment	24.36
W W GRAINGER INC	September misc supplies	274.18
WANAMASSA GARDEN ASSOCIATES	2012 GARBAGE REIMBURSEMENT	1,465.20
WEST CUSTOMER SERVICE	Updated regulations 2012	802.00
WEST PARK MANOR APARTMENTS	2012 GARBAGE REIMBURSEMENT	7,636.80
WITTEK GOLF SUPPLY CO INC	Misc. Supplies for Golf Course	151.75
WPCS INT'L INC - LAKEWOOD	PD-4TH QRT CONSOLE	5,535.00
<b>Total</b>		<b>927,024.84</b>

**Non Budget Account Payments**

ANSELL, GRIMM & AARON, P.C.	STATE TAX APPEAL BL140 LOT107	13,068.30
DEAL GOLF & COUNTRY CLUB	STATE TAX APPEAL BL59&60 LOT1	7,822.14
EBS CO SUBSCRIPTION SERVICE	2013 WALL STREET JOURNAL SUBS	284.00
HUNTER, DEBORAH H.	Refund B120, L9 - Veteran	1,306.60
KLAUS, HOWARD C/O VINEGAR HILL	STATE TAX APPEAL BL 11 LOT 30	926.99
SOUDERS, HARMONY	REFUND PRIOR YEAR'S ALARM REG	25.00
TREASURER OF SCHOOL MONIES	OCT 2012 SCHOOL TAXES PAYABLE	4,554,646.40

**Total Non Budget Account Payments**

4,578,079.43

**Total 2012 Current Fund Appropriations Payments**

5,505,104.27

**General Capital Payments**

AMERICAN POOL MANAGEMENT C1200009	COMMUNITY POOL RESURFACING #2	13,090.60
BAR CODES, LLC	COLLECTIONS PROCESSING EQUIP.	1,128.64
CDW GOVERNMENT LLC	Xerox Worcenter 6505N	503.66
COFFMAN ELECTRICAL EQUIP CO	Multiquip LT-12D light tower	9,465.89
INTEGRATED AQUATICS C1100025	REPLASTERING OF MAIN POOL	1,500.00
JESCO INC	New John Deere 624K loader	204,370.00
MC LAUGHLIN STAUFFER & SHAKLEE	LEGAL SVCS RE:BOND ORD 2189&90	2,726.50
PREFERRED MECHANICAL, INC. C1200008	PAYMENT #7 - HVAC REPLACEMENT	21,050.57
SHI INTERNATIONAL CORP.	NetShelter SX 42U rack	1,103.00
<b>Total</b>		<b>254,938.86</b>

**Total General Capital Payments**

254,938.86

**Grants Payments**

ALL HANDS FIRE EQUIPMENT LLC	PD Safety Vests	458.86
ALLGOR, CAROLE	Gift Cards/Fall Fest Contest	300.99
DELTA DENTAL OF NJ INC	October Delta Dental Premium	171.57
GENERAL SERVICES ADMIN (GSA)	PD/DDEF- '09 FORD CROWN VIC	8,500.00
MAACO COLLISION REPAIR & AUTO	PD/DDEF- PAINT FORD CROWN VIC	1,000.00
NJ MOTOR VEHICLE SERVICES	PD/DDEF- TITLE & REGISTRATION	60.00
NJ STATE HEALTH BENEFITS FUND	October Health Ins Premiums	7,098.00

**Total**

17,589.42

**Total Grants Payments**

17,589.42

**MEETING MINUTES****OCTOBER 17, 2012****Law Enforcement Trust Payments**

CABLEVISION	PD- INTERNET SERV- SEPT 2012	59.90
KAMCO BUILDING SUPPLY CORP	PD/LETF- BOOKING ROOM PROJECT	1,947.19
KIELY EQUIPMENT CO, LLC	PD/LETF-VARIABLE MESSAGE BOARD	11,800.00
<b><u>Total</u></b>		<b>13,807.09</b>
<b><u>Total Law Enforcement Trust Payments</u></b>		<b><u>13,807.09</u></b>

**TORTA Payments**

G & M TROPHY INC	Soccer Trophies	2,356.20
NASCO	Supplies for Painting Class	475.52
TWP OF OCEAN PAYROLL ACCOUNT	Torta Programs	3,255.49
<b><u>Total</u></b>		<b>6,087.21</b>
<b><u>Total TORTA Payments</u></b>		<b><u>6,087.21</u></b>

**Trust Other Payments**

BROWN, SANFORD ESQ	PB Reviews	2,506.00
CELLI, MICHAEL G JR ESQUIRE	PUBLIC DEFENDER SEPT 2012	250.00
DIMENSIONAL MANAGEMENT CORP	Return Escrow	500.00
ELLIOT LOEB	REDEMPTION BL 25.26 LOT 4	10,883.00
ENTERPRISE RENT-A-CAR	MAINTENANCE GUARANTEE RELEASE	12,132.78
FITZGERALD, WILLIAM	PB Reviews	10,462.50
FNA JERSEY LIEN SERVICES LLC	REDEMPTION BL 138 LOT 50	1,798.74
HANNA, JOHN	Township Share Scibal Ck#49779	4,860.00
JAMES HIGGINS ASSOCIATES	PB & BOA Reviews	6,562.50
JASON A VOLET LLC	PUBLIC DEFENDER 2011/2012	750.00
LEON S AVAKIAN INC	THRU DEC-11 NOBILITY CREST P1	17,521.25
MASER CONSULTING, P.A.	ENGINEERING SVC THRU 9/11/2012	805.00
MON CTY PROSECUTOR'S OFFICE	RETURN OF EVIDENCE	1.94
OCEAN 35 DEVELOPERS LLC	PERFORMANCE GUARANTEE	636.08
REDMOND, KEVIN II	Township Share Scibal Ck#49999	4,860.00
STEINBERG, MARK A ESQ	BOA Reviews 1800 Acquisition	1,400.00
TWP OF OCEAN CURRENT FUND	Special Duty-Admin & Car Fees	3,617.50
TWP OF OCEAN PAYROLL ACCOUNT	Special Duty Payroll Details	16,384.08
US BANK CUST/PRO CAPITAL I LLC	Redemption Block 16 Lot 8	8,491.70
<b><u>Total</u></b>		<b>104,423.07</b>
<b><u>Total Trust Other Payments</u></b>		<b><u>104,423.07</u></b>

**Animal Control Trust Payments**

NJ STATE DEPT OF HEALTH	DOG LICENSE REPORT - AUGUST	29.40
<b><u>Total</u></b>		<b>29.40</b>
<b><u>Total Animal Control Trust Payments</u></b>		<b><u>29.40</u></b>

**Total Bill List for October 17, 2012**

Appropriation Reserve Total	4,317.00
Current Fund Total	5,505,104.27
General Capital Fund Total	254,938.86
State & Federal Grant Total	17,589.42
Law Enforcement Trust Total	13,807.09
TORTA Total	6,087.21
Trust Other Total	104,423.07
Animal Control Total	29.40
Bid Deposit Refund	
State Unemployment Trust	
Trust Assessment Fund	
<b>Total of All Funds</b>	<b>5,906,296.32</b>

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

\* Yes, except for those in which a conflict exists:

Sanford Brown, Esq.  
James Higgins Associates  
Kepwell Spring Water Co.

\*\* Yes, except for those in which a conflict exists:

Big Top Tent Rentals  
Lynn Magner  
Mr. John, Inc.  
Party Perfect Rentals  
Carole Allgor

#### RESOLUTIONS:

**12-165 Authorize a contract with Global EcoSystem Center to perform a tree canopy study at a cost not to exceed \$9,998.00 which will be funded by a Sustainable Jersey Municipal Certification Grant**

**WHEREAS**, the Township of Ocean wishes to perform a tree canopy study encompassing the entire Township; and

**WHEREAS**, the Township's Shade Tree Commission has received a Sustainable Jersey Municipal Certification Program Grant to cover the cost of said study; and

**WHEREAS**, the Shade Tree Commission solicited proposals for said study and received one (1) response from Global EcoSystem Center to perform the tree canopy study at a cost not to exceed \$9,998.00; and

**WHEREAS**, the Director of Finance has certified that funds are available in the Township of Ocean Municipal Budget, account # G-02-41-893-301;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean that authorization is hereby given to award a contract to Global EcoSystem Center to perform a tree canopy study at a cost not to exceed \$9,998.00; and

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

1. Shade Tree Commission
2. Director of Finance
3. Global EcoSystem 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	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**12-166 Authorize the purchase of firearms and accessories from Lanigan Associates, Shrewsbury, NJ at a cost not to exceed \$16,722.25 (State Contracts A81299 and A81329)**

**AUTHORIZE THE PURCHASE OF POLICE WEAPONS FROM LANIGAN ASSOCIATES UNDER THE STATE OF NEW JERSEY CONTRACT NUMBER #A81299 AND #A81329**

**WHEREAS**, in the past, the Township of Ocean, Monmouth County has availed itself of the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State of New Jersey pursuant to N.J.S.A. 40A:11-10; and

**WHEREAS**, it is desirable from time to time to obtain materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State of New Jersey without the necessity of advertising for bids, or in the cases where no bids have been received; and

**WHEREAS**, the Township of Ocean, Monmouth County desires to purchase weapons for the police department from Lanigan Associates, Shrewsbury, NJ under such contracts entered into on behalf of the State of New Jersey during the year 2012; and

**WHEREAS**, the Director of Finance has certified that there are available funds in the Capital Improvement Fund, account #C-04-55-936-913;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Township of Ocean, County of Monmouth, State of New Jersey, authorization is hereby given to purchase police rifles and accessories from Lanigan Associates Inc., Shrewsbury, NJ for a total of \$16,722.25 (State Contracts A81299 and A81329); and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution are to be filed with

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					

**12-167 Authorize the owner(s) of Block 140.02, Lot 10 and Block 140.01, Lot 1 to continue on the installment payment plan for special assessment confirmed on June 16, 2008**

**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**, Assessment Ordinances No. 2021 and No. 2028 were confirmed by the Township Council of the Township of Ocean on June 16, 2008; and

**WHEREAS**, the owner of Block 140.02, Lot 10 failed to make the required installment due on July 1, 2012 but did subsequently make said payment on October 10, 2012, bringing the account current; and

**WHEREAS**, the owner of Block 140.01, lot 1 submitted the required payment on July 6, 2012 and on October 5, 2012, bringing the account current; and

**WHEREAS**, both property owners have requested to remain on the installment payment plan;

**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 allow the owner(s) of Block 140.02, Lot 10 and Block 140.01, Lot 1 to remain on the installment payment plan for their respective special assessments; 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	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

**12-168 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 YEAR 2009, 2011 AND 2012 TAXES AND REFUNDING OR CREDITING THE TAX OVERPAYMENTS 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 2009, 2011 and 2012,

**WHEREAS**, proper procedures require that the tax assessments for the years 2009, 2011 and 2012 be adjusted and refunds or credits to unpaid taxes be made for taxes overpaid in those years that resulted from New Jersey Tax Court judgments reducing the property assessment reflected in the Tax Assessor's Field Book.

**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 years 2009, 2011 and 2012 tax assessments based on the State Tax Board Judgment and refund the tax overpayments for those years' taxes as listed below:

**MEETING MINUTES**

**OCTOBER 17, 2012**

Block/Lot	Property Owner	Property Address	2009	2011	2012	Total Refund
11 30	KLAUS, HOWARD %VINEGAR HILL HOLDING	2126 KINGS HWY	-	926.99	-	926.99
8 01 23 59 1	(1) HAKIM, JACK & GRACE	8 TULIP CT	-	-	1,082.00	1,082.00
60 1	DEAL GOLF & COUNTRY CLUB	830 MONMOUTH RD	-	3,566.36	-	3,566.36
140 107 Totals	ERBA COMPANY, INC.	850 MONMOUTH RD 733 HIGHWAY 35	13,068.30	-	1,082.00	13,068.30
			13,068.30	8,749.13	1,082.00	22,899.43

(1) - To be credited against unpaid taxes.

**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					

**12-169 Amend the contract with Mark S. Ruderman, Esq., and the firm Ruderman & Glickman, for the remainder of 2012.**

**WHEREAS**, the Township of Ocean engages the services of an attorney licensed in the State of New Jersey specializing in the field of labor law; and

**WHEREAS**, the Township Council of the Township of Ocean, County of Monmouth previously awarded a contract with Mark S. Ruderman, Esq., and the firm of Ruderman & Glickman, PC to provide legal services pertaining to labor law matters at an hourly rate of \$160.00, not to exceed \$60,000.00 for the period of January 1 through December 31, 2012; and

**WHEREAS**, there is a need to amend said contract with Mark S. Ruderman, Esq., and the Firm Ruderman & Glickman, PC with a not to exceed \$15,000.00 provision for the remainder of 2012, bringing the total 2012 contract to \$75,000.00; and

**WHEREAS**, the Director of Finance has certified that there are funds available for said amendment in the 2012 Legal Budget, Account # 2-01-20-712-218;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth that authorization is hereby given to amend the contract with the firm Mark S. Ruderman, Esq., and the Firm Ruderman & Glickman, PC with a not to exceed provision of \$15,000.00 for the remainder of 2012, with a total amount allotted to said firm of \$75,000.00 for the year 2012; and

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

1. Director of Finance
2. Mark S. Ruderman, Esq., and the Firm Ruderman and Glickman, PC

**BE IT FURTHER RESOLVED** that the previously submitted Business Disclosure Entity Certification and C.271 Political Contribution Disclosure Form remain on file with this resolution; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be advertised 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					

**12-170 Authorize the Tax Collector to place a lien on the following Township properties:**

**a. Block 196, Lot 1 – 2605 Logan Road - \$582.33**

**WHEREAS**, property located within the Township of Ocean, commonly known as Block 196, Lot 1 (2605 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 \$582.33; 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 \$582.33 on property known as Block 196, Lot 1 (2605 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					

**b. Block 140, Lot 60 – 1205 Turner Avenue - \$553.72**

**WHEREAS**, property located within the Township of Ocean, commonly known as Block 140, Lot 60 (1205 Turner 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 \$553.72; 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 \$553.72 on property known as Block 140, Lot 60 (1205 Turner 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					

**12-171 Authorize the emergency purchase of two (2) storm sewer pumps from Pilot Electric Company, Inc., Neptune, NJ at a cost not to exceed \$27,760.00**

**WHEREAS**, an emergency occurred in the Township of Ocean concerning two (2) of the Township’s storm sewer pumps; and

**WHEREAS**, two (2) of the Township’s storm sewer pumps are damaged and only one (1) is operational and will not be able to perform adequately should the Township experience a severe rainfall causing a very serious safety hazard to those residents in that area; and

**WHEREAS**, due to the emergent nature of the current situation, the Director of Public Works has solicited price quotes to purchase the two needed pumps without receiving formal bids and received the following responses: Pilot Electric Company, Inc., Neptune, NJ, Tri-State Pump, Inc., Farmingdale, NJ and Lockwood’s Electric Motor Service, Inc., Trenton, NJ; and

**WHEREAS**, the Township Manager and Director of Public Works have recommended that said purchase be made from Pilot Electric Company, Inc., Neptune, NJ at a cost not to exceed \$27,760.00; and

**WHEREAS**, the Director of Finance has certified that funds are available in the 2012 Public Works Budget, account # 2-01-26-765-274;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council in the Township of Ocean, County of Monmouth that authorization is hereby given to approve the emergency procurement of two (2) storm sewer pumps from Pilot Electric Company, Inc., Neptune, NJ at a cost not to exceed \$27,760.00; and

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

1. Director of Finance
2. Township Auditor
3. Director of Public Works
4. Pilot Electric Company, 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					

**12-172 Authorize a maintenance contract for the Police Department Live Scan Fingerprint Machine with MorphoTrak, Albany, NY for the period October 1, 2012 through September 30, 2013 at a cost not to exceed \$3,771.53**

**Authorizing Annual Maintenance Contract for Police Department Live Scan Fingerprint Machine**

**WHEREAS**, the Township of Ocean has the need to replace, repair or maintain equipment assigned to and utilized by various Township departments and agencies; and

**WHEREAS**, in accordance with NJSA 40A:11-5(2), the Township may negotiate or enter into contract with the United States of America, the State of New Jersey, any County or Municipality, or any board, body, officer, agency or authority thereof, or any other state or subdivision thereof, without public advertising for bids; and

**WHEREAS**, contracts with government entities are exempt from requirements of New Jersey Pay to Play legislation; and

**WHEREAS**, the General Services Administration, an agency of the United States Federal Government, has offered a GSA contract to MorphoTrak, Albany, NY, for hardware and software maintenance support for the MorphoTrak Live Scan fingerprint machine utilized by the police department at a cost not to exceed \$3,771.54 and

**WHEREAS**, no other companies are authorized to perform maintenance services; and

**WHEREAS**, the Director of Finance has certified that funds are available in the Police Department Budget, account #2-01-25-745-247;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, Monmouth County that authorization is hereby given to purchase a maintenance and support contract for the Police Departments fingerprint machine under the U.S. Government General Service Administration, contract # GS-35F-0523U, from MorphoTrak, Albany, NY for the one (1) year during October 1, 2012-September 30, 2013 at a cost not to exceed \$3,771.53; and

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

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

Record of Vote	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					

**12-173 Authorize the purchase of a 2013 Dodge Caravan SE for the Department of Human Services from Hertrich Fleet services, Inc. (State Contract #A78758) at a cost not to exceed \$20,667.00**

**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 Hertrich Fleet Services, Inc., Milford, DE under State Contract A78758,

**WHEREAS**, the Director of Finance has certified that there are sufficient funds available in the Capital Improvement Fund – account # C-04-55-936-917;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Ocean, Monmouth County that is does hereby approve the purchase of a 2013 Dodge Caravan SE from Hertrich Fleet Services, Inc. in an amount not to exceed \$20,667.00 for use by the Department of Human Services; and

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

1. Director of Finance
2. Director of Human Services
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					

12-174 Authorize the Tax Collector to issue refund check(s) to the owner of the following properties, who have been declared a 100% disabled veteran:

a. Block 80, Lot 1                   \$4,132.92

**AUTHORIZING CANCELLATION AND REFUND  
OF REAL ESTATE TAXES PAID FOR TOTALLY DISABLED VETERANS**

**WHEREAS**, the following individual filed an application with the Assessor for a Total Disabled Veteran and was given approval effective January 1, 2012:

Owner Name	Block	Lot	Qual.	Address
Vallone, Donato	80	1		800 Bendermere Ave

**WHEREAS**, the 2012 taxes assessed at \$5,537.40 should be canceled and payments made on canceled taxes be refunded:

Owner Name	1 <sup>st</sup> Quarter 2012	2 <sup>nd</sup> Quarter 2012	3 <sup>rd</sup> Quarter 2012	4 <sup>th</sup> Quarter 2012	Total Refund
Vallone, Donato	\$1,364.22	\$1,364.21	\$1,404.49	0	\$4,132.92

**WHEREAS**, taxes for 2012 levied on this property are \$5,537.40, of which Mr. Vallone paid \$4,132.92 and is now entitled to a refund and the 2012 taxes paid and taxes assessed at \$5,537.40 should be canceled.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Ocean, County of Monmouth, that the Tax Collector is hereby authorized to cancel the Real Estate Taxes for the 2012 tax year and refund the 2012 taxes already paid by the individual listed above.

**BE IT FURTHER RESLOVED** that a copy of the within resolution be forwarded to the following:

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

Record of Vote	Deputy Mayor 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 150.01, Lot 35   \$4,029.78

**AUTHORIZING CANCELLATION AND REFUND  
OF REAL ESTATE TAXES PAID FOR TOTALLY DISABLED VETERANS**

**WHEREAS**, the following individual filed an application with the Assessor for a Total Disabled Veteran and was given approval effective September 17, 2011:

Owner Name	Block	Lot	Qual.	Address
Facendola, Jr., Joseph	150.01	35		92 Cedar Village Blvd

**WHEREAS**, the total 2011 taxes were assessed at \$4,119.20, of which \$1,184.98 should be canceled and payments made on canceled taxes be refunded; and

Owner Name	1 <sup>st</sup> Quarter 2011	2 <sup>nd</sup> Quarter 2011	3 <sup>rd</sup> Quarter 2011	4 <sup>th</sup> Quarter 2011	Total Refund
Facendola, Jr., Joseph				\$1,184.98	\$1,184.98

**WHEREAS**, the 2012 taxes assessed at \$3,630.00 should be canceled and payments made on canceled taxes be refunded:

Owner Name	1 <sup>st</sup> Quarter 2012	2 <sup>nd</sup> Quarter 2012	3 <sup>rd</sup> Quarter 2012	4 <sup>th</sup> Quarter 2012	Total Refund
Facendola, Jr., Joseph	\$1,029.80	\$1,029.80	\$785.20	0	\$2,844.80

**WHEREAS**, taxes for 2011 and 2012 levied on this property are \$4,814.98, of which Mr. Facendola paid \$4,029.78 and is now entitled to a refund of the 2011 taxes in the amount of \$1,184.98 and a refund of the 2012 taxes in the amount of \$2,844.80 and taxes assessed at \$4,814.98 should be canceled.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Ocean, County of Monmouth, that the Tax Collector is hereby authorized to cancel the Real Estate Taxes for the 2011 and 2012 tax year and refund the applicable 2011 and 2012 taxes already paid by the individual listed above.

**BE IT FURTHER RESLOVED** that a copy of the within resolution be forwarded to the following:

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

Record of Vote	Deputy Mayor 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					

**12-175 Authorize a contract with Granicus to assist with meeting automation process at a cost not to exceed \$15,450.00**

**WHEREAS**, the Township of Ocean wishes to automate the meeting agenda preparation process in order to facilitate and expedite the submission and inclusion of various items on the meeting agenda; and

**WHEREAS**, the Township of Ocean has solicited a proposal from Granicus, a leader in the field of meeting automation, and Granicus has furnished the Township a proposal to

include both the Open Platform Suite and Legislative Management Suite, which will include all software, hardware, training, implementation and support; and

**WHEREAS**, this purchase is being done in conformance with the provisions of N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Township Manager and Municipal Clerk have recommended that a contract be executed with Granicus to purchase said meeting automation suites at a cost not to exceed \$15,450.00; and

**WHEREAS**, the Director of Finance has certified that funds are available for said purchase in the Capital Improvement Fund, account #C-04-55-936-907;

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Township of Ocean, County of Monmouth that authorization is hereby given to enter into a contract with Granicus to furnish meeting automation software/hardware as per their proposal at a cost not to exceed \$15,450.00; and

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

1. Stephanie DelSignore, Granicus Client Representative
2. Director of Finance
3. Director of MIS

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 #2190 – Bond Ordinance providing for various appropriating \$7,400,000 (Coaster) therefore, authorizing the issuance of \$7,400,000 bonds and notes to finance a portion of the costs thereof, authorized in and by the Township of Ocean, County of Monmouth**

The following vote was taken to open the Public Hearing on Ordinance #2190:

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					

Seeing that there were no additional comments on Ordinance #2190, 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 #2190 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 #2191 - An Ordinance to amend Chapter XII of the “Revised General Ordinances of the Township of Ocean, 1965” designation certain Stop Intersections (Coaster)**

The following vote was taken to open the Public Hearing on Ordinance #2191:

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					

Seeing that there were no additional comments on Ordinance #2191, 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 #2191 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 #2192 - An Ordinance providing for the Right-of-Way Vacation associated with Dorset Road in the Township of Ocean, County of Monmouth, State of New Jersey**  
(Coaster)

The following vote was taken to open the Public Hearing on Ordinance #2192:

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					

Seeing that there were no additional comments on Ordinance #2192, 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 #2192 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					

**Council Reports:**

**Deputy Mayor Siciliano** mentioned that the rates are very reasonable at Colonial Terrace Golf Course and the course is in great shape.

The following Councilmember(s) offered no report:

Councilmember Evans, Garofalo & Schepiga  
 Martin Arbus, Esq., Township Attorney  
 Andrew Brannen, Township Manager

**PUBLIC COMMENTS:**

**Susan Borea** thanked the Governing Body for FallFest and for Family Fun Day. Both were very enjoyable and she appreciated the efforts of all those who made them possible.

Don Geiger inquired about the status of the Budget Inn repairs and when can we expect that it will be open for business.

Andrew Brannen, Township Manager stated that based on his discussions with the owner, the repairs are close to completion and it should be open for business soon.

**Barbara Hudson** inquired about the following:

- Wants the Township to consider having a Township-wide Garage Sale, as other towns are doing.
- Can the money the Township received from the cell tower at Joe Palaia Park be utilized for repairs to the building.

Mr. Brannen stated that it certainly could be utilized for that purpose.

- Expressed a need for more trash receptacles at Palaia Park

**F.K. Hudson** commended the Police Department for their efforts in helping an elderly neighbor.

Mr. Hudson also inquired about the status of COAH

Mr. Arbus stated that there is a Supreme Court Hearing and towns that have already provided for low/moderate income housing feel that they should not have to be subject to COAH.

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