

TOWNSHIP COMMITTEE MEETING – SEPTEMBER 24, 2012

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

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

Mayor Bishop 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 and The Coaster on January 5, 2012, 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 the demolition of the buildings on the Welsh Farms property. The Mayor stated that he spoke to Leanne Hoffman about the possibility of saving the original farmhouse building. Ms. Hoffman was present and stated that there was some potential for saving the farmhouse. Mr. Bascom stated that an estimate is needed from an Architect on the cost to restore the farmhouse and remove the back warehouse portion which is of no value. The Mayor suggested that the warehouse portion be removed and leave the house in tact. Ms. Jahn agreed that the farmhouse should be kept. Mr. Houghtaling questioned the amount of historical value left in the building. The Mayor stated that in Ocean Grove, people have been able to bring back properties that were dilapidated. Dr. Brantley stated that the Committee needs to look closely at the cost to restore the farmhouse and demolishing the back portion. Mr. Bascom estimated the demolition cost for the back warehouse portion at \$60,000 which will be put out to bid. He will also obtain a cost estimate to renovate the remaining farmhouse portion.

The Committee was reminded that the next Township Committee meeting will be Thursday, October 4<sup>th</sup>.

The Mayor stated that the Department of Transportation is still in favor of changing Route 33 to a three lane road from Highway 35 to Oxford Way. The Committee indicated their opposition to this plan and asked that correspondence be sent to the 11<sup>th</sup> District legislative representatives indicating their opposition.

Mr. Huhn recommended that the position of Harbor Master be created within the Marina Utility. Administration would conduct a search and get an experienced person for the position. Mr. Houghtaling asked that the job description have flexibility to account for down time during the winter months. The Mayor asked that the job description be prepared and distributed to the Committee before the position is created in the salary ordinance. Dr. Brantley also requested to see the job posting prior to advertising.

The Committee reviewed the list of outstanding items and requested that several be removed. Dr. Brantley asked for follow-up with Peter Avakian on the basement flooding issue on Harvard Avenue.

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:

## Potential Litigation – Sunshine Village Fields irrigation system

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: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

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

The Committee approved of posting the positions of Sergeant and Lieutenant in the Police Department.

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

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

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; Philip D. Huhn, 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 direction I am indicating, in case of fire you will be notified by bell and or public address system. If you are alerted of fire, please move in a calm, orderly manner to the nearest smoke-free exit or the next nearest exit as directed over the public address system.

Mayor Bishop 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 and The Coaster on January 5, 2012, 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 available online at [www.neptunetownship.org](http://www.neptunetownship.org) for public viewing before each Township Committee meeting.

## REPORT OF THE CLERK

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

Monmouth County Board of Health agenda for the September 18<sup>th</sup> meeting.

Senior Center monthly statistics for August

Notice from the State Department of Health that the ANSWER Water Rescue Team has been nominated for the 2012 Outstanding EMS Call for their response to a boat aground on the jetty at the entrance to Shark River Inlet.

## COMMENTS FROM THE DAIS

The Mayor requested comments from the dais and they were as follows:

Dr. Michael Brantley stated the Wesley Lake Commission would be conducting a revitalization meeting tomorrow morning on Cookman Avenue in Asbury Park. He stated it would be interesting and they would discuss what they've done for Wesley Lake and what they plan on doing.

Mary Beth Jahn stated she's been working with citizens through emails and the Mayor's Ball is this coming Friday night and it will benefit the Veteran's Memorial Park. She also stated she looked forward to seeing everyone at Riverfest.

Kevin B. McMillan stated he attended the FOP Golf Tournament last Monday at Jumping Brook and he had the opportunity to win golf clubs. He attended the Seacost Ushers Luncheon which was held at Branches on Saturday.

Deputy Mayor Houghtaling stated he attended the Ocean Grove Beautification Project and thanked the starving artist for all that they do. He welcomed the new Gables Association President and wished him well. He also stated he attended the MURC fundraiser meeting for the Gems and Jewels and Jeans dinner dance. He also attended the Ocean Grove Homeowner's meeting. He thanked the Township for getting more lighting for the ball field on West Bangs Avenue.

Mayor Randy Bishop stated he went to the birthday party of Mildred Owens and Mary Wilfords. He reminded everyone that the Mayor's Ball was this Friday evening and on Saturday would be Riverfest. He also stated that he attended the Lions's Club meeting and they honored Roberta Grace.

#### PUBLIC COMMENTS ON RESOLUTIONS

The Mayor requested public comments regarding resolutions presented on this agenda.

Dorothy Argyros, 2100 Rutherford Avenue, commented on Resolution #12-368 and questioned whether the park in the Bradley Park area would receive any of these funds.

The Committee stated they would not.

Mrs. Argyros went on to comment on Resolution #12-365 and questioned what it was and how much it would cost because the employees already had so many benefits.

Mr. Gadaleta stated this firm does pre-employment physicals and functional capacity evaluations. He stated they felt that this firm would be more beneficial to the Township. He went on to state that this was not an employee benefit.

Mrs. Argyros questioned whether they've ever done this before.

Mr. Gadaleta confirmed that they had and that it was with a different firm.

Mrs. Argyros questioned how much it was costing them.

Mr. Gadaleta stated it was on a per diem basis and the pre-employment physical was \$200 whereas the functional capacity evaluations ranged from \$600-\$800 depending on the category of the employee.

Mayor Bishop stated this also serves as protection for both the Township and the employee

Mrs. Argyros referred to Resolution # 12-361 and stated that the Township was just spending money because someone said they needed it. She questioned the need for this.

Mr. Bascom stated this is the change in title of text resolution. He stated within the budget there were non spending budget categories reserved funds collected in non spending categories where they have to raise money but they cannot spend it and matching funds for grants is a non spending category. They have to raise the money and if they want use it for a grant they have to change the title and text to the specific grant that they want to use it to.

Mrs. Argyros questioned why were they putting things in the budget that they were not spending.

Mr. Bascom stated it was budget law and if the Township was to go after grants they must have matching funds and this does not cause any additional funds to be raised from the Township.

Mrs. Argyros stated she felt that this was bologna and if they were to do this again they should give more of an explanation.

Michael Fornino – 120 Fulham Place, referred to Resolution #12-366 and questioned the location of the liquor license.

Mr. Cuttrell stated there wasn't a location because the license was inactive and it was the license for the old Redwood Inn.

#### ORDINANCE NO. 12-28 - ADOPTED

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

ORDINANCE NO. 12-28

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XII, SECTION 12-2 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING THE PROVISIONS REGARDING THE MAINTENANCE OF BRUSH, HEDGES TREES AND ANY PLANT LIFE

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

Hank Coakley, Valley Road, asked if a homeowner was to take down a tree would the Township pick up the debris or would the homeowner have to transport it to the Township yard.

Mayor Bishop stated the Township would pick it up as they always have.

Mr. Coakley questioned whether contractors were allowed to leave debris at the curb.

Mr. Houghtaling stated when the debris is picked up they are not aware if a contractor left the debris or not.

Mr. Coakley questioned whether this would be repealed tonight.

Mayor Bishop stated they were repealing because they have found that it is unenforceable. He stated he just wished that they State would give them the money that is owned to them.

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

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

CONSENT AGENDA

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

AUTHORIZE CHANGE IN TITLE AND TEXT IN 2012 MUNICIPAL BUDGET TO PROVIDE MATCHING FUNDS FOR A STATE POLICE EMPG OPEN INITIATIVE SUBGRANT

WHEREAS, N.J.S. 40A:4-85 provides that the Director of the Division of Local Finance may, at the request of, or with the consent of, the governing body of the county or municipality, make changes of the title, text or amount of any appropriation appearing in the budgets as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any such county or municipality; and,

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S. 40A:4-85, the Township of Neptune hereby requests the Director of the Division of Local Finance to make the following corrections in the budget of the year 2012;

<u>Appropriations:</u>		<u>From</u>		<u>To</u>
Matching Funds for Grants	\$	20,000.00		\$ 0.00
FY10-FY11 EMPG Open Initiative Subgrant	\$	0.00		\$ 20,000.00

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the statute above referred to, and is necessary for the orderly operation of the municipality for the reasons hereinafter set forth: The appropriation "Matching Funds for Grants" is a non-spending appropriation which must be transferred into a specific line-item for use by the municipality. The municipality has been awarded funding from the New Jersey State Police EMPG Open Initiative Subgrant which requires a municipal cash match which is expected to be \$20,000.00 for 2012; 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 Auditor.

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

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 197.03, Lot 3, with an address of 1510 Embury 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 197.03, Lot 3, with an address of 1510 Embury 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, Administrative Assistant to the C.F.O. and Business Administrator.

AUTHORIZE EXTENSION OF LIQUOR LICENSE ISSUED TO NEPTUNE LIQUORS, LLC TO CHARLES A. STANZIALE, LIQUIDATING TRUSTEE

WHEREAS, an application has been filed for the extension of Plenary Retail Consumption License 1334-33-019-004 to Charles A. Stanziale, Jr. the Liquidating Trustee of the Solomon Dwek Creditors Liquidating Trust. and,

WHEREAS, the action to transfer/extend said license has been set forth in a Notice of Settlement from the United States Bankruptcy Court dated December 2, 2011, Certification of No Objection dated January 6, 2012, and an Assignment of Limited Liability Company Interest in Neptune Liquors, LLC dated June 22, 2012; and,

WHEREAS, the submitted application is complete in all respects including proof of appointment to act as Trustee,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby approves, effective September 25, 2012, the extension of the aforesaid Plenary Retail Consumption License to Charles A. Stanziale, Jr., Liquidating Trustee of the Solomon Dwek Creditors Liquidating Trust, said license to be held in-pocket; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the New Jersey Division of ABC, the Chief of Police and the License Holder.

EMPLOY ON-CALL PART-TIME BUS DRIVER IN THE SENIOR CENTER

WHEREAS, there is a need for an on-call/part-time Bus Driver in the Senior Center; and,

WHEREAS, the position was duly posted and applicants have been interviewed; and,

WHEREAS, the Senior Center Director has made her recommendation; and,

WHEREAS, funds will be provided in the 2012 Municipal Budget in the appropriation entitled \_\_\_\_\_, known as Account No. \_\_\_\_\_, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Allan Weinberg be and is hereby employed as an on-call/part-time Bus Driver at an hourly rate of \$14.68 contingent upon favorable results of a background check and physical examination, effective October 1, 2012; and,

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

AUTHORIZE EXECUTION OF A CONTRACT WITH BIODYNAMICS, LLC TO PROVIDE

OCCUPATIONAL HEALTH SERVICES

WHEREAS, the Township desires to establish a contract to provide occupational health services to the Township; and,

WHEREAS, the Assistant Business Administrator has made his recommendation to contract with Biokinetics, LLC to perform said services,

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 contract with Biokinetics, LLC to provide occupational health services to Township employees including, but not limited to customized job descriptions, pre-employment testing and functional capacity evaluations, pursuant to the rate schedule in said contract; and,

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

CANCEL CHECKS OUTSTANDING FOR OVER NINETY DAYS

WHEREAS, the Finance Department has advised that there are a number of outstanding checks that are over ninety (90) days old; and,

WHEREAS, the cancellation of said checks must be approved by resolution of the Township Committee,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following checks outstanding for greater than ninety (90) days be and are hereby approved for cancellation:

General Account (Fund 01)		
CHECK NO.	DATE	AMOUNT
013692	08/08/11	\$ 17.98
014024	10/06/11	45.00
014353	11/28/11	125.00
015551	04/27/12	891.51

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

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

JOIN THE NEW JERSEY LEAGUE OF MUNICIPALITIES AND OTHER AFFECTED MUNICIPALITIES IN THEIR EFFORTS TO APPEAL THE TAX COURT DECISION THAT HAS ELIMINATED THE REQUIREMENT OF VERIZON NEW JERSEY, INC. TO PAY PROPERTY TAXES ON TANGIBLE PERSONAL PROPERTY

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

WHEREAS, the Township of Neptune along with other various municipalities have been informed that Verizon New Jersey, Inc. is no longer required to file a Return of Tangible Personal Property Used in Business by Local Business Exchange Companies Form PT-10 to the affected municipalities and therefore will not be required to pay property taxes on their Tangible Personal Property for the tax year 2013; and,

WHEREAS, N.J.S.A. 54:4-1 defines a "Local Exchange Telephone Company" as a telecommunications carrier providing dial tone and access to 51% of a local telephone exchange within a municipality; and,

WHEREAS, Verizon New Jersey, Inc. has determined that they are not providing 51% or more of dial tone service to the Township of Neptune along with other affected municipalities and will not file the required form and not pay the property taxes pursuant to N.J.S.A. 54:4-1; and,

WHEREAS, Verizon New Jersey, Inc. filed its revenue requirement for approval under the rate base/rate tariffs by listing the payment of "Taxes" as part of its revenue requirement. The New Jersey Business Personal Property tax payments were part of the revenue requirement of the rate

base. Therefore, this tax payment to the municipalities was approved as part of the rate base revenue requirement in rate tariffs that were approved; and,

WHEREAS, after the Board of Public Utilities rate approval, Verizon New Jersey, Inc. took the position that it is no longer required to pay Business Personal Property taxes pursuant to N.J.S.A. 54:4-1 and has retained millions of dollars in profits by refusing to pay business personal property taxes to municipalities whose payments were built into its rate tariff; and,

WHEREAS, the loss of tax revenue to the Township of Neptune as a result of this action is approximately \$140,000 annually; and,

WHEREAS, the Borough of Hopewell in Mercer County with the support of the New Jersey League of Municipalities has contested Verizon's decision and has asked the affected municipalities to join them in their efforts to continue contesting this matter,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Township of Neptune shall join the League of Municipalities in their continued efforts to appeal the tax court decision in the matter of Hopewell v. Verizon and that the Chief Financial Officer is hereby authorized to issue a check in the amount of \$220.00 to the League of Municipalities for this purpose; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Senator Jennifer Beck, Assemblywoman Mary Pat Angelini, Assemblywoman Caroline Casagrande, the New Jersey League of Municipalities, the Neptune Township Chief Financial Officer and the Neptune Township Assistant C.F.O. and Auditor.

The resolution was adopted on the following vote: Brantley, aye; Houghtaling, aye, adding that this will result in a loss of \$140,000 in revenue to the Township annually; Jahn, aye; McMillan, aye; and Bishop, aye.

AUTHORIZE THE PURCHASE OF PLAYGROUND EQUIPMENT THROUGH THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Neptune Township Public Works and Recreation Departments wish to purchase playground equipment for Midtown Commons Park, Liberty Park and Pittenger Park 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, BCI Burke Company has been awarded New Jersey State Contract No. A81430 for this equipment; 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 playground equipment shall not exceed \$99,686.80; and,

WHEREAS, funds for this purpose are available through Ordinance #12-08, 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 playground equipment for Midtown Commons Park, Liberty Park and Pittenger Park through the New Jersey Cooperative Purchasing Program be and is hereby authorized at an amount not to exceed \$99,686.60; and,

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

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

The Mayor announced the following appointment to the Board of Library Trustees:

Maureen Pampaloni to an unexpired five-year term expiring December 31, 2012.

CONFIRM MAYOR'S APPOINTMENT TO THE BOARD OF LIBRARY TRUSTEES

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

WHEREAS, due to the resignation of Luke Tirrell, there is a vacancy on the Library Board of Trustees,

THEREFORE, BE IT RESOLVED, that the Township Committee hereby confirms the Mayor's appointment of Maureen Pampaloni as a member to the Board of Library Trustees for an unexpired five year term expiring December 31, 2012; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Library Director.

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

AWARD BID FOR WHEEL LOADER

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

WHEREAS, on August 24, 2012, the Purchasing Agent received bids for the award of a contract for a wheel loader; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that the bid be awarded to the lowest bid submitted by Trico Equipment; 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. 09-36 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 Trico Equipment on their lowest responsible bid of \$174,850.00 to supply a Case 621F Wheel Loader with options; 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 Public Works Director.

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

AWARD BID FOR BACKHOE LOADER

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

WHEREAS, on August 24, 2012, the Purchasing Agent received bids for the award of a contract for a backhoe loader; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that the bid be awarded to the lowest bid submitted by Trico Equipment; 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. 09-37 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 Trico Equipment on their lowest responsible bid of \$131,613.00 to supply a Case 590SN Backhoe Loader with options; 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 Public Works Director.

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

AUTHORIZE THE PAYMENT OF BILLS

Ms. Jahn offered the following resolution, moved and seconded by Mr. Houghtaling, 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	2,800,010.41
FEDERAL & STATE GRANT FUND	52,058.40
TRUST OTHER	6,955.97
GENERAL CAPITAL FUND	4,706,564.24
SEWER OPERATING FUND	1,113,700.92
SEWER CAPITAL FUND	2,464.25
MARINA OPERATING FUND	4,238.10
MARINA CAPITAL FUND	7,471.93
DOG TRUST	14,954.00
UDAG TRUST	1,180.40
LIBRARY TRUST	505.99
BILL LIST TOTAL	\$8,710,104.61

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: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye, except abstain on Check #3033 payable to Bidy Basketball; and Bishop, aye.

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Jack Bredin, 94 ½ Heck Avenue, discussed the Northend Redevelopment. He stated there were six lots involved with this and he's only looked at three. He went on to state that the only consistency he saw was the public open space that the Township was holding. He stated the Code Dept and Municipal Clerk's office were the only departments that were getting it right. He went on to discuss the problems that he saw and he did not believe that a licensed engineer would allow some of the lots that are being built. He stated lots were being built into lots and the beach was public space and was under the Township's jurisdiction.

Mayor Bishop stated the Township did not own the beach but stated there were certain instances in Ocean Grove which have been directed to them by the DEP which was the boardwalk and the boardwalk pavilion where they were made to carve out the boardwalk pavilion out of the middle of the boardwalk because it was a private piece of property for religious purposes only under the dispute on civil unions. He stated it was truly a lot within a lot that does not front on a street.

Dorothy Argyros stated she felt that the committee was limiting the amount of time the citizens could

speak and if they favor the person that was speaking they would allow them to talk longer. She requested the Committee to allow her to use her entire five minutes to speak and then respond to her. She reiterated that she wanted things done fairly.

Mr. Anthony stated there were many case laws that indicated the governing body could restrict the number of minutes that a person could speak and five minutes was a common limitation.

Mrs. Argyros stated they were getting fewer and fewer people out to speak because the Township was limiting the residents. She stated the committee could speak indefinitely when informing the public what they've done.

Michael Fornino stated he's been going to the Committee meetings in Asbury Park and he's noticed that they had approximately 75 people present at their meeting. He also stated that both he and his wife would not be attending the Mayor's Ball because he felt that the music was too loud. He also stated he noticed in the newspaper that there was a fire in Long Branch but some of our emergency fire and personnel went out to help and he questioned why.

Mr. Bascom stated Long Branch requested mutual aid from both Neptune and Asbury Park due to the specialized equipment that we have. He stated they provide the same services to us as well and different towns have different specialties.

Jean Hood questioned how she could obtain a resolution or a copy of the Township's laws pertaining to tax exemptions for disabled veterans. She stated she's written three letters and hand carried them and have not responded.

Mr. Bascom stated it was his understanding that Mr. Haney responded to her letter.

Hank Coakley questioned whether there was a change in bills when it came to mutual aid.

Mr. Bascom stated typically under mutual aid there is no exchange of bills for instance when they had the fires in Ocean Grove there were a lot of firefighters from around the county come and help. There was no bill to reimburse them for that huge mass response to Neptune and just like that Neptune helps other communities. In some cases there are billings and it is when there is a specific responsible party that causes an incident where the insurance company will reimburse those types of expenses. In this incident it was a structure collapse due to a car crash and the insurance will do what it has to, to make it safe.

Fran Paladino discussed the Broadway flooding/maintenance. He stated no one showed up to do any work last week.

Mayor Bishop stated he would speak with Leanne Hoffman and Peter Avakian. He informed Mr. Paladino of the schedule of work to be done by the contractor for the next two weeks.

Alan Albren expressed concern regarding the Broadway drainage project and doubt that it would function in the capacity that it was designed.

Heinz Weck stated that he had faith in the professionals and wished everyone a good evening.

Mr. Houghtaling offered a motion, seconded by Mr. McMillan, to adjourn. All were in favor.

Richard J. Cuttrell,  
Municipal Clerk