

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

**JANUARY 23, 2013**

**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  
Councilmember(s) Evans, Garofalo and Schepiga

**Absent:** Deputy Mayor Siciliano

**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 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 12, 2012.

**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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**PROCLAMATIONS:**

Wanamassa First Aid Squad Members:

Shannon Donnelly  
Reiss Pflieger

Mayor Larkin presented Ms. Donnelly and Mr. Pflieger with Proclamations commemorating their heroic efforts by performing CPR on a Township man.

Councilmember Evans spoke of the dedicated service that both exemplify and mentioned how lucky the Township is to have such dedicated EMT's.

**Mayor's Statement: Public Portion of any Questions as to Resolutions**

The purpose of this public portion is solely to ask questions to understand Resolutions and Vouchers that appear on this agenda. 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 Questions on Resolutions and Vouchers:**

**Sally Madden** inquired about the sewer billing.

**Brian Lefferson** feels that Dennis Galvin (Resolution #13-015) does a great job as a member of TOSA.

Mr. Lefferson inquired if Mayor Larkin has any conflict voting on Mr. Galvin's appointment.

Mayor Larkin stated that he will recuse himself from voting on that resolution.

**CONSENT AGENDA:****MINUTES:**

December 11, 2012 – Workshop, Public and Closed Meeting  
 December 27, 2012 – Special Public and Closed Meeting

**RESOLUTIONS:****13-015 Authorize the appointment of Dennis Galvin to the Township of Ocean Sewerage Authority**

**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:

**TOWNSHIP OF OCEAN  
SEWERAGE AUTHORITY**

	<i>Member</i>	<i>Starting</i>	<i>Ending</i>
5 year term	Dennis Galvin	February 1, 2013	January 31, 2018

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

1. Board/Committee or Department
2. Administrative Secretary
3. Public Agency Compliance Officer

**13-016 Authorize the Release of Performance Guarantee(s) for the following:****a. Block 17, Lots 36, 37.01, & 39 – 304 Garfield Avenue – Elliot Elo**

**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**, Elliot Elo has heretofore deposited with the Township of Ocean a cash performance guarantee in the amount of \$4,590.00 to guarantee the completion of all improvements on premises known as Block 17, Lots 36, 37.01 & 39 also known as 304 Garfield Avenue; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated January 9, 2013, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially completed and said representative of the Township Engineer recommends the acceptance of same and the release of the aforementioned cash performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% (\$2,295.00) 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 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 \$4,590.00 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% (\$2,295.00) 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. Elliot Elo

**b. Block 22, Lot 43 – 259 Overbrook Avenue – 259 Overbrook Group, 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 October 17, 2012 with 259 Overbrook Group, LLC for Minor Site Plan Approval to amend a previously approved use variance to allow the site to be used for an office/warehouse on property described as Block 22, Lot 43 located at 259 Overbrook Avenue; and

**WHEREAS**, 259 Overbrook Group, LLC has heretofore deposited with the Township of Ocean performance guarantees totaling \$16,920.00 in the form of Cash to guarantee the completion of all improvements on premises known as Block 22, Lot 43 located at 259 Overbrook Avenue; and

**WHEREAS**, the Township Clerk is in receipt of a letter from Peter S. Falvo, Jr., Esq., on behalf of 259 Overbrook Group, LLC 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 January 9, 2013 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 foresaid memorandum of Gregory S. Blash and the performance guarantees in the amount of \$16,920.00 are hereby released, canceled and discharged subject to the following:

1. Receipt of a maintenance bond in the sum of \$2,115.00, 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. 259 Overbrook Group, LLC
6. Peter S. Falvo, Jr., Esq.

**13-017 Authorize a Developer's Agreement for the following:****a. Block 37.16, Lots 33, 33.01, 34, 35, 36, 46 & 47 – Deal & Bowne Roads – Martelli at Wayside, LLC**

**WHEREAS**, Martelli at Wayside, LLC (hereinafter "Developer") is the owner of certain property known as Block 37.16, Lots 33, 33.01, 34, 35, 36, 46 and 47 as shown on the official tax map of the Township of Ocean, which property is located at Bowne and Deal Roads. The site is split zoned between the R-2HD (High Density Single-Family Residential Overlay) Zone and R-1 (Low Density Single-Family Residential) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

**WHEREAS**, the Developer was granted Amended Subdivision Approval with variance from the Township of Ocean Planning Board by way of Resolution dated July 23, 2012 to construct a model home on existing Lot 36, the construction of a 32 square foot temporary sales sign and removal of prior restrictions which were conditions of a prior subdivision of Lot 33.01, including a deed restriction requiring a 50' buffer on the rear of that lot and prohibition on the construction of additional houses on that lot; and

**WHEREAS**, this Agreement relates to a Site Plan Map of the property entitled 639 Bowne Road, Building Permit Plot Plan for Block 37.16, Lot 36, Tax Map No. 71, Ocean Township, Monmouth County, New Jersey by A.J. Garito, Jr. of Two river Engineering consisting of three (3) sheets dated May 23, 2012 and last updated July 24, 2012; and

**WHEREAS**, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated November 16, 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 Martelli at Wayside, 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 \$29,280.00 and Inspection Fees in the amount of \$2,220.00

**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 Finance
3. Director of Community Development
4. Construction Official
5. Craig M. Gianetti, Esq.
6. Martelli at Wayside, LLC

**b. Block 9, Lots 2.01, 4.01, 6.01, & 7.01 – Larchwood Avenue – Collier, Epstein & Ades Site**

**WHEREAS**, the Gizela G. Collier is the owner of property known as Block 9, Lots 2, 4, 5, 6, 7 & 8 as shown on the official tax map of the Township of Ocean, which property is located on Larchwood Avenue in the R-1 (Low Density Single Family Residential) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

**WHEREAS**, Gizela G. Collier has received Minor Subdivision Approval by the Township of Ocean Planning Board by way of Resolution dated April 23, 2012 to subdivide an existing

14.17 acre parcel into four (4) lots. Three (3) of the lots will be single family residence lots and one (1) lot will be a farm consisting of a residence, barn, paddocks and small shelters; and

**WHEREAS**, Gizela G. Collier, Eric S. and Esther Epstein and Abraham and Helen Heather Ades have entered into a Developer's Agreement dated September 27, 2012 for the site improvements to be installed on the property known as Block 9, Lots 2, 4, 5, 6, 7, & 8 located on Larchwood Avenue in accordance with the Minor Subdivision Approval by the Township of Ocean Planning Board dated April 23, 2012; and

**WHEREAS**, this Agreement relates to a Site Plan Map entitled Minor Subdivision for Gizela G. Collier, Block 9, Lots 2, 4, 5, 6, 7 & 8, Tax Map Sheet 10, Ocean Township, Monmouth County, New Jersey by Andrew R. Stockton, P.E., L.S. of Eastern Civil Engineering, LLC consisting of ten (10) sheets dated November 11, 2011 and last updated September 11, 2012; and

**WHEREAS**, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated September 5, 2012 prepared by 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 Gizela G. Collier, Eric S. and Esther Epstein and Abraham and Helen Heather Ades, 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 \$206,160.00 and Inspection Fees in the amount of \$10,090.00

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

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Philip E. San Filippo, Esq.
5. Gizela G. Collier
6. Eric S. and Esther Epstein
7. Abraham and Helen Heather Ades

**c. Block 141, Lots 1 & 23 – Office Building Phase – Seaview Acquisitions, LLC**

**WHEREAS**, the Township of Ocean, a municipal corporation (hereinafter "Township") entered into a Developer's Agreement (hereinafter "Agreement") with Starwood Heller Seaview, LLC (hereinafter "Starwood") dated August 28, 2002 to develop certain real property known as Block 141, Lots 1 and 23, commonly known as Seaview Square Mall, in the Township of Ocean, County of Monmouth, State of New Jersey; and

**WHEREAS**, the Agreement between the Township and Starwood acknowledged that Starwood had obtained all the requisite approvals to develop Block 141, Lots 1 and 23, for office space with an additional 23,543 square foot expansion at the former Acme/Thrift Drug building, with said existing building to consist of 63,930 square feet of office space from the Township of Ocean Planning Board by way of resolution dated June 25, 2001; and

**WHEREAS**, the Agreement also relates to a Site Plan of "Office Building Phase," entitled Seaview Center, Lots 1 and 23 – Office Building, in the Township of Ocean, Monmouth County, New Jersey prepared by Macdel Engineering, P.C., consisting of ten (10) sheets dated April 25, 2001 and Landscaping Plan consisting of three (3) sheets by Macdel

Engineering, P.C. entitled "Office Building Phase," dated April 25, 2001 and the Performance Guarantee Estimate prepared by the Township of Ocean Engineer, Schoor DePalma dated August 12, 2002; and

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

**WHEREAS**, Starwood was granted a reduction of performance guarantees by way of resolution dated January 12, 2005, conditioned upon the posting of a performance bond, certificate of insurance and estimated inspection fees; and

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

**WHEREAS**, Starwood, its successors or assigns, entered into a contract to transfer, sell or otherwise assign its interest in the property known as Block 141, Lots 1 and 23, Office Building Phase (hereinafter "Assigned Property") to Seaview Square, LLC; and

**WHEREAS**, the Township entered into an Assignment of Developer's Agreement with Seaview Square, LLC dated April 6, 2009; and

**WHEREAS**, based upon the Agreement, Seaview Square, LLC and its successors and assigns were obligated to undertake certain improvements, post certain guarantees and take such actions as more specifically set forth within the Agreement; and

**WHEREAS**, Seaview Square, LLC, its successors or assigns, has entered into a contract to transfer, sell or otherwise assign its interest in the Assigned Property to Seaview Acquisitions, LLC; and

**WHEREAS**, the Assigned Property requires the Township's written consent to any such assignment as evidenced by this instrument; and

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

**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, Seaview Acquisitions, LLC

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

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Seaview Square, LLC
6. Seaview Acquisitions, LLC
7. Peter S. Falvo, Jr., Esq.

### **13-018 Authorize the release of various 2012 Closed Session Minutes**

**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:

**2012**

December 11, 2012

December 27, 2012

**13-019 Authorize the receipt of the following bids:**

**Truck Mounted, Self-Contained, One-Man Operation Leaf Blower Vacuum Unit  
Pipeline Inspection Camera Unit**

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

1. One (1) Truck Mounted, Self-Contained, One-Man Operation Leaf Vacuum Unit (25 cubic yard)
2. Pipeline Inspection Camera Unit

**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



## MEETING MINUTES

JANUARY 23, 2013

AIR SYSTEMS MAINTENANCE INC	November Heating & Air	13,077.20
ALLIED HAND DRYER	BABY CHANGING STATIONS	516.00
ALLIED OIL LLC	December unleaded/diesel fuel	63,177.17
AMBASSADOR MEDICAL SERVICE INC	Random drug & alcohol test	324.00
AMERICAN WEAR INC	December rags for Shop use.	48.00
ARBUS, MAYBRUCH & GOODE LLC C1200016	DEC-12 TWP ATTY GENERAL LEGAL	3,434.00
ARMSTRONG TREE SERVICE LLC	1409 Maple/Sandy-Tree damage	6,600.00
ATLANTIC PLUMBING SUPPLY CORP	November misc plumbing supply	113.75
BENDINER & SCHLESINGER INC	OralSpecimen Collection Device	1,000.00
BERGEY'S INC	December misc parts for trucks	1,432.56
BROWN, SANFORD ESQ	PB General	42.00
BULLET LOCK & SAFE CO INC	December misc keys etc.,	51.74
CABLEVISION	PD- INTERNET SERV- DEC 2012	103.81
CASTELLANO, NICHOLAS J.	PD- REIMBURSE DAMAGED SHIRT	12.50
CHOICE SIGNS	Revised Fee Sign - CTGC	150.00
CLEARVIEW SPRING WATER	December bottled water	84.00
CNA SERVICES	PD- FIRST AID SUPPLIES	300.60
COOPER ELECTRIC SUPPLY CO	November misc electric supply	755.26
COUNTRY CLEAN INC	Snack bar equip & supplies	891.21
DELTA DENTAL OF NJ INC	Delta Dental Premiums-January	9,948.63
DIAMOND BACK PRODUCTS	Valve Assy/Truck #4	639.15
EAST COAST EMERGENCY LIGHTING	PD- NEW VEHICLE EQUIPMENT	1,068.60
EASTERN DATA SECURE SOLUTIONS	POOL SUPPLIES - ID system	582.45
EDWARDS TIRE CO INC	November recap & service Tires	1,317.45
ELIFEGUARD INC	IIFEGUARD UMBRELLAS	157.97
ERRION, STEPHEN A	Reinbursment for domain name	29.17
FEDEX	Invoice No. 2-085-41002	30.61
FOUR DIRECTIONS INC	Traffic signal repair	228.72
GAGLIANO & COMPANY C1200022	POPLAR VILLAGE MKT VALUE EST	4,750.00
GANNETT NJ NEWSPAPERS	DEC/JAN LEGAL ADVERTISING	60.00
GARIFINE, JACK	Supervise Girls Indoor Soccer	136.00
GILES & RANSOME INC	December misc loader parts	134.96
GRAYBAR ELECTRIC CO	Cat5e Ends	71.25
GROVE RADIATOR WAREHOUSE INC	New radiator truck #3	875.00
GSA FLEET MANAGEMENT	PD- GSA 4-VEHICLE PURCHASE	37,000.00
HESS CORPORATION	Electric sustainable energy	10,873.82
IAATO	37th Anniversary Advertisement	85.00
IDEAL LUMBER & SUPPLY CO	November misc lumber & support	94.00
JAMES HIGGINS ASSOCIATES	Review Sign Ordinance	125.00
JAMM PRINTING	Printing Supply Order	385.00
JERSEY CENTRAL POWER & LIGHT	November street lighting	38,818.47
JERSEY SHORE JR WRESTLING LEAG	Wrestling League Fees	2,680.00
JERSEY SHORE LANDSCAPING	Emergency tree removal	2,100.00
JIM CURLEY PONTIAC GMC TRUCK	December misc parts for Trucks	17.76
JOHN F TRAINOR INC	COURT REPORTING OCT-DEC 2012	2,466.75
KELLY WINTHROP, LLC.	Deer Carcass Removal	158.00
KEPWEL SPRING WATER CO	ESTIMATE WATER DHS DEC	71.20
L3 COM MOBILE-VISION INC	PD- SERVICE CALLS - DEC 2012	170.00
LANGUAGE LINE SERVICES	Oct Telephone Interpreting	69.70
LESCO - PROX	October misc supplies for Twp	365.16
LINE SYSTEMS, INC.	DEC-12/JAN-13 PHONE SVC CHARGE	308.85
MASSARO, SALVATORE	CELL PH REIMBURSMT JAN-DEC '12	300.00
MAZZA & SONS INC	December dump fees for Bulk	5,354.40
MGL PRINTING SOLUTIONS	Tax Envelopes	1,069.00
NEXTEL-SPRINT PO MANAGEMENT	AIR CARDS 10/27/12 - 11/26/12	49.99
NJ DIV OF PENSION & BENEFITS	DCRP Group Life Insurance/LTD	56.57
NJ LEAGUE OF MUNICIPALITIES	Registration- Budget Updates	205.00
NJ NATURAL GAS CO	November gas usage for Twp	5,395.82
NJAWC	December water usage	5,401.75
ORIENTAL TRADING CO INC	POOL SUPPLIES-rec supplies	136.95
OSHKOSH TRUCK PARTS	Motor Assy/Truck #97	402.68
PROFESSIONAL DIVERS INC	PD- DIVE EQUIPMENT MAINTENANCE	1,009.85
PUMPING SERVICES INC.	Rental pump/S.Lincoln Ave	4,335.25
QUALITY AUTO GLASS INC	Repair windshield on car #57	215.06
QUALITY STAR FREIGHTLINER	LEAF VAC #63 - ACCEL SENSOR	94.73
QUIKIE PRINT & COPY SHOPS	BUSINESS CARDS	37.00
R.R. DONNELLEY	Certified Copy Paper	500.00

## MEETING MINUTES

JANUARY 23, 2013

RED THE UNIFORM TAILOR	PD- DAMAGED UNIFORM/SCHOCH	166.00
RUDERMAN & GLICKMAN PC C1200001	DEC 2012 LABOR RELATIONS ATTY	6,030.00
S & S WORLDWIDE INC	Pool Supplies-crafts/rec	366.29
SANITATION EQUIPMENT CORP	December misc truck parts	3,317.89
SEA BREEZE FORD INC	December misc parts for Trucks	264.27
SEABOARD FIRE & SAFETY	December fire extinguishers	154.50
SEABOARD WELDING SUPPLY INC	December propane for patch	1,450.05
SEACOAST CHEVROLET OLDSMOBILE	December vehicle repairs	220.21
SEMCOR EQUIPMENT & MFG CORP	Rent/Aluminum brake/Roller Rd	180.00
SHI INTERNATIONAL CORP.	Symantec Backup Exec 2012 Agen	997.79
SIPERSTEIN'S PAINT	December misc paint & Brushes	89.08
SOCKLER REALTY SERVICES GROUP	TAX APPEAL SUPPORT - APPR SVCS	2,250.00
SPRINT PO MANAGEMENT	Service Nov 27 to Dec 26	789.33
STAVOLA ASPHALT CO INC	December 1st half patch	118.58
STEINBERG, MARK A ESQ	BOA Meeting 12/13/12	420.00
STORR TRACTOR CO	October misc parts for Toro	898.70
STROEBEL, KEVIN P.	PD- SLEO II UNIFORM REIMBURSE	376.30
SUDIA, ERIC	CELL PH REIMBURSMT JAN-DEC '12	180.00
SUPERIOR OFFICE SYSTEMS INC	SERVICE CALL - COPIER	180.00
THE NEW COASTER LLC	DEC/JAN LEGAL ADVERTISING	10.23
TOWNE HARDWARE	December misc maint supplies	36.39
TREAS STATE OF NEW JERSEY	COLONIAL TERR GC WATER USE REG	205.00
TREASURER COUNTY OF MONMOUTH	December dumping fees	43,200.40
TREE TRIMMING & REMOVAL INC	HURR SANDY DEBRIS-TUB GRINDER	191,020.05
TRICO EQUIPMENT SERVICES LLC	December misc parts for Twp	339.84
TRONOLONE, JOHN	SUPERVISE ADULT VOLLEYBALL	108.00
TWP OF OCEAN CURRENT FUND	POLICE CID PETTY CASH TRUE UP	316.90
UNITED STATES POSTAL SERVICE	POSTAGE FOR 2013 SEWER BILLING	4,000.00
US 1 AUTO PARTS	December misc parts for Twp	369.65
VERIZON WIRELESS	PD-AIRCARD SERV PLAN-DEC 2012	838.28
VERRUNI, JOSEPH C1200017	HEARING OFFICER SEPT-NOV 2012	1,235.00
W B MASON CO INC	OFF. SUPPLIES AS PER ATTACHED	7,255.61
WEATHERWORKS	Weather service contract	1,550.00
<b><u>Total</u></b>		<b>501,543.86</b>
<b><u>Non Budget Account Payments</u></b>		
TREASURER ST OF NJ	Marriage Licenses	1,250.00
<b><u>Total Non Budget Account Payments</u></b>		<b>1,250.00</b>
<b><u>Total Appropriation Reserves Payments</u></b>		<b>502,793.86</b>
<b><u>2013 Current Fund Appropriation Payments</u></b>		
ARBUS, MAYBRUCH & GOODE LLC C1300001	JAN 2013 TWP ATTORNEY RETAINER	2,686.66
DANNY AIKEN	Sr. Basketball Supervision	50.62
DEARBORN NATIONAL LIFE INS CO	Dearborn National Premium-Jan	553.70
DELTA DENTAL OF NJ INC	Delta Dental Premiums-January	94.08
FLAGSHIP DENTAL PLANS	Dental Flagship Premium - Jan	439.32
GANNETT NJ NEWSPAPERS	DEC/JAN LEGAL ADVERTISING	219.00
LEON S AVAKIAN INC	COPIES OF PLANS - 1910 HWY 35	108.50
LINE SYSTEMS, INC.	DEC-12/JAN-13 PHONE SVC CHARGE	3,140.14
MC EVOY, SALLY	Senior Basketball Supervision	222.00
MC MAHON, WILLIAM	Cell phone reimbursement	25.00
MID JERSEY MUN JOINT INS FUND	2013 ASSMT BILL - 1ST/2ND INST	489,884.50
NJ ST LEAGUE OF MUNICIPALITIES	Update Pensions & SHBP Seminar	55.00
NJ STATE HEALTH BENEFITS FUND	Health Insurance Premium-Jan	184,362.53
QSCEND TECHNOLOGIES INC	2013 MONTHLY WEBSITE/DATABASE	1,650.00
RUTGERS THE STATE UNIVERSITY	CMFO - FINANCIAL MGMT PROGRAM	998.00
THATCHER, LINDA	Girls Junior Basketball Super	81.00
THE ENGLISH MANOR	OCEAN TWP POST-HOLIDAY PARTY	2,513.60
THE NEW COASTER LLC	DEC/JAN LEGAL ADVERTISING	133.92
TWP OF OCEAN RECREATION ACCT	1ST INSTALLMENT BBALL OFFICIAL	9,000.00
VANTAGEPOINT TRANSFER AGENTS	RHS Reimbursement - January	9,681.11
WARAR, NEIL	Boys Jr.Basketball Supervision	176.25
<b><u>Total</u></b>		<b>706,074.93</b>
<b><u>Non Budget Account Payments</u></b>		
BURKE, THOMAS DET SGT	2013 POLICE CID PETTY CASH	500.00

## MEETING MINUTES

JANUARY 23, 2013

BUTTIGLIERI, VINCENT CMC	2013 T/CLERK PETTY CASH	400.00
L.U. ELECTRIC LLC	REFUND OF UCC PERMIT FEES	152.00
RESETAR, MICHAEL CAPTAIN	2013 POLICE ADMIN PETTY CASH	200.00
TAYLOR, RACHEL	REFUND FACILITY RENTAL FEE	130.00
TREASURER OF SCHOOL MONIES	JAN 2013 SCHOOL TAXES PAYABLE	4,554,646.40
<b><u>Total Non Budget Account Payments</u></b>		<b>4,556,028.40</b>
<b><u>Total 2013 Current Fund Appropriations Payments</u></b>		<b><u>5,262,103.33</u></b>
<b><u>General Capital Payments</u></b>		
ARBUS, MAYBRUCH & GOODE LLC	DEC-12 TWP ATTY WHALEPOND VILL	1,496.00
A-T SOLUTIONS	PD/CAP- CRASH DIAGRAM	4,674.00
BIRD-X, INC.	PD- BIRD-X PELLER- RADIO TOWER	328.18
GOVCONNECTION INC	HP Procurve 2620 Switch	820.08
HIMELMAN, WERTHEIM&GELLER,LLC	DEPOSIT # 2-WHALEPOND VILLAGE	350,000.00
HUNTER TECHNOLOGIES	Avaya IP Office Phone system	8,712.48
INDUSTRIAL MOTOR SUPPLY INC	New Plow/Hook up Truck #8, #11	31,320.00
LANIGAN ASSOCIATES INC	PD/CAP- RIFLE REPLACEMENT	17,497.25
MASER CONSULTING, P.A. C1300002	WHALEPOND ENG SVC THR 12/31/12	12,624.10
MECO, INC. C1200018	2012 ROADWAY IMPR PROG CERT #1	313,481.63
SHI INTERNATIONAL CORP.	ThinkPad Mini Dock Plus	207.00
VEHICLE TRACKING SOLUTIONS	Install GPS units/DPW vehicles	11,960.00
<b><u>Total</u></b>		<b>753,120.72</b>
<b><u>Total General Capital Payments</u></b>		<b><u>753,120.72</u></b>
<b><u>Grants Payments</u></b>		
DELTA DENTAL OF NJ INC	Delta Dental Premiums-January	171.57
DRAEGER SAFETY DIAGNOSTIC INC	PD/DDEF: SIMULATOR SOLUTION	395.00
NJ STATE HEALTH BENEFITS FUND	Health Insurance Premium-Jan	3,549.00
STROEBEL, KEVIN P.	PD/GRANT: BODY ARMOR REIMBURSE	639.65
W B MASON CO INC	OFF. SUPPLIES AS PER ATTACHED	203.39
<b><u>Total</u></b>		<b>4,958.61</b>
<b><u>Total Grants Payments</u></b>		<b><u>4,958.61</u></b>
<b><u>Law Enforcement Trust Payments</u></b>		
CABLEVISION	PD- INTERNET SERV- DEC 2012	59.90
<b><u>Total</u></b>		<b>59.90</b>
<b><u>Total Law Enforcement Trust Payments</u></b>		<b><u>59.90</u></b>
<b><u>TORTA Payments</u></b>		
AMATO, PATRICIA	PROGRAM REFUND	50.00
BSN SPORTS	DUMBELLS-Fitness Classes	433.04
CORNBLATT, JEANETTE	Program Refund	35.00
COVERT, JOHN	PROGRAM REFUND	50.00
DANNY AIKEN	Supervise Instructional Boys'	95.62
HUNTLEY, DENNIS	PROGRAM REIMBURSEMENT	50.00
KELLER, LISA	Program Cancelled - Refund	50.00
MAXWELL, TERRI	PROGRAM REFUND	50.00
MICHAEL ETTORE	PROGRAM CANCELLED - REFUND	50.00
NASCO	Art Supplies for Classes	353.82
RICH, BEVERLY	Program Refund	35.00
TUCHOLSKI, GEORGETTE	Program Cancelled - Refund	50.00
TWP OF OCEAN RECREATION ACCT	1ST INSTALLMENT BBALL OFFICIAL	1,800.00
<b><u>Total</u></b>		<b>3,102.48</b>
<b><u>Total TORTA Payments</u></b>		<b><u>3,102.48</u></b>
<b><u>Trust Other Payments</u></b>		
BROWN, SANFORD ESQ	PB Review	84.00
CELLI, MICHAEL G JR ESQUIRE	PUBLIC DEFENDER NOV/DEC 2012	500.00
CHARLES A. STANZIALE, TRUSTEE	PERFORMANCE GUARANTEE	9,374.14

ELLIOT LOEB	Redemption Block 33.32, Lot 12	4,284.53
GSA FLEET MANAGEMENT	PD- GSA VEHICLE PURCHASE (INS)	8,000.00
GUIDA, JOHN	Worker's Comp Scibal Ck#50522	1,435.20
HANNA, JOHN	Twp Share Scibl Ck#50437/50438	3,240.00
JAMES HIGGINS ASSOCIATES	Landscape Insp. 259 Overbrook	437.50
LEON S AVAKIAN INC	HOLLYWOOD GOLF CLUB OT 11-44	3,770.00
MASER CONSULTING, P.A.	ENGINEER SVCS - CEDAR VILL PH2	202.50
MIZRAHI, ELLIOT & MARLENE	Return Escrow Mizrahi	935.00
MONMOUTH CUSTOM BUILDERS	Return Escrow Monmouth Custom	265.00
NELSON, DEAN	Return Escrow 4N Investors	1,905.00
OCEAN PARTY, LLC	Return Escrow Ocean Party LLC	568.75
PETER S FALVO JR ESQUIRE	Return Escrow Macksey	2,250.23
REDMOND, KEVIN II	Work Comp Scibl Ck#50436/50521	3,240.00
ROSEHILL FUND 2, LLC	Redemption Bl 26.04, L 5	46,043.45
SANTIAGO, GUALBERTO	Work Comp Scibl Ck#50435/50520	2,423.08
TWP OF OCEAN CURRENT FUND	Special Duty Admin & Car Fees	2,157.50
TWP OF OCEAN PAYROLL ACCOUNT	Deferred Vacation	15,906.31
US BANK CUST FOR ATR FUND - NJ	Redemption Bl 5.03 L 15	1,073.14
US BANK CUST/PRO CAPITAL I LLC	Redemption Bl 140, L 31	12,013.88
VIRTUAL F/X	RPR '11 FORD CV S149038 7/9/12	100.00
WALDRON, LORRIE	Return Escrow Lwaldron LLC	48.75
<b><u>Total</u></b>		<b>120,257.96</b>
<b><u>Total Trust Other Payments</u></b>		<b><u>120,257.96</u></b>

**Total Bill List for January 23, 2013**

Appropriation Reserve Total	<b><u>502,793.86</u></b>
Current Fund Total	<b><u>5,262,103.33</u></b>
General Capital Fund Total	<b><u>753,120.72</u></b>
State & Federal Grant Total	<b><u>4,958.61</u></b>
Law Enforcement Trust Total	<b><u>59.90</u></b>
TORTA Total	<b><u>3,102.48</u></b>
Trust Other Total	<b><u>120,257.96</u></b>
Animal Control Total	
Bid Deposit Refund	
State Unemployment Trust	
Trust Assessment Fund	
<b>Total of All Funds</b>	<b><u>6,646,396.86</u></b>

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 for those in which a conflict exists:  
 Sanford Brown, Esq.  
 James Higgins Associates  
 Kepwel Spring Water Co.

**RESOLUTIONS:**

**13-021 Authorize the acquisition of mobile computer equipment for the Police Dispatch System at a cost not to exceed \$13,216.00**

**Authorizing the Acquisition of Mobile Computer Equipment for the Police Department’s Spillman Dispatch System**

**WHEREAS**, the Police Department entered into a shared service with the County of Monmouth for a Computer Aided Dispatch System so that they may respond more effectively and efficiently to calls for service and share data, and;

**WHEREAS**, the computer system provides for and requires mobile units to utilize a mobile CAD version and reporting modules for officers and certain equipment is required for use by the CAD system; and

**WHEREAS**, the Township solicited quotes for said equipment and received responses from the following:

Quality Communications, Lakewood, NJ	\$13,216.00
New England Communications Systems, Windsor, CT	\$13,970.00
PMC Wireless, Hazlet, NJ	\$16,225.74

**WHEREAS**, the Township manager and Chief of Police have recommended the purchase of said equipment from Quality Communications, Lakewood, NJ at a cost not to exceed \$13,216.00; and

**WHEREAS**, the Director of Finance has certified that there are sufficient funds available in Capital Equipment, Account # C-04-55-936-910;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, Monmouth County that it does hereby approve the Township Manager’s execution of a purchase order to Quality Communications, Lakewood, NJ for the purchase of Mobile Computer Equipment for the Police Department at a cost not to exceed \$13,216.00

**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
Opposed					
Not Voting/Recuse					
Absent/Excused	X				

**13-022 Consideration of the following proposals:**

**a. Wood Chip Removal**

**WHEREAS**, the Township Council of the Township of Ocean authorized the Receipt of Proposals on December 27, 2012 for the Removal of Wood Chips; and

**WHEREAS**, the Township Clerk did duly advertise on January 5, 2013 to receive proposal for said item; and

**WHEREAS**, in connection therewith the following four (4) responses were received by the Township of Ocean on January 16, 2013: Britton Industries, Lawrenceville, NJ, Jersey Mulch Products, Towaco, NJ, Cap Services, Inc., Belleville, NJ and Reliable Wood Products, LLC, Jersey City, NJ; and

**WHEREAS**, in connection therewith the Township of Ocean received the following proposal on January 16, 2013:

Britton Industries, Lawrenceville, NJ	\$10.39 per cubic yard
Jersey Mulch Products, Towaco, NJ	\$19.85 per cubic yard
Cap Services, Inc., Belleville, NJ	\$18.50 per cubic yard
Reliable Wood Products, LLC, Jersey City, NJ	\$7.92 per cubic yard

**WHEREAS**, it was determined that the lowest responsive responder meeting specifications was Reliable Wood Products, LLC, Jersey City, NJ; and

**WHEREAS**, the Township Manager and the Director of Public Works have recommended that a contract be awarded to Reliable Wood Products, LLC, Jersey City, NJ as per their proposal for the removal of wood chips (various locations) at a cost not to exceed \$500,000.00; and

**WHEREAS**, funds for said contract have been certified by the Director of Finance and are available in the Public Works Solid Waste Budget, account #3-01-32-837-343;

**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 Reliable Wood Products, LLC, Jersey City, NJ as per their proposal for the removal of wood chips (various locations) at a cost not to exceed \$500,000.00; 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 for this particular bid item.

**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.

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

1. Township Manager
2. Director of Finance
3. Director of Public Works
4. Reliable Wood Products, LLC

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				

**13-023 Authorize the purchase of mobile computer equipment for the Police E-Ticketing System at a cost not to exceed \$15,428.00**

**Authorizing the Acquisition of Mobile Computer Equipment for the Police Department's E-Ticketing System**

**WHEREAS**, the Police Department entered into a shared service with the County of Monmouth for a Computer Aided Dispatch System so that they may respond more effectively and efficiently to calls for service. share data and integrate with court ticketing system, and;

**WHEREAS**, the computer system provides for a module to enter date, and print summonses through mobile computers for officers and certain equipment is required for use by the electronic ticketing system; and

**WHEREAS**, the Township solicited quotes for said equipment and received responses from the following:

Quality Communications, Lakewood, NJ	\$15,428.00
New England Communications Systems, Windsor, CT	\$16,677.36
PMC Wireless, Hazlet, NJ	\$17,537.38

**WHEREAS**, the Township manager and Chief of Police have recommended the purchase of said equipment from Quality Communications, Lakewood, at a cost not to exceed \$15,428.00; and

**WHEREAS**, the Director of Finance has certified that there are sufficient funds available in Capital Equipment, Account # C-04-55-936-910

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, Monmouth County that is does hereby approve the Township Manager's execution of a purchase order to Quality Communications, Lakewood, NJ for the purchase of Mobile Computer Equipment for the Police Department at a cost not to exceed \$15,428.00; 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
Opposed					
Not Voting/Recuse					
Absent/Excused	X				

**13-024 Authorize Professional Services Contract(s) for the year January 1 through December 31, 2013 with the following:**

**a. James W. Higgins Associates – Planning Services**

**WHEREAS**, the Township of Ocean is in need of general consulting services for the year 2013 to assist in the preparation of zoning ordinances, to assist in the evaluation of zone change requests, to assist in analysis of landscape plans and provide other general assistance as may be required; and

**WHEREAS**, the Township Council of the Township of Ocean has elected to utilize the “non-fair and open” process in making this appointment pursuant to the provisions of N.J.S.A. 19:44A-20.8 for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Unit Pay-to-Play Law; and

**WHEREAS**, the Township Manager has determined that the value of these services is expected to exceed \$17,500.00 in the calendar year of 2013; and

**WHEREAS**, the anticipated term of this contract is for the one year period from January 1, 2013 to December 31, 2013; and

**WHEREAS**, James W. Higgins of James W. Higgins Associates has submitted a proposal for Planning Services at an hourly rate of \$125.00, as well as a fee of \$200 per meeting of the Township Planning Board and Zoning Board of Adjustment, not to exceed \$60,000.00; and

**WHEREAS**, the Township Manager has recommended that a contract be awarded to James W. Higgins of James W. Higgins Associates at a cost not to exceed \$60,000.00; and

**WHEREAS**, James W. Higgins of James W. Higgins Associates has completed and submitted a Business Entity Disclosure Certification and the C.271 Political Contribution Disclosure Form which certifies that James W. Higgins Associates has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous year, and that the contract will prohibit James W. Higgins of James W. Higgins Associates from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract; and

**WHEREAS**, the Director of Finance shall certify that funds for the purpose of the award of this contract will be provided for in the 2011 Township of Ocean Temporary and Final Budget under the following line item appropriations:

Planning Board – Planning – 3-01-21-720-263  
Board of Adjustment – Planning – 3-01-21-721-263  
Various Escrow Accounts

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and under the contract itself must be available for public inspection;

**NOW THEREFORE, BE IT FURTHER RESOLVED**, that the Township Council of the Township of Ocean authorized the Mayor and Municipal Clerk to enter into a contract with James W. Higgins of James W. Higgins Associates as described herein and with a not to exceed provision of \$60,000.00; and

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

**BE IT FURTHER RESOLVED**, that the Mayor and Municipal Clerk are hereby authorized to execute any and all documents associated with this contract; and

**BE IT FURTHER RESOLVED**, that this resolution shall be advertised according to law; and

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

1. Director of Finance
2. James W. Higgins Associates
3. Director of Community Development

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	
Opposed					
Not Voting/Recuse					X
Absent/Excused	X				

**b. Clarke Caton Hintz – COAH Planner**

**WHEREAS**, the Township of Ocean requires the services of a professional planner, licensed in the State of New Jersey, to provide planning services relating to its affordable housing obligations; and

**WHEREAS**, the Township of Ocean solicited a proposal from the firm of Clarke Caton Hintz, Trenton, NJ to provide said service to the Township at a cost not to exceed \$25,000.00; and

**WHEREAS**, the Township of Ocean Council has elected to make this appointment pursuant to the provisions of N.J.S.A. 19:44A-20.8 for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Unit Pay-to-Play Law; and

**WHEREAS**, the Township Manager has recommended that a contract be awarded to the Firm of Clarke Caton Hintz, Trenton, NJ at a cost not to exceed \$25,000.00 for the period January 1, 2013 to December 31, 2013; and

**WHEREAS**, the Director of Finance has certified that funds are available in the following line item appropriation: Legal, account #3-01-20-712-217; and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Township of Ocean, County of Monmouth that authorization is hereby given for the Mayor and Municipal Clerk to execute the Agreement with Clarke Caton Hintz to provide planning services to the Township of Ocean relating to its affordable housing obligations at a cost not to exceed \$25,000.00 for the period January 1, 2013 to December 31, 2013; and

**BE IT FURTHER RESOLVED**, that this resolution shall be advertised according to law; and

**BE IT FURTHER RESOLVED**, that the required Business Entity Disclosure Certification shall be filed with this Resolution and Contract; and

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

1. Clarke Caton Hintz
2. Township Auditor
3. Director of Finance

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				

**13-025 Authorize the purchase of a vehicle for the Police Department from the New Jersey State Agency for Surplus Property at a total cost not to exceed \$8,200.00**

**Authorizing Annual Contract for Purchase of Used Vehicles and Equipment**

**WHEREAS**, the Township of Ocean has the need to replace or supplement vehicles and other 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, through New Jersey State Agency for Surplus Property, will have available throughout the year, via its on-line auction site, used vehicles and equipment available for purchase, and it is a requirement of the program that payment be made within 14 days of commitment to purchase a vehicle and the Township's Chief Financial Officer has recommended that an annual contract be awarded to General Services Administration for anticipated purchases to enable the Township to take advantage of this means of purchase for its vehicles and equipment needs during 2013; and

**WHEREAS**, the Township wishes to purchase the following vehicles:

2009 Ford Crown Victoria, Vin# 2FAHP71V29X133977, at a cost not to exceed \$ 8,200.00

**WHEREAS**, the Director of Finance has certified that there are sufficient funds available for said purchase in the Police Department Budget – Purchase of Police Vehicles account # 3-01-30-810-355;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, Monmouth County hereby authorizes a contract with New Jersey State Agency for Surplus Property and U.S. Government General Service Administration, for purchase of used vehicles and equipment that may become available during the 2013 calendar year, in accordance with procedures established by the Purchasing Agent, and subject of availability of funds for each purchase.

**BE IT FURTHER RESOLVED** that the Finance Director is hereby authorized to take any necessary action to arrange for payment to be made at the time of delivery of the vehicles and equipment.

**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
Opposed					
Not Voting/Recuse					
Absent/Excused	X				

**13-026 Amend the appointment of the Township Prosecutor to include the Firm of Campbell, Foley, Delano & Adams, LLC**

**WHEREAS**, the Township Council of the Township of Ocean appointed Mario Delano, Esq. as the Township Prosecutor for the period July 1, 2012 through June 30, 2013

**WHEREAS**, Mr. Delano is a partner in the law firm of Campbell, Foley, Delano & Adams, LLC, Asbury Park, NJ and the Township Council further wishes to name said Firm of Campbell, Foley, Delano & Adams, LLC, Asbury Park, NJ to same position; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Ocean, County of Monmouth, State of New Jersey that authorization be and is hereby given to amend the appointment of Mario Delano, Esq. as the Township Prosecutor to include the Firm of Campbell, Foley, Delano & Adams, LLC, Asbury Park, NJ for the period ending June 30, 2013 at the salary established in the current salary ordinance; and

**BE IT FURTHER RESOLVED** that all other provisions of said appointment shall remain in full force and effect; and

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

1. Mario Delano, Esq. and the Firm of Campbell, Foley, Delano & Adams, LLC
2. Director of Finance
3. Public Agency Compliance Officer

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				

**ORDINANCES:**

**Introduction(s):**

**Ordinance #2196 – An Ordinance amending and supplementing Chapter 21 of the Comprehensive Land Development Ordinance of the Township of Ocean amending the sign requirements**

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

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

Section 21-44 shall be amended to read:

21-44 Sign Permit Required.

It shall be unlawful for any person to erect, replace or alter any advertising sign or structure as defined in this chapter without first obtaining a sign permit. After a sign permit has been obtained, the copy, wording, color or pictures may be changed without the necessity of obtaining a new permit or paying any additional fees, so long as the new copy, wording, color or pictures comply with the provisions of this section and any specific approvals by the Planning Board or the Board of Adjustment, but no change shall be made in the size or shape of a sign nor shall any structural alterations be made without first obtaining a new sign permit. Where a use is a permitted use in the C-4 Zone or a conditionally permitted use subject to the approval of the Planning Board and the requirements of this section conflict with those specifically listed in those sections of this ordinance, those specific requirements shall govern.

21-44.1 General.

- a. All principal buildings in all districts shall be clearly identified as to house number or street number by means of a small unobstructed sign clearly visible and legible from the main abutting street.
- b. Any signs not specifically permitted are hereby prohibited.
- c. Wall signs are not permitted. For the purposes of this section, a wall sign is a sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign.
- d. No signs except window or special event signs shall be placed on private property except for the purpose of identifying a use or uses actually conducted upon the premises upon which such signs are erected and for no other purpose.
- e. Sign Area Measurement. The area of a sign shall be computed as the total square foot content of the background upon which the lettering illustration or display is presented. If there is no background, the sign area shall be computed as the product of the largest horizontal width and the largest vertical height of lettering illustration or total display. This shall not be construed to include the supporting members of any sign which are used solely for such purpose. For signs with two sides the maximum area requirement shall be permitted on each side. Signs with more than two sides are prohibited.
- f. Sign Height Measurement. The largest vertical height of the background upon which the lettering illustration or display is presented. If there is no background, the height shall be the largest vertical height of the lettering, illustration or total display. If the letters, illustrations or displays are attached directly to the face of the building, the height of the sign shall be the height of the largest letter illustration or total display, whichever is greater. No sign of any type shall be permitted to obstruct driving vision, traffic signals and signs, or similar safety devices or other places of business.
- g. Illumination. All illuminated signs may be either internally or externally illuminated in accordance with the standards found in Subsection 21-46A.
- h. Projecting. No façade or building mounted sign as permitted shall extend or project at any point above or outside the limits of the roof, the highest elevation of the wall to which it is attached, or above the height of the principal building as defined in this chapter. No signs shall be permitted on accessory buildings.

- i. Line of Sight. No sign shall be located in such a manner as to materially impede the view of any street or intersection. Signs and sign structures of all types shall be set back or elevated sufficiently to allow a clear, unobstructed line of sight from points of ingress or egress for at least 1,000 feet along all abutting streets and highways.
- j. Nonresidential Uses. Nonresidential uses shall be permitted a maximum of two directional signs for each street frontage designated "entrance" or "enter" and "exit". Such directional signs shall be no larger than two square feet each; the top of the sign shall be no more than 30 inches from ground level; and the signs may be internally illuminated. No external illumination shall be permitted. No business names, logos or similar features may be displayed on the directional signs. Directional signs shall have no setback requirements.
- k. Construction; Maintenance. Signs must be constructed of durable materials, maintained in good condition and not allowed to become dilapidated.
- l. Stationary. All signs shall be stationary with no moving parts. Signs with a digital message which change more than once every 24 hours shall be considered as signs with moving parts and signs with a digital message that change no more than once every 24 hours shall not be considered to have moving parts. This timing restriction can be waived by the Township of Ocean Chief of Police when required for a public emergency.
- m. Residential. On a lot in a residential district, one sign shall be permitted not to exceed two square feet in area. If illuminated, the direct source of light shall be shielded in such a manner that it is not visible from the street or any adjoining residential property, unless a porch light or lamp post light. A church, school or other public or institutional building may have a monument sign of not more than 60 square feet. Up to 20 square feet of that monument sign may be used as a bulletin board sign. If not attached to the building, all such freestanding signs shall be at least 15 feet from all property lines.
- n. Removal. Removal of business signs shall be within 30 days of the closing of such business at the expense of the owner of said property. Real estate signs shall be removed within seven days after signing the contract of sale, or the signing of a sale transaction, or the execution of a lease. Signs announcing that the premises or portion thereof have been sold, rented or leased may remain for ten days after above transaction.

21-44.2 Subdivision Developments. Subdivision developments involving six or more residential lots may contain signs advertising the sale of the dwelling contained therein as approved by the Planning Board as follows:

- a. One non-illuminated sign no larger than 30 square feet is permitted at each entrance of the development. In addition, customary non-illuminated trade and professional signs no larger than four square feet are permitted on the lots being developed.
- b. All signs permitted under this section shall be removed by the owner within seven days after signing the contract of sale or signing of a sale transaction or the execution of a lease of the last house in the development.

21-44.3 Signs in the Commercial Zones (C-4RSSF, C-2, C-3, C-4, C-5), and Office and Industrial Zones (O-1/20, O-1/40, O-1/80, O-2, I-1). In the foregoing commercial, office, and industrial zones, no sign shall be permitted which is not accessory to the business conducted on the property. Such sign may only be erected providing that it is shown on an approved site plan and all of the requirements of this chapter are met:

- a. Each individual lot in any commercial, office, or industrial zone shall be permitted one free standing sign, provided:
  - 1. The height of the sign structure, including the supporting members, shall not exceed the height of the building plus 20 percent, but at no time shall the height exceed 25 feet.

2. The sign must be set back a minimum of 15 feet from the front street right-of-way line but outside of any required sight triangle easement area.
  3. The area of one side of the sign shall not exceed one square foot for each linear foot the business building sits back from the front street property line, provided that no sign shall exceed 100 square feet in area.
  4. Said sign must be placed within a curbed area of no less than 20 square feet. This area shall be landscaped.
  5. Where a sign is located on the frontage of a site on Route 35, it must be located on the "upstream" side of the entrance drive or drives in order to facilitate safe traffic flow. Signs fronting on southbound Route 35 shall be located north of the entrance drive or drives, and signs located on northbound Route 35 must be located on the south side of the entrance drive or drives.
  6. Corner lots shall be permitted to have one sign for each frontage, but each sign may be no larger than 75% of the maximum total area of a permitted single sign on the property.
- b. Except as noted in paragraph b.5. below, each business shall be permitted one facade sign for each street frontage of the business, provided that:
1. The total sign area for the sign or signs, unless located on a canopy or a projecting sign, permitted on the face of any wall shall not exceed ten percent of the area of the face of the wall upon which such sign or signs are attached. In no case may the area of a sign exceed 150 square feet.
  2. No sign, unless located on a canopy or a projecting sign, shall extend further than 15 inches from the face of the building upon which it is attached, provided that where a sign extends more than three inches from the face of said wall, the bottom of said sign shall not be closer than ten feet from the ground level below the sign.
  3. Projecting signs. Where signs project beyond a building façade or wall over a pedestrian way, the lowest part of the sign shall be at least eight (8) feet above the walkway and no higher than ten (10) feet above the walkway. Such a projecting sign would be allowed instead of a flat wall mounted sign. The total permitted area of the projecting sign may be up to six (6) square feet.
  4. In addition to wall signs, each tenant sign in a shopping center shall be allowed one (1) pedestrian oriented tenant identification sign in addition to an attached facade sign. The pedestrian oriented tenant identification sign must be perpendicular to the building façade. Such tenant sign shall be located at the front of the building and at a minimum height of eight (8) feet above the walkway and shall be placed only on or under a canopy or sidewalk cover and shall not exceed six (6) square feet in area.
  5. Signs located on canopies, whether such canopies are permanent or temporary, may extend more than 15" beyond the face of the building upon which the canopy is attached provided that the canopy does not extend more than 5' into the minimum required setback of the zone and shall not create a hinderance to either pedestrian or vehicular traffic. Such canopy sign shall not extend beyond the face of the canopy upon which it is attached. Awning signs may contain only the name of the business, logo and street number. Such messages shall be restricted to the drop leaf (fringe) of the awning and occupying an area no greater than forty (40%) percent of the total drop leaf-area. The drop-leaf of any awning used as an awning sign shall not exceed ten (10") inches in height. No portion of an ownning, other than the drop-leaf fringe may be used as a sign. More than one such awning sign is permitted.

6. Where multiple businesses within a building are serviced by one or more common entrances, such as in an enclosed mall or office building, only one facade sign shall be permitted per entrance.
  7. If there are more than one building on a site, the Planning Board, pursuant to site plan review and approval, may permit signs on more than one façade of a building, including those facades that lack a public entrance, if the applicant demonstrates and the Board finds that such additional signage promotes a community interest in facilitating the identification of a building as seen by the public. When the Board approves additional identification wall signs, not more than one identification wall sign may be displayed on any one (building) façade.
- c. In addition to the above regulations, all signs permitted in the residential zones are also permitted in the commercial, office and industrial zones.

21-44.4 Signs in the Transitional Office/Residential Zone (T-1). The following signs shall be permitted in the Transitional Office/Residential Zone, provided that:

- a. No sign shall be permitted which is not related to the use on the premises.
- b. One free-standing sign is permitted provided that:
  1. All such freestanding signs must be monument style signs. No sign structure shall exceed 5 feet in height.
  2. The area of said sign shall not exceed twenty square feet.
  3. Said sign shall be set back a minimum of 15 feet from the front street right-of-way and side property lines.
- c. One facade sign shall be permitted on each building per street frontage of the building provided that:
  1. The total sign area for the sign or signs permitted on the face of any wall shall not exceed five percent of the area of the face of the wall upon which such sign or signs are attached.
  2. No sign, unless located on a canopy, shall extend further than 15 inches from the face of the building upon which it is attached, provided that where a sign extends more than three inches from the face of said wall, the bottom of said sign shall not be closer than ten feet from the ground level below the sign.
  3. Signs located on canopies, whether such canopies are permanent or temporary, may extend more than 15" beyond the face of the building upon which the canopy is attached provided that the canopy is not in violation of the setback provisions of the ordinance. Such canopy sign shall not extend beyond the face of the canopy upon which it is attached.
  4. The maximum height of any single sign shall not exceed three feet, and the maximum width shall not exceed fifty percent of the width of the wall to which the sign is attached. In no case, may the area of a sign exceed 50 square feet.
- d. Signs shall not be illuminated between the hours of 10 PM and 6 AM.
- e. In addition to the above regulations, all signs permitted in the residential zones are also permitted in Transitional Office/Residential Zones.

## 21-44.5 Temporary Signs

- a. Any person or organization desiring to erect a temporary sign or signs as set forth hereinafter shall apply for a sign permit from the Township of Ocean for which there shall be a fee of fifteen dollars (\$15.00). No temporary signs of any type shall be erected in any State, County or Township right-of-way.
- b. Temporary Signs for special events may be erected by certain non-profit organizations subject to the following regulations:
  1. No sign shall be larger than 4' X 8'.
  2. All signs shall have a professional appearance. A draft of the sign shall be submitted to the Zoning Officer for approval to ensure a professional appearance.
  3. A no fee permit shall be obtained from the Zoning Officer.
  4. No more than three signs shall be displayed and they shall be limited to the following locations:
    - (a) South west corner of Deal Road and Roller Road
    - (b) North west corner of West Park Avenue and the municipal pool exit road
    - (c) East side of Monmouth Road, midway between Brown Place and Lake Avenue
    - (d) North side of Deal Road opposite Logan Road
    - (e) East side of Wickapecko Drive opposite Bimblar Boulevard.

Only one sign may be erected at any one time at any of the above locations unless specifically approved by the Township Manager or his designee. In addition to the option of erecting one sign at up to three of the above locations, sign requests for usage of the public message boards will be considered and signage will be permitted on property owned by the non-profit organization subject to the size and time limitations set forth herein.
  5. Eligible non-profit organizations must either be based in the Township of Ocean or be conducting an event at a Township of Ocean public facility.
  6. Sign requests cannot be made earlier than sixty (60) days prior to the scheduled start date of the event, will be considered on a first come/first serve basis, cannot be erected for longer than two weeks, and must be removed within 48 hours after the conclusion of the two week period.
- c. Temporary signs may be erected in any commercial, office or industrial zone (C-4RSSF, C-2, C-3, C-4, O-1/20, O-1/40, O-1/80, O-2, I-1) as follows:
  1. Temporary signs announcing "sales" of merchandise sold on the premises, are permitted for business establishments other than an automotive gasoline station or automotive service station, in addition to approved permanent signs. The total area of the sign or signs may not exceed ten percent of the front wall area of the establishment and the sign(s) must be removed within seven days after the "sale" is completed. No such sign shall remain in place for a period exceeding 30 days. Only four such "sales" shall be permitted in any calendar year.
  2. Temporary signs are permitted inside windows of commercial establishments not covering more than 25 percent of the total window area. Such temporary signs shall remain in place for a period of not greater than 21 days. Service organization posters shall be exempt from this provision. When temporary signs announcing "sales", as

permitted in paragraph "1." above, are located within a window, they shall be included in the calculation of the maximum 25% of total window area permitted under this paragraph.

3. Free standing signs for such purposes as special sale days. Such signs shall not exceed 16 square feet in total area and shall be erected for no longer than seven days. Said signs may only be erected upon the property of the business holding such sale and no more than one sign shall be permitted per event. No more than five permits may be granted per year per applicant. Said signs shall be set back five feet from front property lines and 15 feet from any side property line.
4. A temporary sign shall be permitted for grand openings in commercial zones together with flags and banners for no more than 30 days. No more than one sign per street frontage shall be allowed which shall not exceed 16 square feet. Said signs shall be set back five feet from front property lines and 15 feet from any side property line.
5. Lighter than air balloon and inflatable signs shall be permitted in all commercial zones. Said signs shall be anchored in accordance with the Building Code at a location approved by the Township. They shall be permitted for special sales, grand openings and special events. They shall be permitted for no more than five times a year per property, but never more than once a year for each business on any site. Such signs may not be erected for more than seven days. They must be flown higher than any structure on the property or adjacent property and there must be a person in attendance at all times that the balloon is flown. They may not have a surface area of more than 750 square feet and they must not be illuminated, nor filled with a flammable gas and no flags or streamers may be attached to same. A certificate of insurance must be provided naming the Township of Ocean as an additional insured in the minimum amounts of three hundred thousand/five hundred thousand (\$300,000/\$500,000) dollars. Heavier than air balloons shall comply with the requirements of lighter than air balloons except that: no certificate of insurance need be provided; they shall be ground mounted; and the surface area shall not exceed 100 square feet.
6. Banners which are primarily decorative in nature and not designed to convey a sales message are permitted on light poles within an off-street parking lot during the holiday sales season between November 15 and January 15. Such banners shall be hung vertically pendant from the light poles and shall not be fashioned to create horizontal spans across the parking lot. A decorative banner shall not exceed 30 square feet in area nor exceed three feet in width. Not more than two such banners shall be hung from any one pole.
7. Sidewalk signs may be erected in front of each business having its own separate entrance onto a sidewalk at street level. Such signs may be placed upon the sidewalk in front of the place of business and solely during the hours said business is in operation, one sign meeting all of the following restrictions:
  - (a) The sign shall have a maximum width of 30 inches, maximum height of 42 inches and maximum depth of 20 inches;
  - (b) The sign shall be located no closer than ten (10) feet to the side lease area or property line or building wall of a business (whichever is less), however, in the case of a business or building having a front wall of less than twenty (20) feet, the sign shall be located as near to the center of the structure as practicable. The sign shall be further located within four (4) feet of either the outside edge of the sidewalk or the front of the building, provided further, however, that a sixty (60) inch wide unobstructed path shall be maintained at all times on the sidewalk;
  - (c) The sign shall be constructed of weather resistant materials (no paper, fiberboard, foamcore board, corrugated paper or unfinished wood materials shall be permitted), and shall be constructed and/or weighted so as to be impervious to the effects of strong winds as approved by the Zoning Officer or his designee. The sign shall be maintained at all times in good repair and shall not be permitted to weather, fade, peel, crack or otherwise deteriorate;
  - (d) The sign is subject to the issuance of an annual permit which may be renewed.

- (e) The Fire Marshal and/or Chief of Police shall have the right to prohibit or further restrict the location of any sidewalk sign which, in their sole discretion, they deem by virtue of the sign's construction or location, to constitute a safety hazard to the public.
8. Each shopping center shall be permitted to display one temporary freestanding or "A" frame (sandwich board) sign under the control of the property owner. The applicant desiring to display such a sign shall obtain an annual temporary sign permit from the Zoning Officer. The Zoning Officer shall issue a permit number and an expiration date for the sign which the applicant shall clearly display on the sign face; thereafter, the applicant shall notify the Zoning Officer of the proposed location and duration of display of the temporary sign. The permit may be renewed annually upon review by the Zoning Officer. Not more than one annual permit shall be issued to a site. The maximum area of the sign shall not exceed 20 square feet. In addition, the sign must be located a minimum of 10' from any property line and must be located on a sidewalk or within a curbed landscaped area. If the sign is located on a sidewalk, a sixty (60) inch wide unobstructed path shall be maintained at all times on the sidewalk.

#### 21-44.6 Prohibited Signs.

- a. No sign of any type, temporary or permanent, shall be erected which is of a form, character, or shape, so as to confuse or dangerously detract the attention of the operator of a motor vehicle. A mannequin, costumed individual, sign walker or animated device located at roadside for the purpose of attracting attention shall be considered such a sign and is expressly prohibited.
- b. Signs placed on trees, utility poles, light poles, signs attached to other signs and signs placed upon motor vehicles which are continuously or repeatedly parked in a conspicuous location to serve as a sign shall be prohibited.
- c. Any series of two or more signs placed along a street or highway carrying an advertising message, part of which is contained on each sign shall be prohibited.

#### 21-44.7 Exempt Signs. The following signs shall be permitted only in accordance with the following standards and shall not require a permit.

- a. Temporary election signs, not to exceed four feet by four feet, may be erected in all zones. No more than one such sign per candidate or issue shall be permitted on any single property. Such signs shall not be installed sooner than one month prior to the election on the same calendar day as the election. For example, if an election is to be held on November 4, election signs may not be erected prior to October 4. Such signs must be removed within five days following said election by the candidate or organization erecting same at his or its expense.
- b. A temporary non-illuminated sign advertising the sale or rental of a premises or portion thereof shall be, if not attached to the building, set back at least 10 feet from all street lines. Corner lots are permitted to have up to two such signs, but each sign must be located on a different street frontage. The maximum allowable area of such signs shall not exceed the following:
  1. In all residential zones, the area shall not exceed five (5) square feet.
  2. In all non-residential zones where there is no frontage on either Highway 35 or Highway 66, the area shall not exceed nine (9) square feet.
  3. For all properties that have frontage on either Highway 35 or Highway 66, the area shall not exceed twelve (12) square feet plus inserts of 6" X 24".

The maximum height of any such sign in any zone shall not exceed six (6) feet. These provisions shall further apply to all signs announcing that the premises or portion thereof have been sold, rented or leased. Such signs must be removed within a period of seven

days after conclusion of sale or rental transaction. The total number of signs shall not exceed one such sign per lot in any residential zone, or one such sign per business or vacant parcel in any other zone.

- c. A temporary non-illuminated job sign shall be permitted on residential property. Such job sign shall provide information related to work which is actively being engaged in on the property. Such signs shall include, but not be limited to, building contractors, roofers, painters, and landscapers. This shall not be construed to include signs for work of a very limited duration or of a repetitive nature, for example, lawn maintenance services or chimney cleaning services which shall not be permitted. Job signs shall not exceed four square feet and must be set back a minimum of ten (10) feet from any street line. The total number of signs shall not exceed one such sign per lot. Such signs must be removed immediately upon the completion of the work, but in no case may the sign of any one contractor be displayed for more than thirty days in any calendar year.
- d. For all non-residential property where one or more businesses or uses occupy a single building, side and rear entrances may contain a sign indicating the occupant of that space. Such signs shall be stenciled or professionally lettered. Each individual letter shall be 3" to 5" tall. No information other than the name of the occupant may be included in the sign. Upon the change of the occupant, the sign must be removed or re-lettered with the new name of the subs.

All other ordinances or parts of ordinances inconsistent thereof are hereby repealed to the extent of such inconsistencies.

If any section, paragraph, subparagraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subparagraph, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

This ordinance shall take effect following the final adoption and publication pursuant to the law and subject to the filing of a copy of same with the Monmouth County Planning Board.

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				

**Council Reports:**

The following Councilmember(s) offered no Report: Evans, Garofalo, Schepiga  
Martine Arbus, Township Attorney  
Andrew Brannen, Township Manager

**PUBLIC COMMENTS:**

**Brian Lefferson** inquired as follows:

- Resolution #13-020 – what was the change?

Mr. Brannen explained that the Class II member of the Planning Board and a Class IV member exchanged positions. The Class II member is also a member of the Environmental Commission

- Resolution #13-022 – how much is the Township being charged?

Mr. Brannen said the price is \$7.92 per cubic yard.

- Resolution #13-024 – asked if Mayor Larkin does business with Mr. Higgins?

Mayor Larkin responded that he does do business with Mr. Higgins, which is why he recused himself on the award of this contract.

- Resolution #13-026 – did Mr. Delano go to another Firm?

Mayor Larkin stated that the Township just added the Firm to the appointment.

Mr. Lefferson also inquired if the Army Corp of Engineers had made any final decisions on the proposed flood alleviation plans for Palaia Park.

Mr. Brannen said that the plans are progressing, however, no plans have been finalized.

Mayor Larkin also suggested that if the culvert was opened up under the railroad tracks in Deal, that would certainly allow more water to flow out of Ocean Township

**Brian Gibson** discussed his frustration over the Police Departments handling of his tenant situation. Mr. Gibson felt that the Department should have taken a more pro-active approach to provide him with assistance in the eviction process.

Martin Arbus, Township Attorney, tried to reassure Mr. Gibson that, according to the information he was given by Mr. Gibson's attorney, the Police Department acted in an appropriate manner. Mr. Arbus also stated that, since Mr. Gibson was scheduled to go to court on January 24<sup>th</sup> on this matter, he should receive some closure on this matter.

**Joe Maloney** discussed the following:

- Attended the Monmouth County Mosquito Commission meeting and inquired whether the Township had the ability to utilize the Mosquito Commission's permits. Mr. Maloney felt that the County had an unwillingness to admit the problem was multi-jurisdictional
- Also attended the Monmouth County Recreation Committee meeting and discussed the problem with Spence Wickham. Mr. Maloney sensed a reluctance on the part of the Recreation Commission to commit to a timeframe in addressing this issue to a timeframe this matter to be addressed.

Mr. Brannen said that there are certain short term actions that can be undertaken which would provide some relief.

Mayor Larkin suggested that Mr. Brannen discuss this matter with Freeholder Director Arnone who has always been a tremendous advocate for the Township.

**Harry Scharmberg** stated that he is required to have flood insurance and asked if the Township is registered with FEMA, which will allow him to receive a discount on his insurance.

Mr. Scharmberg said that there are trees and debris in the brook that are blocking the water flow.

**Bob Miller** asked when he could expect to see some of the short term actions Mr. Brannen previously spoke about.

Mr. Brannen said that if the Township was able to work under the Mosquito Commissions permit, the work can occur sooner but if not, it does take time to acquire the permits.

**F.K. Hudson** asked the following questions:

- If the Closed Session matter noted as Purchase/Sale of Real Property at the Workshop Meeting earlier in the evening pertained to Whalepond Village

Mr. Brannen said that it did pertain to Whalepond Village

- COAH Update

Mr. Arbus said that there may be a resolution to one of the ongoing lawsuits

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					
Motion to Second					
Approved					
Opposed					
Not Voting/Recuse					
Absent/Excused					

Respectfully submitted,

William F. Larkin  
Mayor

Vincent Buttiglieri, RMC/CMC/MMC  
Municipal Clerk