

TOWNSHIP COMMITTEE MEETING – FEBRUARY 10, 2014

Mayor Brantley called the meeting to order at 6:00 p.m. and requested the Clerk to call the roll. The following members were present: Eric J. Houghtaling, Kevin B. McMillan and Mayor Michael Brantley. Absent: J. Randy Bishop (Mary Beth Jahn arrived at the start of executive session.)

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; Vito D. Gadaleta, Township Administrator; Michael J. Bascom, Chief Financial Officer; and Gene Anthony, Township Attorney.

Mayor Brantley announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press on January 2, 2014 and The Coaster on January 3, 2014, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

The following items were discussed in open session:

The Committee discussed renewal of the Shared Services Agreement with the Board of Education for Township wide newsletters. Mr. Bascom stated that the current agreement is \$3,000 per newsletter up to four per year. The Township only pays for the number of newsletters for which it participates. The Mayor stated that one was already done and the Committee should look to do other newsletters in June and in the Fall. Mr. Cuttrell will prepare the necessary Agreement.

The Committee agreed that one recreation LED message board be purchased for the front of the Municipal Building. They work well for getting the message out on recreation programs. Other locations for message boards will no longer be considered.

The Committee reviewed a calendar of upcoming events and discussed representation among themselves at the various homeowners meetings.

AUTHORIZE AN EXECUTIVE SESSION AS AUTHORIZED BY THE OPEN PUBLIC MEETINGS ACT

Mr. McMillan offered the following resolution, moved and seconded by Mr. Houghtaling, that it be adopted:

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

WHEREAS, this public body is of the opinion that such circumstances presently exist,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, as follows:

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.

2. The general nature of the subject matter to be discussed is as follows:

Litigation – Update on pending litigation.

Potential Litigation – Southpointe Condo Association and Bry's Marina use of municipal right-of-way.

3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.

4. This Resolution shall take effect immediately.

The resolution was adopted on the following vote: Houghtaling, aye; McMillan, aye; and Brantley, aye.

The Committee entered executive session for discussion on closed session matters.

Mr. Gadaleta stated that residents of the Southpointe Condo Association seek to open New York Road for a second means of access necessitated by tidal flooding on South Concourse. Mr. Gadaleta stated that Bry's marina has stored boats on this right-of-way which need to be removed. The Committee indicated that the owner should be told to remove the boats so that the road can be opened.

The Committee returned to the Meeting Room for the regular portion of the meeting.

Mayor Brantley called the meeting to order and requested the Clerk to call the roll. The following members were present: Eric J. Houghtaling, Mary Beth Jahn, Kevin B. McMillan, and Mayor Michael Brantley. Absent: J. Randy Bishop

Also present at the dais were Richard J. Cuttrel, Municipal Clerk; Vito D. Gadaleta, Township Administrator; Michael J. Bascom, Chief Financial Officer; and Gene Anthony, Township Attorney.

After a moment of Silent Prayer and the Flag Salute, the Mayor asked the Clerk to indicate the fire exits.

The Clerk stated, "Fire exits are located in the rear of the room and to my right. In case of fire you will be notified by bell and or public address system, then proceed to the nearest smoke-free exit"

Mayor Brantley announced that the notice requirements of R.S. 10:4-18 for an "Annual Notice" have been satisfied by the publication of the required advertisement in the Asbury Park Press on January 2, 2014 and The Coaster on January 3, 2014, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at [www.neptunetownship.org](http://www.neptunetownship.org).

#### REPORT OF THE CLERK

The Clerk stated that the following reports and communications are on file in his office:

Monmouth County Board of Health January 21<sup>st</sup> agenda.

Notice of public hearings on proposed rate changes by New Jersey American Water Company.

Senior Center monthly statistics for January.

A thank you note from Geraldine Pierce to the Senior Center staff.

#### COMMENTS FROM THE DAIS

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#### PUBLIC COMMENTS ON RESOLUTIONS

The Mayor requested public comments regarding resolutions presented on this agenda and they were as follows:

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Kennedy Buckley, Broadway

Michael Fornino, 120 Fulham Place

Jim Granelli, Highland Avenue

Dorothy Argyros, 2100 Rutherford Avenue

Mary Joe Epp, Property Manager, South Pointe Condo Association

Hank Coakley, Valley Road

#### ORDINANCE NO. 14-02 – ADOPTED

Ms. Jahn offered the following ordinance, moved and seconded by Mr. McMillan, that it be adopted:

ORDINANCE NO. 14-02

AN ORDINANCE AMENDING AND SUPPLEMENTING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE, BY AMENDING SECTION 1006

The Mayor requested public comments on the above ordinance. There being no comments, he closed the public hearing.

The ordinance was adopted on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

ORDINANCE NO. 14-03 - ADOPTED

Ms. Jahn offered the following ordinance, moved and seconded by Mr. Houghtaling, that it be adopted:

ORDINANCE NO. 14-03

AN ORDINANCE AUTHORIZING DEED OF EASEMENT FOR SANITARY SEWERAGE PURPOSES WITH MERIDIAN HEALTH REALTY CORPORATION, INC., LOT 33.01, BLOCK 266 ON THE TAX MAP OF THE TOWNSHIP OF NEPTUNE IN CONNECTION WITH THE SENIOR HOUSING PROJECT

The Mayor requested public comments on the above ordinance. There being no comments, he closed the public hearing.

The ordinance was adopted on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

ORDINANCE NO. 14-04 - ADOPTED

Mr. Houghtaling offered the following ordinance, moved and seconded by Mr. McMillan, that it be adopted:

ORDINANCE NO. 14-04

AN ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE, VOLUME II, SECTION 1000, ENTITLED, "APPLICATION AND ESCROW FEES" AND AMENDING SECTION 1004, ENTITLED "APPROVAL BY TOWNSHIP ATTORNEY"

The Mayor requested public comments on the above ordinance and they were as follows:

Hank Coakley, Valley Road, asked for the purpose of the \$1,000 charge. Mr. Anthony stated that the only fee in the ordinance is a \$400 fee for the creation of a Developer's Agreement for approved site plans and major subdivisions.

There being no further comments, the Mayor closed the public hearing.

The ordinance was adopted on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

ORDINANCE NO. 14-05 - ADOPTED

Ms. Jahn offered the following ordinance, moved and seconded by Mr. Houghtaling, that it be adopted:

ORDINANCE NO. 14-05

AN ORDINANCE AMENDING LAND DEVELOPMENT ORDINANCE, VOLUME II, §301, ENTITLED, "ZONING MAP" BY AMENDING THE ZONING FOR BLOCK 1007, LOTS 32 AND 34 FROM C-4 TO R-2

The Mayor requested public comments on the above ordinance. There being no comments, he closed the public hearing.

The ordinance was adopted on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

ORDINANCE NO. 14-06 - TABLED

Mr. McMillan offered a motion, moved and seconded by Ms. Jahn, to table Ordinance No. 14-06.

ORDINANCE NO. 14-06

AN ORDINANCE AMENDING LAND DEVELOPMENT ORDINANCE, VOLUME II, §300, ENTITLED, "DISTRICTS" AND TO ADD §423 TO BE ENTITLED, "TRANSIT VILLAGE ZONE"

All were in favor.

ORDINANCE NO. 14-07 - ADOPTED

Mr. McMillan offered the following ordinance, moved and seconded by Ms. Jahn, that it be adopted:

ORDINANCE NO. 14-07

AN ORDINANCE AMENDING LAND DEVELOPMENT ORDINANCE, VOLUME II, TO ADD §415.20, ENTITLED, "CONVENIENCE STORE WITH GAS"

The Mayor requested public comments on the above ordinance and they were as follows:

Dorothy Argyros, 2100 Rutherford Avenue, stated that Exxon spilled gas at the site where the new Wawa is building a gas station and no gas stations should be permitted in residential zones. Mr. Anthony stated that all areas where gas is permitted are commercial zones.

There being no further comments, the Mayor closed the public hearing.

The ordinance was adopted on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

ORDINANCE NO. 14-08 - ADOPTED

Mr. Houghtaling offered the following ordinance, moved and seconded by Ms. Jahn, that it be adopted:

ORDINANCE NO. 14-08

AN ORDINANCE AMENDING LAND DEVELOPMENT ORDINANCE, VOLUME II, §300, ENTITLED, "DISTRICTS" AND TO ADD §424 TO BE ENTITLED, "HOSPITAL SUPPORT ZONE"

The Mayor requested public comments on the above ordinance and they were as follows:

Michael Fornino, 120 Fulham Place, asked if the zone includes the residential zones in the Gables. Mr. Houghtaling read the language of the ordinance which states the location of the Hospital Support Zone.

Dorothy Argyros, 2100 Rutherford Avenue, stated that the hospital pays little in taxes and gets a lot of privileges. Mr. Houghtaling stated that the new zone supports doctor's offices and other uses that are here because of the location of the hospital.

There being no further comments, the Mayor closed the public hearing.

The ordinance was adopted on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

ORDINANCE NO. 14-09 - ADOPTED

Mr. McMillan offered the following ordinance, moved and seconded by Ms. Jahn, that it be adopted:

ORDINANCE NO. 14-09

BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF THE OCEAN GROVE BOARDWALK, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,330,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

The Mayor requested public comments on the above ordinance. There being no comments, he closed the public hearing.

The ordinance was adopted on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

ORDINANCE NO. 14-10 - APPROVED

Mr. McMillan offered the following ordinance, moved and seconded by Ms. Jahn, that it be approved:

ORDINANCE NO. 14-10

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-7 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING NO PARKING ZONES ON PORTIONS OF WEST LAKE AVENUE, HECK AVENUE, EMBURY AVENUE AND RIDGE AVENUE

The ordinance was approved on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

ORDINANCE NO. 14-11 - APPROVED

Mr. Houghtaling offered the following ordinance, moved and seconded by Ms. Jahn, that it be approved:

ORDINANCE NO. 14-11

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-21 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING HANDICAPPED PARKING ZONES ON MILTON AVENUE AND ABBOTT AVENUE

The ordinance was approved on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

Mr. Cuttrell stated that the Public Hearings on Ordinances 14-10 and 14-11 will be held on Monday, February 24, 2014.

CONSENT AGENDA

Mr. McMillan offered the following resolutions of the Consent Agenda, moved and seconded by Mr. Houghtaling, that they be adopted:

AUTHORIZE CANCELLATION OF 2014 SEWER RENT FOR PROPERTIES THAT REMAIN UNINHABITABLE DUE TO HURRICANE DAMAGE

WHEREAS, the Township has issued bills for 2014 sewer rent to all properties within the Neptune Sewer Utility; and,

WHEREAS, as a result of damage from Hurricane Sandy, the Construction Official maintains a list of properties that remain uninhabitable; and,

WHEREAS, since these homes have been unoccupied and have not used water or sewer since October 29, 2012, the Township Committee deems it appropriate to cancel the 2014 sewer rent for these properties; and,

WHEREAS, if a property is deemed habitable and a resident returns to the property during

the course of the year, a prorated 2014 sewer rent will be applied,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the cancellation of 2014 sewer rent for all properties deemed uninhabitable by the Construction Official as a result of damage from Hurricane Sandy, the list of said properties being on file in the Office of the Construction Official; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Deputy Tax Collector, Construction Official and Assistant C.F.O.

#### AUTHORIZE APPROPRIATION FOR ANNUAL WORLD CHANGERS INITIATIVE

WHEREAS, World Changers will again be visiting the Township to undertake an urban development program by making minor repairs to various residential homes and assisting our residents in cleaning their properties; and,

WHEREAS, there is the need to purchase building supplies and materials to utilize in this program; and,

WHEREAS, funds are available for this purpose in the U.D.A.G. Trust Fund and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes up to \$30,000.00 from the U.D.A.G. Trust Fund for the purchase of building materials and supplies in connection with the 2014 World Changers urban development initiative to repair various residential homes in the Township; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant Chief Financial Officer and Community Programs Coordinator.

#### WAIVE MUNICIPAL PORTION OF CONSTRUCTION PERMIT FEES AND DUMPSTER FEES FOR WORLD CHANGERS REHABILITATION PROJECTS

WHEREAS, in July, 2014, World Changers will be performing roof rehabilitation projects that require construction permits and dumpsters; and,

WHEREAS, World Changers is a non-profit volunteer organization providing home improvement projects at various locations throughout the Township; and,

WHEREAS, the Township Committee desires to authorize a waiver of the construction permit and dumpster fees associated with these projects,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby waives the municipal portion of the construction fee permits and all dumpster fees for repairs being performed by World Changers for the reasons as stated herein; and,

BE IT FURTHER RESOLVED, that this resolution does not waive the requirement to obtain applicable construction permits and the performance of construction inspections; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Construction Official and Community Programs Coordinator.

#### ASSIGN OFFICER TO THE DETECTIVE BUREAU IN THE POLICE DEPARTMENT

WHEREAS, the Acting Police Director and Deputy Chief of Police have recommended that Ptl. Michael Adam be assigned to the Detective Bureau; and,

WHEREAS, funds will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Police Officer Michael Adam be and is hereby assigned to the Detective Bureau effective February 1, 2014 and shall receive the appropriate Detective stipend as stipulated in the P.B.A Local #74 collective bargaining contract; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Deputy

Chief of Police, Chief Financial Officer, Assistant C.F.O., Business Administrator and Human Resources.

ACCEPT PERFORMANCE GUARANTEE IN CONNECTION WITH SITE IMPROVEMENTS AT MINOR SUBDIVISION AT 3442 WEST BANGS AVENUE

WHEREAS, Edmar Developers, LLC has filed a performance guarantee in the form of cash in the amount of \$21,144.00, guaranteeing proposed site improvements at a minor subdivision located at 3442 West Bangs Avenue (Block 7018, Lot 6.01); and,

WHEREAS, the required 10% cash surety and inspection fee escrow have also been posted; and,

WHEREAS, the acceptance of this Performance Guarantee does not authorize the issuance of any licenses or permits by the Construction Department but serves as certification to the Planning Board/Board of Adjustment that compliance with the Land Development Ordinance of the Township of Neptune has been met,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune as follows:

1. The Performance Guarantee as stated above be and is hereby accepted.
2. The Mayor and Clerk be and are hereby authorized to execute a Developer's Agreement for the above referenced project.
3. A copy of this resolution shall be forwarded to the Township Engineer, Administrative Officer to the Planning Board, Construction Department and the Developer.

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY WARCON, INC. FOR SITE IMPROVEMENTS AT THE HAMPTON INN ON ROUTE 66

WHEREAS, on September 12, 2011, Warcon, Inc. filed a performance bond written by Travelers Casualty and Surety Company in the amount of \$1,215,324.00 guaranteeing site improvements at the Hampton Inn on Route 66 (Block 1500.03, Lot 23.06); and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of February 12, 2013 and said performance bond can be released; and,

WHEREAS, Art Helmick Neptune, LLC; Cox Neptune, LLC; Dave Grayson Neptune, LLC; Joan Malchione Neptune, LLC; Jason Whittaker Neptune, LLC; Ron Schafer Neptune, LLC; and Steve Silver Neptune, LLC has filed an Irrevocable Letter of Credit #14-03 in the amount of \$168,795.00 written by Wilmington Savings Fund Society, FSB guaranteeing said site improvements for a period of two years,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Maintenance Guarantee, in the form of an Irrevocable Letter of Credit, as stated above be and is hereby accepted and the performance bond is authorized to be released; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee and balance of inspection fee escrow, minus an amount for final inspection at the end of the two year maintenance period, on escrow with the Township be and is hereby authorized to be refunded; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Developer and Township Engineer.

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY VARIOUS LIMITED LIABILITY CORPORATIONS FOR SITE IMPROVEMENTS AT THE SANITARY SEWER PUMPING STATION AT THE HAMPTON INN ON ROUTE 66

WHEREAS, on September 12, 2011, Art Helmick Neptune, LLC; Cox Neptune, LLC; Dave Grayson Neptune, LLC; Joan Malchione Neptune, LLC; Jason Whittaker Neptune, LLC; Ron Schafer Neptune, LLC; and Steve Silver Neptune, LLC filed an Irrevocable Letter of Credit #11-42 issued by Wilmington Savings Fund Society in the amount of \$80,676.20 guaranteeing site improvements at the sanitary sewer pumping station installed to service the Hampton Inn on Route 66 (Block 1500.03, Lot 23.06); and,

WHEREAS, the Township Engineer has certified that all site improvements have been

completed in a satisfactory manner as of February 12, 2013 and said performance bond can be released; and,

WHEREAS, Art Helmick Neptune, LLC; Cox Neptune, LLC; Dave Grayson Neptune, LLC; Joan Malchione Neptune, LLC; Jason Whittaker Neptune, LLC; Ron Schafer Neptune, LLC; and Steve Silver Neptune, LLC has filed an amendment to Irrevocable Letter of Credit #11-42 decreasing the amount to \$11,205.00 which will serve as a maintenance guarantee for said site improvements for a period of two years,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Maintenance Guarantee, in the form of an Irrevocable Letter of Credit, as stated above be and is hereby accepted and the performance bond is authorized to be released; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee and balance of inspection fee escrow, minus an amount for final inspection at the end of the two year maintenance period, on escrow with the Township be and is hereby authorized to be refunded; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Developer and Township Engineer.

ACCEPT PERFORMANCE GUARANTEE IN CONNECTION WITH SITE IMPROVEMENTS AT RESTAURANT PAD SITE ADJACENT TO THE HAMPTON INN ON ROUTE 66

WHEREAS, Art Helmick Neptune, LLC; Cox Neptune, LLC; Dave Grayson Neptune, LLC; Joan Malchione Neptune, LLC; Jason Whittaker Neptune, LLC; Ron Schafer Neptune, LLC; and Steve Silver Neptune, LLC have filed Irrevocable Letter of Credit #14-02 issued by Wilmington Savings Fund Society in the amount of \$37,044.00 guaranteeing proposed site improvements at the restaurant pad site at the Hampton Inn on Route 66 (Block 1500.03, Lot 23.06); and,

WHEREAS, the required 10% cash surety and inspection fee escrow amounts are being retained from funds already in escrow and being released for the completed hotel site; and,

WHEREAS, the acceptance of this Performance Guarantee does not authorize the issuance of any licenses or permits by the Construction Department but serves as certification to the Planning Board/Board of Adjustment that compliance with the Land Development Ordinance of the Township of Neptune has been met; and,

WHEREAS, the previously filed and approved Developer's Agreement for the hotel improvements also includes improvements at the restaurant pad site,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Performance Guarantee as stated above be and is hereby accepted; and,

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Township Engineer, Administrative Officer to the Planning Board, Construction Department and the Developer.

AUTHORIZE LEON S. AVAKIAN, INC. TO PERFORM CONSTRUCTION ADMINISTRATION AND OBSERVATION IN CONNECTION WITH DESILTING OF WESLEY LAKE

WHEREAS, the Township Engineering Department desires to engage the services of an Engineering Consultant to perform construction administration and observation, supplemented by Township Engineering Department staff, in connection with the desilting of Wesley Lake; and,

WHEREAS, the Township Committee authorized a pool of Engineering Consultants by resolution on January 1, 2014 based upon submittals from a Request for Qualifications; and,

WHEREAS, the Township Engineer received a quote from Leon S. Avakian, Inc. for this work and recommends that this work be authorized to Leon S. Avakian, Inc, because said firm prepared the plans and specifications for the project; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 13-23, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an agreement with Leon S. Avakian, Inc. to perform the services as stated herein at an amount not to exceed \$13,800.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief



Financial Officer, Assistant C.F.O., Township Engineer, Leon S. Avakian, Inc. and the Business Administrator.

AUTHORIZE LEON S. AVAKIAN, INC. TO PERFORM CONSTRUCTION ADMINISTRATION AND OBSERVATION IN CONNECTION WITH DESILTING OF FLETCHER LAKE

WHEREAS, the Township Engineering Department desires to engage the services of an Engineering Consultant to perform construction administration and observation, supplemented by Township Engineering Department staff, in connection with the desilting of Fletcher Lake; and,

WHEREAS, the Township Committee authorized a pool of Engineering Consultants by resolution on January 1, 2014 based upon submittals from a Request for Qualifications; and,

WHEREAS, the Township Engineer received a quote from Leon S. Avakian, Inc. for this work and recommends that this work be authorized to Leon S. Avakian, Inc, because said firm prepared the plans and specifications for the project; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 13-23, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an agreement with Leon S. Avakian, Inc. to perform the services as stated herein at an amount not to exceed \$14,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Township Engineer, Leon S. Avakian, Inc. and the Business Administrator.

AUTHORIZE LEON S. AVAKIAN, INC. TO PERFORM CONSTRUCTION ADMINISTRATION AND OBSERVATION IN CONNECTION WITH WESLEY LAKE WALL REPAIRS

WHEREAS, the Township Engineering Department desires to engage the services of an Engineering Consultant to perform construction administration and observation, supplemented by Township Engineering Department staff, in connection with Wesley Lake wall repairs; and,

WHEREAS, the Township Committee authorized a pool of Engineering Consultants by resolution on January 1, 2014 based upon submittals from a Request for Qualifications; and,

WHEREAS, the Township Engineer received a quote from Leon S. Avakian, Inc. for this work and recommends that this work be authorized to Leon S. Avakian, Inc, because said firm prepared the plans and specifications for the project; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 13-23, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of an agreement with Leon S. Avakian, Inc. to perform the services as stated herein at an amount not to exceed \$33,700.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Township Engineer, Leon S. Avakian, Inc. and the Business Administrator.

AUTHORIZE THE EXECUTION OF A RELEASE OF PART OF MORTGAGED PROPERTY WITH TRF DP RIDGE AVENUE, LLC IN CONNECTION WITH THE SCHOOLHOUSE SQUARE PROJECT (31 RIDGE AVENUE)

WHEREAS, the Township of Neptune holds a mortgage dated April 8, 2009 in the amount of \$400,000 with TRF DP Ridge Avenue, LLC in connection with the Schoolhouse Square project; and,

WHEREAS, Block 197.04, Lot 9, with an address of 31 Ridge Avenue is included in the properties bound by said mortgage; and,

WHEREAS, said property is being sold as a housing unit and TRF DP Ridge Avenue, LLC is requesting that this property be released from the mortgage,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute a Release of Part of Mortgaged Property to release Block 197.04, Lot 9, with an address of 31 Ridge Avenue, from the properties

bound by the existing mortgage dated April 8, 2009 in the amount of \$400,000.00; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer and Business Administrator.

AUTHORIZE THE EXECUTION OF A RELEASE OF PART OF MORTGAGED PROPERTY WITH TRF DP RIDGE AVENUE. LLC IN CONNECTION WITH THE SCHOOLHOUSE SQUARE PROJECT (160 MYRTLE AVENUE)

WHEREAS, the Township of Neptune holds a mortgage dated April 8, 2009 in the amount of \$400,000 with TRF DP Ridge Avenue, LLC in connection with the Schoolhouse Square project; and,

WHEREAS, Block 197.01, Lot 3, with an address of 160 Myrtle Avenue is included in the properties bound by said mortgage; and,

WHEREAS, said property is being sold as a housing unit and TRF DP Ridge Avenue, LLC is requesting that this property be released from the mortgage,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute a Release of Part of Mortgaged Property to release Block 197.01, Lot 3, with an address of 160 Myrtle Avenue, from the properties bound by the existing mortgage dated April 8, 2009 in the amount of \$400,000.00; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer and Business Administrator.

PLACE LIEN ON VARIOUS PROPERTIES

WHEREAS, Ordinance #843 of the Township of Neptune states that where a violation or condition exists on any property in the Township of Neptune that is of such a nature as to constitute an immediate threat to life, health, safety and the well being of residents in this township unless abated without delay, the Code Enforcement Supervisor may abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a three-day period; and

WHEREAS, the Code Enforcement Supervisor determined that the condition of the properties listed below constituted such a threat; and,

WHEREAS, the Code Enforcement Supervisor has notified the Township Committee of the Township of Neptune that the owners of said property have failed to correct the condition/violation as ordered; and

WHEREAS, the Code Enforcement Supervisor has had the condition corrected in accordance with Article IV, Section 6.2 (a) of Ordinance #843 at a total cost as indicated below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and is hereby authorized to place the following costs as a lien against the following properties; and,

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
53/952	69 Webb Avenue	36.66
451/1	115 Lakewood Road	480.00
3007/2	10 Brixton Place	345.00
434/38	4 Tremont Drive	540.00
319.02/2	102 West End Avenue	720.00
9012/11	801 Ruth Drive	410.00
9005/16	12 Kenneth Terrace	305.00
9049/5	9 Colgate Avenue	250.00
158/8	10 Vanderbilt Place	250.00
481/34	25 South Riverside Drive	470.00
247/5	1709 Monroe Avenue	475.00

BE IT FURTHER RESOLVED, that a copy of this resolution along with the Code Enforcement Supervisor's report be forwarded to the Tax Collector.

ACCEPT THE RESIGNATION OF MICHELE NARCISO AS HARBOR COMMISSION SECRETARY

WHEREAS, the Township Committee has received a letter from Michele Narciso resigning as Harbor Commission Secretary effective January 31, 2014,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Michele Narciso as Harbor Commission Secretary is hereby accepted effective January 31, 2014; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., Harbor Master, Sandra Petersen and Human Resources.

AUTHORIZE STAND-BY DUTY PAYMENT TO OFFICE OF EMERGENCY MANAGEMENT PERSONNEL

WHEREAS, volunteer personnel in the Office of Emergency Management were placed on stand-by duty as a result of the snow emergencies declared on January 21<sup>st</sup> and 22<sup>nd</sup> and February 3<sup>rd</sup>; and,

WHEREAS, overtime payment at the rate of \$14.00 per hour is authorized by resolution of the Township Committee to be paid to said personnel in the event of a long duration situation such as storm or disaster which requires readiness and staffing; and,

WHEREAS, funds will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that stand-by duty payment at the rate of \$14.00 per hour be and is hereby authorized to the following Office of Emergency Management staff for the hours indicated as a result of the snow emergencies on January 21 and 22, 2014 and February 3, 2014:

Anthony Devlin – 7 hours  
Jeffrey Devlin – 10 hours  
Ken Sprague – 18 hours  
Michael Scannapieco – 30 hours  
William Van Meter – 30 hours  
Richard Balko – 12 hours

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Emergency Management Coordinator, Business Administrator, Chief Financial Officer, Assistant C.F.O. and Human Resources.

ESTABLISH RATE FOR PLACEMENT AND DISPOSAL OF SEASONAL DUMPSTER AT OCEAN GROVE BEACHFRONT

WHEREAS, the Ocean Grove Camp Meeting Association owns and maintains the beach and boardwalk in Ocean Grove; and,

WHEREAS, during the summer season, the Association collects trash from its beachfront operation and has requested a Township owned 30 yard dumpster at the North End which the Public Works Department will empty on a scheduled basis; and,

WHEREAS, the Township charges for commercial refuse collection and desires to establish a fee for this collection of this dumpster,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby establishes a fee of \$500.00 for each collection of the Township owned 30 yard dumpster to be utilized by the Ocean Grove Camp Meeting Association for the purpose of collecting trash from its beachfront operation; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Auditor and Director of Public Works.

AUTHORIZE THE ENDORSEMENT OF THE TAX SALE CERTIFICATES

WHEREAS, all the taxes, costs and interest have been paid on the Tax Title Lien Certificates affecting the properties listed below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and they are hereby authorized to endorse for cancellation the Tax Title Lien Certificates affecting the following properties:

<b>BLOCK</b>	<b>LOT</b>	<b>ADDRESS</b>
165	23	1129 5 <sup>th</sup> Avenue
501.01	1340	North Riverside Drive
364	2065	Jersey Avenue

BE IT FURTHER RESOLVED, that a copy of this resolution and the endorsed Tax Sale Certificate be forwarded to the Tax Collector.

AUTHORIZE THE MAYOR AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH COUNTY FOR PERFORMANCE AND DELIVERY OF FY 2014 COMMUNITY DEVELOPMENT PROJECTS

WHEREAS, certain Federal funds are potentially available to Monmouth County under the Housing and Urban-Rural Recovery Act of 1974, as amended; and,

WHEREAS, the County of Monmouth expects to receive an allocation for FY 2014 from the United States Department of Housing and Urban Development; and,

WHEREAS, the County of Monmouth has submitted its Annual Plan for FY 2014 to the U.S Department of Housing and Urban Development, which included a project hereinafter referred to as Township of Neptune – Sidewalk Improvements with a grant allocation of \$142,000.00; and,

WHEREAS, the Township of Neptune hereby met all requirements for the release of funds to begin incurring costs for this project; and,

WHEREAS, the Township of Neptune has filed with the Monmouth County Community Development Program an acceptable and approvable "TIMETABLE FOR PROJECT COMPLETION AND EXPENDITURE OF GRANT FUNDS", which is included as Appendix I of the Project Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk of the Township of Neptune are hereby authorized to execute with the County of Monmouth the attached Project Agreement.

AUTHORIZE THE MAYOR TO SIGN A CERTIFICATE PROHIBITING THE USE OF EXCESSIVE FORCE AND A CERTIFICATION PROHIBITING THE USE OF FEDERAL FUNDS FOR LOBBYING

WHEREAS, certain Federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and,

WHEREAS, the United States Department of Housing and Urban Development has allocated funding to the County of Monmouth for FY 2014; and,

WHEREAS, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and,

WHEREAS, it is required that the Township of Neptune execute a project agreement with Monmouth County to undertake a project known as Sidewalk Improvements; and,

WHEREAS, the U.S. Department of Housing and Urban Development is requiring that the Mayor of the Township of Neptune sign additional certifications in order to receive these funds; and,

WHEREAS, the Township of Neptune has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and,

WHEREAS, a copy of that policy is attached to and made a part of this resolution; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township of Neptune has met the conditions of receiving a FY 2014 allocation by adopting a policy prohibiting the use of excessive force and by not using federal funds for lobbying or by disclosing that funds have been used for lobbying; and,

BE IT FURTHER RESOLVED, that the Mayor of the Township of Neptune is hereby authorized to sign the attached certifications which will become a part of the FY 2014 Project Agreement.

AUTHORIZE EXECUTION OF AN AGREEMENT WITH PROFESSIONAL CONSULTANT IN

CONNECTION WITH PENDING FEMA REIMBURSEMENT APPLICATION FOR REPAIR WORK/DESILTING AT THE MUNICIPAL MARINA

WHEREAS, the Township is seeking approval of its Federal Emergency Management Agency application for reimbursement of funds in connection with repair work and desilting at the Shark River Municipal Marina necessitated by Hurricane Sandy; and,

WHEREAS, there are regulatory issues with the New York District U.S. Army Corps of Engineers associated with the Municipal Marina; and,

WHEREAS, the Township desires to engage the services of a Consultant who possesses specialized knowledge and expertise in Army Corps of Engineers regulatory procedures, regulations and policies; and,

WHEREAS, said Consultant would work with the Township and the Army Corps of Engineers to address outstanding issues associated with FEMA and regulatory and permit issues regarding work performed at the Municipal Marina; and,

WHEREAS, funds will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute an agreement with Lawrence Evans setting forth the terms and conditions to serve as Consultant, at an amount not to exceed \$10,000.00, with the Township's FEMA application and Army Corps of Engineers regulatory procedures and issues in connection with repair work performed at the Municipal Marina after Hurricane Sandy; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Business Administrator, Harbor Master and Township Engineer.

EXTEND CONTRACT OF G4S INTEGRATED FLEET SERVICES TO PROVIDE FLEET MANAGEMENT AND MAINTENANCE FOR 2014

WHEREAS, the Township contracted with G4S Integrated Fleet Services, Inc. to provide fleet management and maintenance services to the Township through December 31, 2013 with the option of up to two additional single year extensions; and,

WHEREAS, the Township Committee desires to extend this contract for a period of one year through December 31, 2014 pursuant to N.J.S.A. 40A:11-15 and amend the original agreement to reflect current size of fleet; and,

WHEREAS, funds will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes a one year extension of the current contract, with amendments to reflect the current size of the fleet, with G4S Integrated Fleet Services to provide fleet management and maintenance to the Township of Neptune through December 31, 2014 at an annual amount of \$853,057.13 which represents an increase of 1% in the annual amount per the current index rate calculation; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to G4S Integrated Fleet Services, Business Administrator, Chief Financial Officer, Assistant C.F.O.

AUTHORIZE CONTRACT FOR THE DEMOLITION OF 4 TREMONT DRIVE

WHEREAS, the Purchasing Agent solicited quotes for the demolition of the fire damaged dwelling at 4 Tremont Drive; and,

WHEREAS, the cost of said item is less than the bid threshold but exceeds \$17,500.00 and therefore must be awarded by Resolution of the governing body; and,

WHEREAS, said quotes were reviewed by the Purchasing Agent who have recommended that the low quote be accepted in accordance with the Open Public Contracts Law; and,

WHEREAS, funds will be provided for the first three months of 2014 in the 2014 Temporary

Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Lertch Wrecking Company, LLC be and is hereby authorized to demolish 4 Tremont Drive pursuant to their quote of \$21,800.00; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., Construction Official and Township Engineer.

AUTHORIZE SUBMISSION OF GRANT APPLICATIONS FOR THE SHARK RIVER LIVING SHORELINE PROJECT

WHEREAS, the Township desires to pursue a Shark River Living Shoreline Project to improve the ecological system and stabilize the shoreline of Shark River Bay; and,

WHEREAS, the Project will include wetlands plantings, installation of a coir log system along the eroded shoreline, installation of a riprap apron and addition of organics and sediment for the planting of wetland tolerant species; and,

WHEREAS, there are two grant programs that provide funding for these types of natural shoreline protection measures; the National Fish & Wildlife Foundation Hurricane Sandy Coastal Resiliency Grant Program and the New Jersey Department of Environmental Protection Section 319h Grant for Nonpoint Source Pollution Control; and,

WHEREAS, grant applications to both programs are prepared and the Community Programs Coordinator recommends submission,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes submission of applications to the National Fish & Wildlife Foundation Hurricane Sandy Coastal Resiliency Grant Program and the New Jersey Department of Environmental Protection Section 319h Grant for Nonpoint Source Pollution Control for the Shark River Living Shoreline Project; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Community Programs Coordinator and Township Engineer.

GRANT SOCIAL AFFAIR PERMIT TO RECOVERY ALONG THE RIVER FOUNDATION, INC.

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Deputy Chief of Police be and are hereby authorized to approve the application of Recovery Along the River Foundation, Inc. for a Social Affair Permit at the Shark River Hills Marina, South Riverside Drive, on May 31, 2014 from 12:00 P.M. to 7:00 P.M.

APPROVE SELECTION OF LEGAL COUNSEL TO REPRESENT POLICE OFFICER IN LAWSUIT FOR PUNITIVE DAMAGES

WHEREAS, in the matter of Diomedes Babilonia, Jr. v. Township of Neptune, et. Al., Deputy Chief James Hunt has requested that Edward Bertucio, Esq. serve as his legal counsel as to the claim for punitive damages; and,

WHEREAS, in accordance with the current collective bargaining agreements, the Township Committee must approve the selection of counsel; and,

WHEREAS, the Township will reimburse said police officer for legal fees incurred for personal counsel for lawsuits for punitive damages against officers pursuant to N.J.S.A. 40A:14-155; and,

WHEREAS, the Township's reimbursement will be limited to a rate per hour not to exceed the current hourly rate of the Township Attorney, the Township reserves the right to limit the total expenditure to a reasonable cost and the Township reserves the right to not reimburse for legal fees and costs should an officer be held liable for punitive damages,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted to Deputy Chief James Hunt to retain Edward Bertucio, Esq. as legal counsel for the claim of punitive damages in the above referenced matter at an amount not to exceed \$2,500.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., and Deputy Chief of Police.

ACCEPT THE RESIGNATION OF JAMES MANNING, SR. AS A MEMBER OF THE HOUSING AUTHORITY

WHEREAS, the Township Committee has received a letter from James Manning, Sr. resigning as a member of the Housing Authority effective January 24, 2014,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of James Manning, Sr. as a member of the Housing Authority is hereby accepted effective January 24, 2014; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Neptune Township Housing Authority.

AUTHORIZE THE PURCHASE OF THREE POLICE PATROL CARS THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Neptune Township Police Department wishes to purchase three Chevrolet Caprice patrol cars through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, Day Chevrolet has been awarded New Jersey State Contract No. A82926 for 2014 Chevrolet Caprice 1EW19 patrol cars; and,

WHEREAS, Major Police Supply has been awarded New Jersey State Contract No. A81330 for supplying and installing equipment for police vehicles; and,

WHEREAS, the Chief Financial Officer recommends the utilization of this contract on the grounds that the price reflects a substantial savings; and,

WHEREAS, the cost of the three cars shall not exceed \$84,000.00 and the total cost to supply and install equipment in the three cars shall not exceed \$30,000.00; and,

WHEREAS, funds for this purpose are available from Ordinance No. 13-30 and the Police O.E. line item in the 2014 municipal budget and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of three Chevrolet Caprice patrol cars through the New Jersey Cooperative Purchasing Program for the Neptune Township Police Department be and is hereby authorized at an amount not to exceed \$84,000.00 for the vehicles and an amount not to exceed \$30,000.00 to supply and install equipment in said vehicles; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Deputy Chief of Police, Chief Financial Officer, Business Administrator, Assistant C.F.O. and Auditor.

The resolutions of the Consent Agenda were approved on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

AWARD BID FOR ELECTRONIC LED MESSAGE SIGN

Ms. Jahn offered the following resolution, moved and seconded by Mr. McMillan, that it be adopted:

WHEREAS, the Purchasing Agent received bids for the award of a contract for an electronic LED message board to display upcoming recreation events and emergency messages as needed; and,

WHEREAS, the double sided message board will be placed at the Municipal Complex; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that the bid be awarded to the lowest bid submitted by Forman Sign Company; and,

WHEREAS, said bids were advertised, received and awarded in a "fair and open"

competitive bidding process in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in the Recreation Trust Fund and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to Forman Sign Company for furnishing and installing a double sided electronic LED message board for the Municipal Complex on their lowest responsible bid of \$30,565.00; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., and Recreation Director.

The resolution was adopted on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye, adding that this is a one time purchase from the Recreation Trust Fund. He has heard comments about the Township's commitment to recreation. The Mayor then announced that the Township will partner with the community to provide \$3,000 per year as scholarships to attend the summer recreation program and increase the number of kids attending the program

#### AWARD BID FOR BROADWAY DECORATIVE STREET LIGHTS

Mr. Houghtaling offered the following resolution, moved and seconded by Mr. McMillan, that it be adopted:

WHEREAS, on January 16, 2014, the Township Engineer received bids for the award of a contract for decorative street lights for Broadway in Ocean Grove; and,

WHEREAS, said bids were reviewed by the Township Engineer who has recommended that the bid be awarded to the lowest bid submitted by Billows Electric Supply Co.; and,

WHEREAS, said bids were advertised, received and awarded in a "fair and open" competitive bidding process in accordance with the Open Public Contracts Law; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 07-38 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to Billows Electric Supply Co, their lowest responsible base plus Alternate #1 bid of \$41,622.00 to supply decorative street lighting for Broadway; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., Township Engineer and Public Works Director.

The resolution was adopted on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

#### AUTHORIZE THE PAYMENT OF BILLS

Mr. Houghtaling offered the following resolution, moved and seconded by Ms. Jahn, that it be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following bills be paid if properly certified:

CURRENT FUND	480,987.77
FEDERAL & STATE GRANT FUND	5,726.10
TRUST OTHER	45,855.65
GENERAL CAPITAL FUND	22,753.50
SEWER OPERATING FUND	44,726.17
MARINA OPERATING FUND	3,788.67
DOG TRUST	408.00



LIBRARY TRUST

668.76

BILL LIST TOTAL

\$604,914.62

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Assistant C.F.O.

The resolution was adopted on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

AWARD CONTRACT FOR DOCUMENT MANAGEMENT SYSTEM

Mr. McMillan offered the following resolution, moved and seconded by Ms. Jahn, that it be adopted:

WHEREAS, the Township of Neptune desires to award a contract for a Document Management System in the Police Department through the fair and open bidding process pursuant to the provisions of N.J.S.A. 19:44A-1, et seq.; and,

WHEREAS, the Township accepted Requests for Proposals for a Document Management System on January 29, 2014 and desires to make an award from the proposals received; and,

WHEREAS, funds will be provided in Ordinance No. 13-31 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the award of a contract to Innovative Data Solutions, Inc. to provide a Document Management System in the Police Department for a one year period at a total cost of \$6,000.10 (Subscription Fee - \$3,500.00/Set-up Fee - \$2,500.10); and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Business Administrator, Chief Financial Officer, Deputy Chief of Police and Assistant C.F.O.

The resolution was adopted on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

AWARD BID FOR POLICE ACCREDITATION SERVICES

Mr. Houghtaling offered the following resolution, moved and seconded by Ms. Jahn, that it be adopted:

WHEREAS, on January 29, 2014, the Purchasing Agent received bids for the award of a contract for Police Accreditation Services in the Police Department; and,

WHEREAS, said bids were reviewed by the Purchasing Agent and Acting Director of Police who have recommended that the bid be awarded to the lowest bid submitted by The Rodgers Group, LLC; and,

WHEREAS, said bids were advertised, received and awarded in a "fair and open" competitive bidding process in accordance with the Open Public Contracts Law; and,

WHEREAS, funds will be provided for the first three months of 2014 in the 2014 Temporary Budget and funds for the balance of 2014 will be provided in the Budget for the year 2014, when finally adopted, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a contract be awarded to The Rodgers Group, LLC on their lowest responsible bid of \$39,000.00 to supply Police Accreditation Services in the Police Department; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., and Deputy Chief of Police.

The resolution was adopted on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye, adding that this is another step in revising the Township's personnel policies.

AUTHORIZE MEDIATION IN THE MATTER OF GONZALEZ/SAVAGE V. NEPTUNE TOWNSHIP

Ms. Jahn offered the following resolution, moved and seconded by Mr. Houghtaling, that it be adopted:

WHEREAS, there is a pending lawsuit against Neptune Township by two police officers in the matter of Gonzalez/Savage vs. Neptune Township; and,

WHEREAS, Non-binding Mediation has been offered on March 18, 2014; and

WHEREAS, the Township's insurance carrier requires the consent of the governing body for said mediation.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes the aforesaid Non-binding Mediation in the case of Gonzalez/Savage vs. Neptune Township; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Acting Police Director and Labor Attorney.

The resolution was adopted on the following vote: Houghtaling, aye; Jahn, aye; McMillan, aye; and Brantley, aye.

#### PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Jack Breden, 94 ½ Heck Avenue, stated that he is against the five minutes rule for public comments at the Planning Board and Board of Adjustment meetings. He cited an example of a subdivision application near his home when he asked one question, did not get an answer and was told to sit down. There should be equal standards granted to the public as that which is granted to the applicant and his professionals.

Linda Johnson, Chaphagan Drive, read excerpts of a complaint filed by female police officers against the Township. She stated that it is a disgrace and policies and procedures should be in place. The Township should not have tolerated this behavior and these officers treated inhumanely. The Mayor stated that policy changes had been initiated before this matter took place.

Dianna Harris, Willow Drive, stated that she is thankful for the five minute rule on the Land Use boards. She asked if the LED sign for the front of the Municipal Building will replace the existing sign. Mr. Gadaleta responded yes. At this point, the Mayor reiterated the announcement that \$3,000 will be provided towards scholarships for the summer recreation program. In addition, the Housing Authority should partner in this idea to allow kids to participate whose parents cannot afford the cost.

Jeffrey Beekman, stated that he represents Sanitary Linen in regards to Ordinance No. 14-06 which was tabled. His client is concerned that the density requirements do not include off-street parking. He is also concerned that under the new zoning, anything he does with the property would require a variance because his business would now be non-conforming.

James Williams, 912 Green Grove Road, stated that things happen in Township departments and there is a Committee member overseeing each department, but it seems everything is rubber stamped. It is incumbent on the Township Committee members to oversee each department and employees should be able to come to a Committee member if their department head does not address their concerns.

Michael Fornino, 120 Fulham Place, asked that the new proposed LED sign look nothing like the sign in Belmar of Route 35 because it is too bright. He added that there was a recent incident in the Gables where a car crashed into a lawn. He stated portable speed tables break and fly around so permanent speed tables should be considered.

Dorothy Argyros, 2100 Rutherford Avenue. stated that the Township should not make taxpayers pay for the actions of others. If punitive damages are awarded, can the Township refuse to pay for the employee's legal costs and damages. Mr. Anthony responded yes. Ms. Argyros asked about compensatory damages. Mr. Anthony stated that insurance pays for compensatory damages. Ms. Argyros stated that the Township needs a policy that a police officer pays legal fees if found guilty. She also recommended that the Township hire an independent negotiator to negotiate collective bargaining contracts.

Kennedy Buckley, Broadway, distributed copies of Ordinance #1369 which requires property owners to remove snow and ice from sidewalks. He stated that he fell on snow and ice and wants the ordinance enforced so people will shovel their sidewalks. He recommended the hiring of on-call snow shovelers and then lien the property for the cost pursuant to ordinance.

Connie Holmes, 62 Winding Ridge Drive, stated that residents put their trash cans out at night and it is very difficult for drivers to see the cans. She recommended neon light or sticker be placed on the cans so they can be seen more easily.

Ann Horan, Clark Avenue, stated that utility markouts are being done on Clark Avenue and asked what was being done. Mr. Gadaleta stated that there are several on-going projects in Ocean Grove and markouts are done anytime someone is excavation for a variety of reasons. Ms. Horan stated that someone was going to door-to-door at night looking for residents to change their electric carrier. Mr. Gadaleta suggested that the police be contacted to investigate.

Hank Coakley, Valley Road, asked what interest rate is paid on municipal borrowing. Mr. Bascom stated that short term rates are under 1% and long term rates are between 3% and 4%. Mr. Coakley stated that red light cameras are a bad idea and recommended that they never be used in Neptune.

Heinz Weck, Ocean Grove, stated that Neptune employees are the finest and everyone performed great during the recent snowstorms.

Carol Rizzo, stated that the Possibility Program will be honored on April 12<sup>th</sup>. The program gives underprivileged children a chance to experience the performing arts. They put together and perform in a play and learn how to speak up for themselves. The Foster Care group will be honored for making a film based on a play they performed. The film will be playing in Atlantic City from April 4<sup>th</sup> through April 6<sup>th</sup>.

Mr. McMilan offered a motion, seconded by Ms. Jahn, to adjourn. All were in favor.

Richard J. Cuttrell,  
Municipal Clerk