

TOWNSHIP COMMITTEE MEETING – NOVEMBER 8, 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, and Mayor J. Randy Bishop. Absent: Kevin B. McMillan (The meeting was conducted in the first floor rotunda due to limited electrical power as a result of Hurricane Sandy)

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 Mayor stated that the State has agreed to waive their portion of construction permit fees if a municipality agrees to waive their portion. This would apply to permits for repairs to storm related damage only and would be in effect for 30 days. The waiver sends a message that with such a catastrophe the Township understands the difficult situation and is eager to see homes and businesses repaired and back on the tax roles. Ms. Jahn asked if the 30 days could be extended if necessary. The Mayor stated that the Committee could further extend if needed. Mr. Houghtaling stated that he is in favor of the fee waiver provided it is for storm related repairs. Dr. Brantley also indicated agreement.

Mr. Bascom stated that the Local Emergency Planning Committee showed intent to participate in a National Emergency Grant for temporary employees to assist the Construction Department, Department of Public Works and Special Law Enforcement Officers.

Dr. Brantley asked about damage to the Wesley Lake wall and how that would affect grant funds previously received for repairs. Mr. Bascom stated that FEMA will be looking at that and would still reimburse for repairs regardless if grant monies had been received.

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

Mr. Houghtaling offered the following resolution, moved and seconded by Ms. Jahn, 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:
Contract negotiations – Compensatory time
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; and Bishop, aye.

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

Mr. Bascom stated that a Special Emergency Appropriation is needed for storm related costs. So far, the cost of Hurricane Sandy to the Township is between \$800,000 and \$900,000 in

operations and services. When the cost of overtime is added, \$1,400,000 is needed. State statute permits a municipality to issue a note and pay over the next five budget years; however, the Township can use FEMA reimbursements to pay down the note. Mr. Bascom advised that the preliminary damage assessment for the entire Township is \$55 million.

Mr. Bascom encouraged the Committee to fill the new Harbor Master position at the Marina and decide what the new marina building will look like (the previous building was severely damaged in the hurricane and had to be razed).

The Committee returned to the Municipal Building Rotunda 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, and Mayor J. Randy Bishop. Absent: Kevin B. McMillan

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.

Pastor Paul Brown opened the meeting with a prayer. He asked for God's strength and healing during this difficult period.

The Mayor led the Flag Salute and 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 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 October 16th agenda.

Tax Collector's monthly statement for October.

Senior Beacon for November.

Thank you note from Marge Morrissey from the Midtown Community Elementary School for being a presenter at the annual First Day Celebration.

COMMENTS FROM THE DAIS

The Mayor offered congratulations to Dr. Brantley and Ms. Jahn on their re-election to the Township Committee and then requested comments from the dais and they were as follows:

Dr. Brantley stated that Neptune Township did a fantastic job to serve our residents during the storm.

Ms. Jahn stated that she cannot say enough about our employees and volunteers. She added that she would not want to live anywhere else besides Neptune.

Mr. Houghtaling stated that the Township did a great job during the hurricane and now everyone needs to be together as one to get through this tough time.

The Mayor stated that he is proud of all workers, volunteers and residents of Neptune Township who stepped out and helped people over the past week and a half. He added that many department heads went days without sleep. It was one family that stood together and he is proud of what Neptune stands for. He concluded by saying that in the end Neptune Township will be even

better.

PUBLIC COMMENTS ON RESOLUTIONS

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

There were no public comments.

ORDINANCE NO. 12-30 - APPROVED

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

ORDINANCE NO. 12-30

AN ORDINANCE TO AMEND ORDINANCE NO. 11-48 ENTITLED "AN ORDINANCE CREATING AND SETTING THE SALARY RANGE FOR NEW JOB TITLES AND AMENDING THE SALARY RANGES FOR ALL OTHER EXISTING JOB TITLES OF THE TOWNSHIP OF NEPTUNE." BY ELIMINATING THE POSITION OF ASSISTANT BUSINESS ADMINISTRATOR

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

CONSENT AGENDA

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

AUTHORIZE THE REFUND OF SEWER RENT (1501 MONROE AVENUE)

WHEREAS, the properties listed below reflect overpayments; and,

WHEREAS, they have furnished the necessary documentation and have requested a refund,

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, that the Tax Collector be and hereby is authorized to refund the Sewer Rent as stated herein:

BLOCK/LOT	ASSESSED TO	ADDRESS	YEAR	AMOUNT
189/10.01	BARNETT	1510 MONROE AVE	2012	220.00

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Tax Collector, Assistant C.F.O. and Auditor.

REQUEST THE DIVISION OF LOCAL GOVERNMENT SERVICES TO GRANT APPROVAL OF A DEDICATION BY RIDER OF REVENUES RECEIVED AS DONATIONS FOR THE VETERANS MEMORIAL PARK

WHEREAS, the Township is in the process of creating the Veterans Memorial Park on Old Corlies Avenue and receives donations from time to time in support of this effort; and,

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance: and,

WHEREAS, N.J.S.A. 40A:5-29 et seq. authorizes a municipality to accept donations and utilize same so long as the use if consistent with the laws of the State and of the United States; and,

WHEREAS, N.J.S.A. 40A4:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of said monies by dedication by rider;

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Neptune,

County of Monmouth, as follows:

1) The Township Committee does hereby request permission of the Director of the Division of Local Government Services to utilize donated funds received for the Veteran's Memorial Park.

2) The Township Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

3) The Township Clerk shall forward certified copies of this resolution to the Business Administrator, Chief Financial Officer and Assistant C.F.O.

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 039

WHEREAS, Muhammad Aslam is the owner of Neptune Township Taxi Medallion No. 039; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Arif Ali; and,

WHEREAS, the Taxi License Coordinator has certified that all requirements of transfer have been satisfied,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted for the transfer of Taxi Medallion License No. 039 to Arif Ali; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Taxi License Coordinator and Municipal Clerk.

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>
473/4	232 Valley Road	417.50

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

REQUEST THE DIVISION OF LOCAL GOVERNMENT SERVICES TO GRANT APPROVAL OF A DEDICATION BY RIDER OF REVENUES RECEIVED AS DONATIONS FOR STORM RELIEF

WHEREAS, the Township desires to receive donations directly associated and specifically designated for storm relief as a result of Hurricane Sandy; and,

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance: and,

WHEREAS, N.J.S.A. 40A:5-29 et seq. authorizes a municipality to accept donations and utilize same so long as the use is consistent with the laws of the State and of the United States; and,

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of said monies by dedication by rider;

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

1) The Township Committee does hereby request permission of the Director of the Division of Local Government Services to utilize donated funds received for the Storm Relief Fund.

2) The Township Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

3) The Township Clerk shall forward certified copies of this resolution to the Business Administrator, Chief Financial Officer and Assistant C.F.O.

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

ESTABLISH GRACE PERIOD FOR 4th QUARTER TAX PAYMENTS

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

WHEREAS, the Township Committee has adopted a ten (10) day grace period for all tax payments due during the 2012 calendar year; and,

WHEREAS, the 4th quarter tax payment for 2012 is due on November 1, 2012; and,

WHEREAS, due to the extraordinary conditions as a result of Hurricane Sandy which has made it difficult for property owners to make tax payments, the Committee desires to extend the zero percent interest grace period for the 4th quarter tax payments,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that a zero percent interest grace period is hereby established for receipt of 2012 4th quarter tax payments until November 21, 2012; and,

BE IT FURTHER RESOLVED, that 2012 4th quarter tax payments received after November 21, 2012 will be charged the applicable interest rate as of November 1, 2012; and,

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

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

WAIVE CONSTRUCTION PERMIT FEES FOR CONSTRUCTION WORK MADE NECESSARY BY HURRICANE DAMAGE

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

WHEREAS, the Township of Neptune, along with many other communities along the New Jersey coast, experienced a storm of unprecedented fury when Hurricane Sandy struck New Jersey on October 29, 2012; and,

WHEREAS, many property owners in the Township of Neptune suffered damage to their homes and businesses as a result of Hurricane Sandy; and,

WHEREAS, the Township Committee is cognizant and supportive of the will and desire of our residents and businesses to rebuild a stronger Neptune Township and is at the ready to assist in this process; and,

WHEREAS, the State of New Jersey has indicated that pursuant to N.J.A.C. 5:23-4.19(b)5 the State will waive the State permit surcharge fee for construction permits if the municipality waives

the local fee; and,

WHEREAS, the Township Committee desires to waive the municipal fee for construction permits as a result of Hurricane Sandy,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that municipal construction permit fees for construction work made necessary by Hurricane Sandy be and are hereby waived for construction permit applications received by the Neptune Township Construction Department on or before December 13, 2012; and,

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

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

APPOINT BUSINESS ADMINISTRATOR

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

WHEREAS, Philip Huhn, Business Administrator, is retiring effective November 30, 2012; and,

WHEREAS, the Township Committee desires to reclassify Vito Gadaleta, Assistant Business Administrator to the position of Business Administrator,

WHEREAS, funds for this purpose are available in the 2012 municipal budget in the appropriation entitled Administration S&W, 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 Vito Gadaleta be and is hereby appointed to the position of Business Administrator effective December 1, 2012 and the Mayor and Clerk be and are hereby authorized to execute an Employment Agreement setting forth the terms and conditions of said employment, a copy of which is available in the Office of the Municipal Clerk; and,

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

The resolution was adopted on the following vote: Brantley, aye, adding absolutely yes; Houghtaling, aye, adding that Mr. Gadaleta is a tremendous asset; Jahn, aye, adding a welcome back home to Mr. Gadaleta; and Bishop, aye, adding that he has a lot or respect for Mr. Gadaleta and absolutely yes.

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	298,501.73
FEDERAL & STATE GRANT FUND	7,673.03
TRUST OTHER	53,547.27
GENERAL CAPITAL FUND	96,327.83
SEWER OPERATING FUND	3,888.84
SEWER CAPITAL FUND	35,150.00

MARINA OPERATING FUND	74.90
MARINA CAPITAL FUND	2,400.00
DOG TRUST	129.60
LIBRARY TRUST	1,698.26
 BILL LIST TOTAL	 \$499,391.46

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; and Bishop, aye.

AUTHORIZE SPECIAL EMERGENCY APPROPRIATION AS A RESULT OF HURRICANE SANDY

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

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, by the Township of Neptune for costs related to emergency response and funding long term recovery relating to Hurricane Sandy; and,

WHEREAS, NJS 40A:4-54 provides that is shall be lawful to make such appropriation, which appropriation and/or the "special emergency notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act,

NOW, THEREFORE, BE IT RESOLVED, (by not less than two-thirds of all governing body members affirmatively concurring) by the Township Committee of the Township of Neptune that in accordance with the provisions of NJS 40A:4-54 as follows:

1. An emergency appropriation is hereby made for Hurricane Sandy expenses in the total amount of \$1,400,000.00
2. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$280,000.00 (must be at least one-fifth of the total amount)
3. That an "emergency note", not in excess of the amount authorized pursuant to law, be provided.
4. That such note shall be executed by Michael J. Bascom, Chief Financial Officer, and Mayor J. Randy Bishop.
5. That said note shall be dated as determined by the Chief Financial Officer, may be renewed from time to time provided that such note and any renewals shall mature and be paid in the amount of not less than one-fifth of the total amount appropriated by this resolution in each year after the authorization.
6. That the statement required by the Local Finance Board has been filed with the Clerk and a copy will be transmitted to the Director of the Division of Local Government Services.
7. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

The Mayor stated that as of midday yesterday, power had been restored to 87% of the Township; however, with the heavy wet snow last evening, that number went down to 50%. As of this afternoon, the number of residents restored stood at 60%. There is also an issue where power has been restored to a large area, but one block or a couple of houses within the larger area remain without power. The Mayor indicated that he shares in the frustration of being without power.

Barbara Burns, 4 Ocean Avenue, stated that the JCP&L web site is very generic and asked what the quality is of the information received by the Township. The Mayor responded that JCP&L does not give a reason for specific outages and are reluctant to give dates. The Township receives that same information that the public received.

Wes Kain, 201 Highland Avenue, stated that he was impressed with the service at the Public Works Department the day before the storm where sandbags were available to residents. Mr. Kain began taking water into his home at 7:15 p.m. and was rescued by the Office of Emergency Management and the first aid squad who were both great. The Department of Public Works came out with equipment and were very considerate and understanding given the situation. The police were magnificent in preventing looting. Mr. Kain added that he was impressed that the Mayor was in the tent at South Riverside Drive answering questions and assisting residents.

Pastor Paul Brown, 603 Mayfair Lane, expressed thanks to the dais for setting up the Distribution Center which was very helpful to the residents. The Mayor stated that Pastor Brown's congregation was a great help at the Center. He added that the Center will be open on Friday and Saturday.

Dorothy Argyros, 2100 Rutherford Avenue, stated that she got her electricity back. She asked if any additional employees were hired as a result of the storm. The Mayor responded that the Township hired contractors to clear and remove debris. Ms. Argyros asked for the ratio of paid employees versus volunteers that worked during the storm. The Mayor stated he did not have those figures. He added that the Township has been very cognizant of costs and the safety of our residents always comes first. The resources and costs as a result of the hurricane have been managed very well.

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

Richard J. Cuttrell,
Municipal Clerk