

## TOWNSHIP COMMITTEE MEETING – SEPTEMBER 23, 2013

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

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.

Mayor Houghtaling 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 4, 2013 and The Coaster on January 3, 2013, 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 a draft Responsible Contractor Ordinance. Dr. Brantley stated that Mr. Bishop had put forth a similar ordinance in the past which the Township adopted. The language of that ordinance was challenged in other municipalities; therefore, the ordinance was rescinded in Neptune. Dr. Brantley suggested this new language. He stated that he would like to get more out of contractors and hold them more accountable. Mr. McMillan stated that the intent is to have more quality work and protect our residents. Mr. Bishop stated that the new language has quality assurance items, especially prior history of contractors. He suggested that we could adopt some of this language as Township policy. The Mayor stated that if a contractor does not have an apprentice program, the Township pays top dollar for all workers. He asked Mr. Anthony and applicable Township departments to evaluate the ordinance. Dr. Brantley asked Mr. Anthony to also look at the language regarding the hiring of Township residents.

Dr. Brantley left the meeting.

Ms. Jahn discussed the idea of a bus shuttle to the Route 66 retail businesses. She stated that this is a large population in Midtown and Bradley Park that may not be able to get to west Neptune and the retail establishments. Leanne Hoffman, Township Engineer, stated that meetings have been held regarding this concept for the past two to three years. Shorelink prepared a grant application for the shuttle; however, there is a cost to the Township. She recalled that there was discussion about asking for contribution from the businesses that would be served by the shuttle. Ms. Jahn stated that the cost would be approximately \$65,000 depending on how long the shuttle would be in service and the frequency of ridership. Mr. Bascom stated that there was no interest among the Route 66 business owners two years ago. He suggested that the idea be presented to the Economic Development Corporation and invite the business owners.

Ms. Jahn stated that she received correspondence that the County and State will be altering the traffic patterns of Memorial Drive and Route 71 to make them one lane in each direction. Ms. Hoffman stated that the County received funds for a planning grant in connection with Memorial Drive. The County initially was going to move forward with an overlay project to Memorial Drive, but they held back to look at changing the traffic pattern to allow for easier crossing. Ms. Hoffman will follow up with the County Engineer.

Mr. Bascom stated that the state issues an annual Best Practices Checklist to promote financial accountability and transparency. The state penalizes municipalities that do not meet 80% of the items. The Township exceeded the 80% threshold. Mr. Bascom added that areas where the Township could score more points would be the addition of a pay-to-play ordinance. The Township currently complies, but could score a point if we had an ordinance that was more stringent than the state guidelines. The Township uses the Rutgers accounting handbook, but would score a point if we had our own handbook. Mr. Bascom recommended adopting the provisions of the Rutgers handbook and adopting our own. The Township would score a point if we had a Finance Committee made up a Committee member and Township staff. The Township staff currently updates the entire Township Committee but we do not have a formal sub-Committee. The Township does not gain a point because we do not liquidate interfund transfers at year end. Mr. Bascom explained that this practice would result in higher costs to the taxpayer. The Township is currently capping accumulated sick leave, but would add a point if done retroactively. Also, the Township is eliminating longevity payments to employees, which will add a point in the future. In summary, Mr. Bascom stated that the Township scores an 86 which is in the highest point range. There is no loss in aid with a score of 80 or higher. The Township can formalize a few things that we are already doing and get its score up to a 90.

Mr. Gadaleta stated that the Township received bids for the demolition of the Welsh Farms property and a capital ordinance is on the agenda for introduction this evening. Ms. Hoffman stated that six bids were received and the apparent low bid is at \$137,000. The Township Public Works Department will be removing the asphalt at a savings of \$50,000. Ms. Hoffman stated that the Broadway lighting project will be bid in mid-October. Mr. Gadaleta met with staff and an engineering firm to analyze the odor condition at the Pennsylvania Avenue Pumping Station and make a proposal. The design work for the Loffredo Field drainage issue is complete and Ms. Hoffman will be reviewing the plans with Public Works and the Youth Football League.

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

Mr. Bishop offered the following resolution, moved and seconded by Mr. McMillan, 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:

Personnel – Appointments to Rent Leveling Board and Housing Authority  
Personnel – Recommendations for hiring in Finance and Administration Departments  
Contract negotiations – F.O.P. contract  
Personnel – Police Department organizational update

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

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

The Committee submitted recommendations for appointments to the Rent Leveling Board. The first meeting of the Board was set for October 17<sup>th</sup>.

Mr. Bascom recommended Sandra Petersen for a vacant Accountant position in the Finance Department. The Committee took action by resolution during the regular meeting. Mr. Gadaleta stated that Stephanie Oppegaard, Administrative Assistant, will be taking the human relations and insurance responsibilities and physically relocating to the Finance Department. Therefore, a Customer Service Representative is needed in the Business Administrator's Office. He interviewed three applicants and recommended Tiffany Bailoni for the position. The Committee took action by resolution during the regular meeting.

Mr. Bascom stated that agreement has been reached for a successor contract with F.O.P. Local #19. The Detective stipend now matches the P.B.A. contract. There is cost sharing with health benefits. Accumulated sick time is capped at \$15,000 for new hires and existing employees cannot accumulate any more sick days after December 31, 2013. Finally, the contract calls for a 2% wage increase for each year through 2016.

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

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

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.

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 Houghtaling 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 4, 2013 and The Coaster on January 3, 2013, 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).

#### APPROVAL OF MINUTES

Mr. Bishop offered a motion, seconded by Ms. Jahn, to approve the minutes of the meetings held on June 10<sup>th</sup>, July 8<sup>th</sup>, July 22<sup>nd</sup> July 29<sup>th</sup> and August 26<sup>th</sup>. All were in favor.

#### RECOGNITION OF RETIRING TOWNSHIP EMPLOYEE

The Mayor and Committee recognized Carol Franzwick on her retirement from the Code/Construction Department after 19 years of service.

#### REPORT OF THE CLERK

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

A letter from Tom Arnone, Freeholder Director, commending the Township, and particularly Eugene Stewart, for organizing the National Night Out event.

Notice from the NJ Department of Community Affairs that the Township has been awarded a Post Sandy Planning Assistance Grant in the amount of \$30,000.

Senior Center monthly statistics for August.

The Senior Center staff received letter of thanks from Gladys Baker, Brenda Chisum and family, Maggie Perkins and Ellen Sanderson.

#### COMMENTS FROM THE DAIS

Mr. Bishop stated he attended the Gateway graduation which was for the young men who worked for the Township during the summer through a D.O.T grant. They were a great group of young men and it is something he hoped they could continue in the future. He also joined the Mayor in the walk for Grandparents Day at the Francis Asbury Manor. He attended several meetings for Veterans Memorial Park and Jersey Shore University Community Day both had an incredible turnout. He stated we are very lucky to have this facility in our town because this facility does a lot in the community. He attended a POW/MIA Remembrance Day with Ms. Jahn and the Mayor. He stated this was Hunger Action Month and encouraged them to go on the Township website. He also stated there were carts here and asked the residents to bring food and to also donate to CHANT.

Ms. Jahn stated JSUMC saved her life last year. She felt it was excellent to have them here for the care and employment as well. She stated she attended Urban Gateways graduation students that MURC and Public Works worked with this summer. She stated it was an excellent program with wonderful kids. She attended the Harbor Commission Meeting. They are getting organized again after post Sandy and would be doing a posting for a secretary, a lot is going on. She attended EDC and there are a lot of programs available for small businesses and anyone interested should contact Monique Burger. She also attended the MIA/POW service. She felt it was very moving as her father was an Arial Veteran.

Kevin McMillan stated he attended the Recreation Committee Meeting and listed the programs they have. He also attended the PNC African American Festival. He felt it was a great event. He went on to state that tonight the Committee would be introducing Resolution #14-432 in support of increasing the minimum wage. He did research of Chief Executive Officers of fast food chains and felt that we need to look at a fair and balanced approach.

Eric Houghtaling stated this month in Neptune was Hunger Action month and would like to encourage everyone to bring as much food as they can to give to the Monmouth County Food Bank. He had the opportunity to attend MURCs free concert at Mid-Town Commons. He also attended movie night at Volunteer Park on South Riverside Drive. He stated Francis Asbury Manor had a walk of ages and he gave them a proclamation. Jersey Shore Arts Center had a run for the arts and it was the biggest one they had and he had the honor of being in the race. He also attended the POW/MIA on Gully Road and it was a packed house. He attended the homeowners meetings in which it was announced that we would be starting our single stream recycling plan. They will be handing out recycling buckets on the 7<sup>th</sup> and will be finished on the 18<sup>th</sup>. Recycling will start the beginning of November and will be every other Wednesday.

Kevin McMillan stated he visited Gwen Love a former township employee at Lunch Break and if anyone is in dire need they can receive free meals from Lunch Break.

## PUBLIC COMMENTS ON RESOLUTIONS

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

Dorothy Argyros commented on Resolution #13-421 by stating that she hoped they would not give away the store to the police who most already made six figures with cadillac benefits. She felt they should give some of their money back. She also spoke regarding Resolution #13-429. She felt the names should have been listed and would like to propose that they tell them if they have an interest when listing their names. She felt at least two or more tenants should be on the board. She recommended Connie Holmes for the board. She thanked the Committee for the resolution to increase the minimum wage.

Richard Cuttrell read the names for those being considered for the Rent Leveling Board.

Mr. Bishop stated there were two alternate spots available on the Rent Leveling Board.

Charles Layton commented on Resolution #13-415. He questioned what problems were corrected.

Mayor Houghtaling stated there were minor things like cutting grass.

Mr. Anthony stated they were given violations and must correct them within a certain time and if not they would receive a lien.

Mr. Bishop stated they must be given the opportunity to correct the violation.

Mr. Layton also compared the violations to that of 80 Main Avenue in Ocean Grove.

Mr. Anthony discussed what was happening with 80 Main Avenue.

Ron Simoncini stated he really did not think anyone tried hard to get a landlord on the Rent Leveling Board. He left his business card and no one called him or his clients. He stated they would like to be included in the making of the policies. He felt the ordinance was not well considered.

Ms. Jahn stated they've reached out to landlords in reference to violations and they do not do anything until a problem escalates. She then questioned, how were they going to pick them to be on the rent board.

Barbara Thompson stated if Mr. Simoncini wasn't so rude at the last meeting he would have heard what the committee was saying.

Pastor Paul Brown commented on Resolution #13-429. He stated he was concerned that his name was on a petition against the rent leveling board. He stated he did not sign the petition and questioned what the Township planned on doing regarding this illegal activity. He stated his neighbor's son was also on it and he lives in California.

Tassie York questioned resolution #13-408.

Mayor Houghtaling stated it was the resolution to go into executive session.

Tassie York commented on Resolutions #13-426 and 427. She questioned how did the Township come about it and questioned why the Township would pay people who did not answer the phones. She also questioned who was going to get the jobs.

Mayor Houghtaling stated the jobs were posted on the website.

Ms. York stated she knows people who are applying for positions but are not getting a call back or a response. She stated she did not feel the playing ground was fair. She also stated she did not hear anything about the rent leveling board. She wanted to know how the members were picked. She also questioned how the Township came about the minimum and the maximum when it came to salaries.

Mr. Bascom stated the salary ranges were in levels and they had to set a range and adhere to the union contract.

Ms. York reiterated that she thought the Township did not have fair hiring practices.

Ann Horan commented on Resolution #14-433. She requested clarification of the resolution.

Mr. Cuttrell stated it was the final change order. It was the road pavement and part of it was a decrease in asphalt quantities, which is the final amount of material they used and an increase because of the trenches they had to dig for the lighting. They had some additional contract work that was not in the original bid spec.

Ms. Horan questioned whether the lighting on Broadway was included in this.

Mr. Cuttrell stated no.

Janice Bean questioned whether the members appointed to the rent leveling board were qualified. She also stated that letters should be sent to landlords requesting that they should be placed on the board.

Mr. Bishop stated they asked those people they knew first, and then they would go to the next round. He stated they knew what they were doing.

Linda Johnson commented on Resolution #13-429. She discussed the issue of the petitions and questioned how they were filled. She also stated that she heard her name was on the petition as well and she never signed it. She asked if she could take a look at it and questioned where did they get her name.

Mayor Houghtaling stated they said they canvassed the town. He informed her that she could look at it as it was a public record.

Ms. Johnson questioned how this could be resolved.

Ms. Jahn questioned whether there could be a penalty to the notary who notarized a forged document.

Mr. Anthony stated absolutely. It is a criminal act.

Michael Fornino commented on Resolution #14-432 and stated that entry level jobs were not meant to support a family and every time you raise the minimum wage unemployment goes up. He stated an employee should show their value to earn more money.

James Granelli commented on Resolution #13-429 and questioned whether it was correctly stated that the notary could be liable for an invalid petition with forged signatures.

Mr. Anthony confirmed the notary could be liable also.

Joan Venezia questioned the process of choosing the rent leveling board members and who they were.

Mr. Cuttrell stated the names would go on the website tomorrow.

Ms. Venezia questioned whether they would go out and choose landlords.

Mayor Houghtaling stated they would choose people they were comfortable with and they would not choose from one particular group. They wanted neutral people.

Ms. Venezia questioned who did the new members represent.

Mayor Houghtaling stated they represent the people of the town with no interests either way.

Danielle Daly questioned whether the five members appointed were aware that they were on this board and agreed to do it.

Mayor Houghtaling stated yes.

Ms. Daly questioned whether people have come to them and asked to be on this board.

Mayor Houghtaling stated no.

Hank Coakley commented on Resolution #14-428 and questioned where were they doing the work.

Mr. Cuttrell stated the work was being done on Jumping Brook Rd. and Route 66.

Mr. Coakley questioned whether the person appointed to the job on the rent leveling board have to enforce State regulations .

Mr. Anthony stated their responsibility is to not enforce the law they are to enforce the ordinance.

Mr. Coakley stated he had reservations regarding the pay raise. He felt that they would have a 14% pay raise and it would be guaranteed to go up every year.

#### ORDINANCE NO. 13-32 - ADOPTED

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

#### ORDINANCE NO. 13-32

AN ORDINANCE TO AMEND SALARY RANGE ORDINANCE NO. 11-48 BY CREATING AND SETTING THE SALARY RANGES FOR NEW JOB TITLES AND ELIMINATING OR AMENDING SALARY RANGES FOR CERTAIN EXISTING JOB TITLES

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

#### ORDINANCE NO. 13-33 - ADOPTED

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

#### ORDINANCE NO. 13-33

AN ORDINANCE TO AMEND CHAPTER IV OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF NEPTUNE CREATING RENT CONTROL, PROTECTIVE TENANCY AND RENT LEVELING BOARD

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

Ron Simoncini applauded the Township for adjusting the ordinance but felt more changes were needed. He stated he hoped they would have an open mind as time goes on.

Karen Marsh stated her name was on the petition as well as her house mate who moved three weeks before the petition was circulated. She felt it needed to stop and whoever did it should be prosecuted to the fullest extent of the law.

Mayor Houghtaling asked her to verify that it was not her signature on the petition.

Ms. Marsh stated it was not her signature and shame on whoever did this.

Bill Johnson stated he did not sign the petition but his name was on the petition as well. He

questioned what would be done about the forgery.

Mayor Houghtaling stated he would get to that.

Michael Fornino recommended the Township have the prosecutor's office review this.

Mr. Anthony stated if the Township asked him to pursue this he would, but he felt that they were exploring their options.

Mr. Fornino stated this puts a black mark on our town.

Mr. Bishop stated this was an official document.

Mr. Anthony agreed that this was an official document submitted to the Municipal Clerk who has to review signatures and make sure they are responsible voters.

Ms. Jahn questioned who submitted it.

Mr. Anthony stated he has the name.

Connie Holmes stated it was in the Asbury Park Press that Mr. Simoncini presented it and it was also in the Star Ledger. She stated when the petition was submitted she was in doubt to the amount of signatures he collected in such a short period of time

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

ORDINANCE NO. 13-34 - APPROVED

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

ORDINANCE NO. 13-34

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XXI, SECTION 21-3.7 OF THE CODE OF THE TOWNSHIP OF NEPTUNE TO PERMIT THE BAGGING OF LEAVES IN THE HISTORIC DISTRICT DURING CURBSIDE LEAF PICKUP SEASON

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

ORDINANCE NO. 13-35 - APPROVED

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

ORDINANCE NO. 13-35

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII, SECTION 7-21 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY REMOVING TWO HANDICAPPED PARKING ZONES ON FRANKLIN AVENUE

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

ORDINANCE NO. 13-36 - APPROVED

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

ORDINANCE NO. 13-36

AN ORDINANCE TO AMEND SALARY RANGE ORDINANCE NO. 11-48 BY CREATING AND SETTING THE SALARY RANGE FOR THE JOB TITLE OF HARBOR COMMISSION SECRETARY

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

ORDINANCE NO. 13-37 - APPROVED

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

ORDINANCE NO. 13-37

AN ORDINANCE REPEALING VOLUME I, CHAPTER IV, SECTION 4-25 OF THE CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED "ROOMING AND BOARDING HOUSE SITE LICENSING BOARD; LICENSURE OF ROOMING AND BOARDING HOMES"

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

ORDINANCE NO. 13-38 - APPROVED

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

ORDINANCE NO. 13-38

AN ORDINANCE OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE "TOWNSHIP") PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION IN AN AMOUNT NOT TO EXCEED \$1,000,000 TO FUND THE REVALUATION OF REAL PROPERTY AND TAX MAP UPDATES IN AND FOR THE TOWNSHIP

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

ORDINANCE NO. 13-39 - APPROVED

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

ORDINANCE NO. 13-39

BOND ORDINANCE PROVIDING FOR THE IMPLEMENTATION OF THE ENERGY EFFICIENCY IMPROVEMENT PROGRAM AND THE BOILER REPLACEMENT PROJECT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$712,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

ORDINANCE NO. 13-40 - APPROVED

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

ORDINANCE NO. 13-40

BOND ORDINANCE PROVIDING FOR THE DEMOLITION OF THE WELSH FARMS PROPERTY, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

Mr. Cuttrell stated that the Public Hearings on Ordinances 13-34 through 13-40 will be held on Thursday, October 10, 2013.

CONSENT AGENDA

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

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 197.05, Lot 9, with an address of 1517 Cherry Lane 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 197.05, Lot 9, with an address of 1517 Cherry Lane, 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.

CONFIRM THE RECEIPT OF THE ANNUAL REPORT OF AUDIT FOR THE TOWNSHIP OF NEPTUNE FOR THE YEAR 2012

WHEREAS, N.J.S.A 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and,

WHEREAS, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and,

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

- General Comments
- Recommendations
- Auditors' Opinions

and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

- General Comments
- Recommendations
- Auditors' Opinions

as evidenced by the group affidavit form of the governing body; and,

WHEREAS, such resolution of certification shall be adopted by the Governing body no later than forty-five (45) days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S.52:27BB-52 - " A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune, hereby states that if it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

CERTIFY COMPLETION OF MONMOUTH COUNTY OPEN SPACE THREE PARK PLAYGROUNDS PROJECT

WHEREAS, the Township of Neptune received funding from the Monmouth County Open Space Grant Program for improvements to Pittenger Park, Midtown Commons Park and Liberty Park, known as the Three Park Playgrounds Project (Application #11-05),

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby confirms that improvements funded by this grant have been completed at three (3) locations at Pittenger Park, Midtown Commons Park and Liberty Park, which together comprise the Three Park Playgrounds Project; and,

BE IT FURTHER RESOLVED, by the Township Committee that all related contracts have been closed.

AUTHORIZE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO CENTRAL AVENUE PROJECT

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune formally approves the grant application for the above stated project; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Neptune Township-00333 to the New Jersey Department of Transportation on behalf of the Township of Neptune; and,

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Neptune and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement; and,

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

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 197.04, Lot 6, with an address of 25 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 6, with an address of 25 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.

ACCEPT PERFORMANCE GUARANTEE FILED BY NEIL TOBIAS FOR SITE IMPROVEMENTS AT HAIR CITY (ROUTE 66 AND ROBIN ROAD)

WHEREAS, Neil Tobias has filed a cash performance guarantee in the amount of \$49,200.00, guaranteeing site improvements at the proposed project known as Hair City on Route 66 near the intersection of Robin Road (Block 1007, Lot 33); and,

WHEREAS, the inspection fee escrow has 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, Planning Board, Construction Department, Chief Financial Officer and the Developer.

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

WHEREAS, the Director of Code Enforcement 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 Director of Code Enforcement 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>
178/17.01	1503 Ivy Place	\$ 760.00
7019/2.01	3454 West Bangs Avenue	760.00
394/44	508 Lakewood Road	502.00
6000/32	2 Marcy Drive	\$ 475.00
196/4	159 Myrtle Avenue	285.00
175/518	21 Atkins Avenue	550.00
273/24	1530 Corlies Avenue	380.00
487/278	3 Elizabeth Terrace	490.00

9057/2  
510.01/1618

5 Sherwood Drive  
100 Greenwood Place

285.00  
380.00

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

AUTHORIZE AN AMENDMENT TO THE 2013 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2013 in the sum of \$30,000.00 which is now available from the New Jersey Department of Community Affairs in the amount of \$30,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$30,000.00 is hereby appropriated under the caption of Post Sandy Planning Assistance Grant; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a New Jersey Department of Community Affairs Post Sandy Planning Assistance grant in the amount of \$30,000.00; and,

BE IT FURTHER RESOLVED, that the Clerk forward three certified copies of this resolution to the Chief Financial Officer and one copy to the Assistant C.F.O., and Auditor.

AUTHORIZE AN AMENDMENT TO THE 2013 MUNICIPAL BUDGET TO REALIZE MONIES FROM THE NATIONAL RECREATION AND PARK ASSOCIATION

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2013 in the sum of \$4,000.00 which is now available from the National Recreation and Park Association in the amount of \$4,000.00; and,

BE IT FURTHER RESOLVED that the like sum of \$4,000.00 is hereby appropriated under the caption of Implementing Arthritis Interventions in Local Park & Recreation; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a National Recreation and Park Association Implementing Arthritis Interventions in Local Park & Recreation grant in the amount of \$4,000.00; and,

BE IT FURTHER RESOLVED, that the Clerk forward three certified copies of this resolution to the Chief Financial Officer and one copy to the Assistant C.F.O., and Auditor.

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH SUN PACIFIC POWER CORP FOR THE INSTALLATION AND MAINTENANCE OF NEW JERSEY TRANSIT BUS SHELTERS AT VARIOUS LOCATIONS IN THE TOWNSHIP

WHEREAS, Sun Pacific Power Corp. (SPPC) is engaged in the business of providing "Green Energy" solutions through renewable energy products to a variety of industries; and,

WHEREAS, SPPC seeks to install and maintain New Jersey Transit bus shelters that will provide digital advertising and lighting powered through the installation of solar photovoltaic panels;

and,

WHEREAS, the Township of Neptune is desirous of having New Transit bus shelters installed at various locations,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Mayor and Clerk to execute an agreement Sun Pacific Power Corp., a copy of which is on file with the Municipal Clerk, for the installation and maintenance of bus shelters within state and/or municipal right-of-ways adjacent to New Jersey Transit Bus routes; and,

BE IT FURTHER RESOLVED that all costs associated with the installation and maintenance of said shelters shall be borne by Sun Pacific Power Corp.; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Business Administrator, Chief Financial Officer, Public Works Director and Deputy Chief of Police.

AUTHORIZE AN AMENDMENT TO THE EXISTING SANITARY SEWER SERVICE AGREEMENT WITH THE BOROUGH OF TINTON FALLS, TINTON FALLS CAMPUS, LLC AND THE TOWNSHIP OF NEPTUNE SEWAGE AUTHORITY

WHEREAS, on June 9, 1997, the Township of Neptune, Borough of Tinton Falls, Tinton Falls Campus, LLC, and the Township of Neptune Sewerage Authority entered into a Service Agreement based on the desire of Tinton Falls Campus, LLC to develop property on Essex Road in the Borough of Tinton Falls but needed sewer service for the aforesaid development; and,

WHEREAS, the Township had sewerage treatment capacity available immediately to service the project in an amount that could provide for both the project and the Township's anticipated growth; and,

WHEREAS, the aforesaid Agreement provides that the Township would provide sewer capacity, the Developer would construct a collection system and connect to the Borough's trunk line, and the Authority would provide sewage treatment and disposal for the project; and,

WHEREAS, although the parties are desirous to continue said Sanitary Sewer Service Agreement, an amendment is needed to clarify certain terms and the update the Agreement to include Co-developer William Sitar, since excess sewer units have been transferred for development to Co-developer Sitar,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Mayor and Clerk to execute an amendment, a copy of which is on file with the Municipal Clerk, to the June 9, 1997 Sanitary Sewer Service Agreement with Borough of Tinton Falls, Tinton Falls Campus, LLC, and the Township of Neptune Sewerage Authority to include William Sitar as a Co-developer in respect to the assignment of excess Equivalent Service Units procured by Tinton Falls Campus, LLC under said Agreement; and,

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

AUTHORIZE EXECUTION OF AN AGREEMENT WITH LEICA GEOSYSTEMS, INC TO PARTICIPATE IN THE SMARTNET GLOBAL NAVIGATION SATELLITE SYSTEM REFERENCE NETWORK

WHEREAS, the Township desires to participate in SmartNet Global Navigation Satellite System (GNSS) Reference Network by permitting Leica Geosystems, Inc. to install a Reference Station on the roof of the Municipal Complex; and,

WHEREAS, the cost of installation and maintenance of said Reference Station shall be borne by Leica Geosystems, Inc. and the Township, as Host, shall free receive access to the Reference Network,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Mayor and Clerk to execute an Agreement, a copy of which is on file with the Municipal Clerk, with Leica Geosystems, Inc. to permit the installation of a Reference Station on the roof of the Municipal Complex and allow the Township to participate in the SmartNet Global Navigation Satellite System (GNSS) Reference Network; 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, Township Engineer and Building Maintenance Department.

AUTHORIZE THE EXECUTION OF A SUCCESSOR COLLECTIVE BARGAINING AGREEMENT WITH F.O.P. LOCAL #19

WHEREAS, the Collective Bargaining Agreement between the Township of Neptune and F.O.P. Local #19 expired on December 31, 2012; and,

WHEREAS, representatives from F.O.P. Local #19 and the Township of Neptune engaged in negotiations to develop a Successor Collective Bargaining Agreement; and,

WHEREAS, a Settlement has been reached between the two parties and a Successor Collective Bargaining Agreement has been prepared and endorsed by F.O.P. Local #19,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Successor Collective Bargaining Agreement, a copy of which is on file with the Municipal Clerk, with F.O.P. Local #19 which details the terms and conditions of employment with said Local for the term of January 1, 2013 to December 31, 2016; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, and F.O.P. Local #19.

GRANT SOCIAL AFFAIR PERMIT TO ASBURY PARK/WALL BPOE ELKS LODGE #128

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Municipal Clerk and Chief of Police be and are hereby authorized to approve the application of the Asbury Park/Wall Elks Lodge #128 for a social affair permit at the Elks Lodge, 3409 West Bangs Avenue, on September 28, 2013, from 1:00 P.M. to 6:00 P.M.

AUTHORIZE EXECUTION OF A TREATMENT WORKS APPLICATION FOR A SANITARY SEWER LINE EXTENSION TO SERVICE THE NEPTUNE HOUSING AUTHORITY PROJECT BETWEEN NEPTUNE BLVD. AND TAYLOR AVENUE

WHEREAS, the Neptune Township Housing Authority has submitted a Treatment Works Application to construct approximately 1040 linear feet of sanitary sewer pipe to service fifty (50) dwelling units and a clubhouse located between Neptune Boulevard and Taylor Avenue; and,

WHEREAS, the Director of Engineering and Planning has reviewed said application and has certified that available capacity exists and notes that the current sanitary sewer capacity existing at the John Knox Housing units will be reallocated to this new location,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the Clerk to execute the Treatment Works Application Statement of Consent for the sanitary sewer extension to service the Neptune Township Housing Authority project between Neptune Blvd. and Taylor Avenue; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to TNSA along with the Treatment Works Application.

AUTHORIZE THE ENDORSEMENT OF THE TAX SALE CERTIFICATES AFFECTING BLOCK 7018, LOTS 6.01 & 6.02 (3440 & 3442 WEST BANGS AVENUE)

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 Block 7018, Lots 6.01 & 6.02 (3440 & 3442 West Bangs Avenue); and,

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

AUTHORIZE THE CLOSING OF STREETS IN CONNECTION WITH A BENEFIT CONCERT AND 5K RUN AT THE MARINA AND VOLUNTEER PARK

WHEREAS, Recovery Along the River Foundation, Inc. has scheduled a benefit concert on

May 31, 2014 and a 5K Run/Walk on May 4, 2014 at the Municipal Marina and Volunteer Park on South Riverside Drive; and,

WHEREAS, it is necessary to temporarily close streets and designate no parking on the streets bordering South Riverside Drive, the Marina and Volunteer Park during the events; and,

WHEREAS, the Police Department has reviewed and approved these closures,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby designates the temporary closure and posting of temporary no parking on the following streets on May 4, 2014 from 9:00 A.M. to 12:00 P.M. for the 5K Run/Walk:

South Riverside Drive between Park Place and Marvin Court  
Clinton Place between South Riverside Drive and Valley Road  
Valley Road between Clinton Place and Park Place  
Park Place between Valley Road and South Riverside Drive  
Vernon Avenue, Tremont Drive, Benton Place, Cliffwood Drive, Sylvan Drive, The Plaza, Milford Road, Prospect Avenue, Highland Avenue, Melrose Avenue, Hillcrest Avenue, Fairview Place, Beverly Way and Riverview Court at South Riverside Drive

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Neptune hereby designates the temporary closure and posting of temporary no parking on the following streets on May 31, 2014 from 10:00 A.M. to 8:00 P.M. for the benefit concert:

South Riverside Drive between Prospect Avenue and Hillcrest Avenue  
Highland Avenue between South Riverside Drive and Valley Road  
Melrose Place between South Riverside Drive and Valley Road

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Deputy Chief of Police, Sgt. Zarro, Director of Public Works, Fire Inspector and Business Administrator.

**EMPLOY ON-CALL PART-TIME YARD ATTENDANT IN THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, there is a need for an additional on-call/part-time Yard Attendant in the Public Works Department; and,

WHEREAS, the position was posted and the Public Works Director has made his recommendation; and,

WHEREAS, funds will be provided in the 2013 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 David Dempsey be and is hereby employed as an on-call/part-time Yard Attendant in the Department of Public Works effective September 30, 2013, pending results of the required physical examination as applicable, at an hourly salary of \$13.18; and,

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

**EMPLOY ON-CALL PART-TIME CUSTOMER SERVICE REPRESENTATIVE IN THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, there is a need for an on-call/part-time Customer Service Representative in the Public Works Department; and,

WHEREAS, the position was posted and the Public Works Director has made his recommendation; and,

WHEREAS, funds will be provided in the 2013 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 Eileen Grodeska be and is hereby employed as an on-call/part-time Customer Service Representative in the Department of Public Works effective September 30, 2013, pending results of

the required physical examination as applicable, at an hourly salary of \$12.63; and,

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

CONFIRM AFFORDABLE HOUSING CONTRIBUTION REQUIREMENT FOR CHASE PARTNERS, LLC SITE PLAN

WHEREAS, Chase Partners, LLC (the Developer) has received site plan approval for the Signature Place at Neptune development (Block 1500, Lots 23.04 & 23.05) from the Neptune Township Board of Adjustment; and

WHEREAS, Chase Partners, LLC, or any successor developer, is in the process of obtaining and submitting the required performance guarantee, developer’s escrow funds and Developer’s Agreement; and,

WHEREAS, there are Council on Affordable Housing contributions relating to the residential portion of this development; and,

WHEREAS, at the request of the Developer, the Township desires to confirm and state the affordable housing contribution requirement in accordance with Ordinance No. 12-13, said requirements to be reiterated in the final Developer’s Agreement,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Township hereby determines that the Developer shall make a contribution of 1.5% of the equalized assessed value of the residential portion of the development pursuant to the Land Development Ordinance of the Township of Neptune, Section 1001 at IV.a)i., as set forth in Ordinance No. 12-13 (notwithstanding Condition #2 of Resolution Number 12-05 of the Zoning Board of Adjustment of the Township of Neptune, which provides that “[a]ny and all COAH requirements [are] to be satisfied by appropriate contributions as required and determined by the Board Engineer”); and,

BE IT FURTHER RESOLVED, the Developer shall not make any other affordable housing contribution relating to the residential portion of the development. The Township hereby acknowledges that any affordable housing contribution relating to the non-residential portion of the development is governed by the Statewide Non-Residential Development Fee Act, N.J.S.A. 40:55D-8.1, et seq., and is currently exempt from making any affordable housing contribution; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Engineer, Administrative Officer to the Planning Board, Construction Official and Township Attorney and Chase Partners, LLC.

APPOINT MEMBERS TO THE RENT LEVELING BOARD

WHEREAS, Ordinance No. 13-26 creates a Rent Leveling Board to administer the rules and regulations of the Township’s Rent Control,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individuals be and are hereby appointed to the Rent Leveling Board for the year 2013:

- |                        |                        |                    |
|------------------------|------------------------|--------------------|
| Fred Porter            | Deacon Morrel Massicot | James Manning, Jr. |
| Charles (Mal) Woolfolk | Constance Holmes       |                    |

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

AUTHORIZE A PERSON TO PERSON AND PLACE TO PLACE TRANSFER OF THE PLENARY RETAIL CONSUMPTION LIQUOR LICENSE PRESENTLY ISSUED TO CHARLES A. STANZIALE, JR. IN POCKET STATUS TO BHTT ENTERTAINMENT, INC T/A BRICK HOUSE TAVERN & TAP LOCATED AT 3655 ROUTE 66

WHEREAS, BHTT Entertainment, Inc. t/a Brick House Tavern & Tap has applied for a person-to-person transfer of Plenary Retail Consumption Liquor License # 1334-33-019-004 which is presently issued to Charles A. Stanziale, Jr. Liquidating Trustee; and,

WHEREAS, a separate application also requests a place-to-place transfer from in-pocket status to 3655 Route 66; and,

WHEREAS, the applications are complete in all respects; and,

WHEREAS, the required Affidavit of the source of funds of said liquor license has been filed by the applicant for the transfer and examined by the members of the Township Committee; and,

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey statutes, the regulations promulgated thereunder as well as the pertinent local ordinances and conditions imposed consistent with Title 33; and,

WHEREAS, all transfer procedures as outlined by state statute and local ordinances have been completed satisfactorily,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the person-to-person/place-to-place transfer of Plenary Retail Consumption Liquor License #1334-33-019-004 as stated herein to BHTT Entertainment, Inc. t/a Brick House Tavern & Tap, located at 3655 Route 66, effective September 27, 2013; 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 Applicant.

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

SUPPORT THE APPLICATION OF THE NEPTUNE TOWNSHIP SCHOOL DISTRICT AND COASTAL MONMOUTH EDUCATION ALLIANCE TO THE UNITED STATES DEPARTMENT OF EDUCATION FOR A RACE TO THE TOP - DISTRICT GRANT

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

WHEREAS, the Neptune Township School District has taken the lead role within a consortium called the Coastal Monmouth Education Alliance (CMEA), which consists of the Neptune Township, Neptune City, Bradley Beach and Belmar school districts, to make application to the United States Department of Education for a Race to the Top - District grant; and,

WHEREAS, the grant application focuses on improving the educational outcomes and schooling experience of the over 5500 students collectively served by the CMEA through the use of mobile technology; and,

WHEREAS, if awarded the grant, students in the participating districts will have the opportunity to experience technologically advanced classroom settings, participate in long term personalized learning projects, and create digital portfolios as they progress through their respective school district; and,

WHEREAS, mobile technology will create opportunities for students to go beyond the typical teacher/student classroom dyad and interact with content through information networking with other students and across various knowledge sites; and,

WHEREAS, the number of students within the CMEA places the consortium in the award bracket of \$10 million to \$20 million over the four year grant period,

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Neptune, County of Monmouth, hereby expresses its full support of the application of the Neptune Township School District and Coastal Monmouth Education Alliance to the United States Department of Education for a Race to the Top - District grant; and,

BE IT FURTHER RESOLVED, that the Township Committee firmly believes that if successful, this grant award will present a unique learning and technological experience for all Neptune Township students; and,

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

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

URGE SUPPORT FOR GENERAL ELECTION BALLOT QUESTION #2 TO RAISE NEW

## JERSEY'S MINIMUM WAGE

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

WHEREAS, the federal minimum wage was signed into law in 1938 by President Franklin Roosevelt at the height of the Great Depression; and,

WHEREAS, the minimum wage increase consumer purchasing power, increases workers' standards of living, reduces poverty, and stimulates the economy; and,

WHEREAS, the cost of living in New Jersey continues to rise, yet there has been no state legislative action approved to increase the minimum wage since 2005; and,

WHEREAS, unlike New Jersey, 19 other states and the District of Columbia currently maintain a minimum wage above the federal rate of \$7.25; and,

WHEREAS, ten states provide for the annual adjustment of their minimum wage to ensure that the real value of the lowest paid workers' wages does not shrink as normal costs of living go up, and four of these states have amended their constitution to do so; and,

WHEREAS, according to New Jersey Policy Prospective, 429,000 workers in New Jersey earn at or near the minimum wage; and,

WHEREAS, because Governor Chris Christie vetoed a minimum wage increase this year, the state legislature voted to place the question before voters on the November 5, 2013 ballot to raise the minimum wage and adjust it annually according to the consumer price index; and,

WHEREAS, by raising the standard of living through a higher minimum wage, New Jersey would likely realize various societal benefits such as improved education, safer communities, greater opportunity for upward mobility, and more financial stability for families; and,

WHEREAS, the Chicago Federal Reserve Bank conducted a study that estimates that for every dollar increase in the minimum wage, there is \$2,800 in new consumer spending by that household the following year, this revenue is injected into the local economy which translates into greater consumer demand for local good and services, thereby requiring employers to hire additional workers to meet this demand which translates into job creation,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune urge the residents of Neptune Township to vote yes on 2013 General Election Ballot Question #2 to raise New Jersey's minimum wage from \$7.25 to \$8.25 an hour and adjust annually based on the Consumer Price Index to reflect the economic conditions facing New Jersey workers and to ensure that New Jersey's minimum wage is not a poverty wage, but a fair wage for workers.

The resolution was adopted on the following vote: Bishop, aye, adding this is an excellent move; Jahn, aye, adding that she worked at WalMart as a Manager and there are many hard working people who need money and have to work second jobs; McMillan, aye; and Houghtaling, aye.

## AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH IMPROVEMENTS TO BROADWAY

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

WHEREAS, on March 25, 2013, a contract was awarded to Lucas Construction Group in the amount of \$216,990.30 in connection with Improvements to Broadway; and,

WHEREAS, changes to the contract have been experienced as a result of the installation of electrical conduit in the island area for new lighting, additional concrete work and a decrease in the final as-built quantities; and,

WHEREAS, these changes have been approved by the Township Engineer; and,

WHEREAS, funds for this purpose are available in Ordinance No. 07-40 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 Change Order #1 in the contract

with Lucas Construction Group in connection with Improvements to Broadway resulting in a net increase of \$35,275.28 revising the total contract amount to \$252,265.58; and,

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

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

#### EMPLOY ACCOUNTANT IN THE FINANCE DEPARTMENT ON A PROBATIONARY BASIS

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

WHEREAS, due to the pending retirement of Mandy To, there is a vacancy in the position of Accountant in the Finance Department; and,

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

WHEREAS, the Chief Financial Officer has made his recommendations; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Sandra Peterson be and is hereby employed as an Accountant in the Finance Department, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective September 23, 2013, at an annual salary of \$38,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., AFSCME Local #1844, and Mandy To.

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

#### EMPLOY CUSTOMER SERVICE REPRESENTATIVE IN THE ADMINISTRATION OFFICE ON A PROBATIONARY BASIS

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

WHEREAS, there is a vacancy in the position of Customer Service Representative in the Administration Office; and,

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

WHEREAS, the Business Administrator has made his recommendation; and,

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

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Tiffany Bailoni be and is hereby employed as a Customer Service Representative in the Administration Office, on a probationary basis for a period of not less than 90 days and not exceeding one year, pending favorable results of the required physical, effective September 30, 2013, at an annual salary of \$23,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., AFSCME Local #1844, and Mandy To.

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

#### AUTHORIZE THE PAYMENT OF BILLS

Ms. Jahn offered the following resolution, moved and seconded by Mr. Bishop, 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	4,367,526.86
FEDERAL & STATE GRANT FUND	101,289.03
TRUST OTHER	119,067.26
GENERAL CAPITAL FUND	72,579.46
SEWER OPERATING FUND	73,073.19
SEWER CAPITAL FUND	57,192.21
MARINA OPERATING FUND	28,383.44
MARINA CAPITAL FUND	3,138.15
LIBRARY TRUST	402.26
BILL LIST TOTAL	\$4,822,651.86

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

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Kennedy Buckley questioned whether ordinance #13-38 would be a revaluation for the entire township.

Mayor Houghtaling stated yes, and they were required to do so by law.

Mr. Bascom stated it's important to know there will be a public hearing on October 10<sup>th</sup> and Mr. Haney will be present to speak specifically to this. He stated its new legislation and the concept is to maintain equalized valuation. After that 20% of the community would be revalued every five years. The entire town will be done.

Mr. Buckley stated he hoped the blame for the verification of the signatures were not put on the Clerk.

The Committee stated the blame was not on the Municipal Clerk.

Mr. Simoncini offered his apologies as he was not aware of the names that were on the petition. He stated they hired a firm that they thought were reputable. His belief was that most signatures were legitimate.

Mayor Houghtaling stated he went door to door and was told by many residents that they did not sign the petition. He also stated there never were 1400 signatures as he indicated and he did not want an explanation and suggested he provide one to the Prosecutor's Office.

Mr. Simoncini apologized again and stated he bared responsibility for handing the petitions in but stated there was no ill intent.

Mayor Houghtaling informed him that his intent was that he hoped no one would look at the signatures.

Ms. Jahn told Mr. Simoncini that he had no credibility and suggested he talk to the Prosecutor.

Mr. Simoncini stated he supervised several pages of the petition and that he too was defrauded and would cooperate in an investigation.

Mr. Fornino referred to Ordinance #13-40 and asked whether the Township was doing the bidding backwards by telling perspective bidders what they were willing to pay.

Mr. Bascom stated the bids have already been received and these are for 15 marked and 7 unmarked police vehicles. This would be adopted and funds would be in place.

Mr. Fornino stated it did not make sense to have 25 spare vehicles at one time. He stated when he worked on vehicles for the State Police they only had one spare vehicle.

Mr. Bascom stated that by comparing the Township to the State Police it was like comparing apples and oranges. Mr. Bascom explained the reason for the vehicles.

Mr. Bishop stated that the Mayor should be commended for standing up for the residents as far as the petition.

Margaret Grove expressed concerns regarding the proposed bike trail. She stated they have not been given access to the plans. She also questioned whether the Township would be taking property. She also stated that she felt Snake Hill was not wide enough and was concerned with the safety of the residents and the endangered species.

Mr. Bascom stated no plan exists other than an application to place a pathway around the river. There are no plans to take property other than conversation of purchasing property from the Yacht Club. There is no plan to place a boardwalk in sensitive areas, no private property acquisition, there will be traffic calming and the only place where a boardwalk will be would be at the marina on the bulkhead. A public hearing on this matter will be held at a later date.

Ellis Jones President of the Residents Council stated he would like to see a resident appointed to the Housing Authority. He suggested Carol Foster and Estella Foster. He felt they would represent the residents well. He went on to state that Ms. Lawson who was a Commissioner passed away. She did a wonderful job and they would like someone similar to her.

Roy Clark expressed his concerns regarding the proposed bike path and stated that it would be very dangerous to have just one lane. He also questioned where the trash, brush and recyclables would be placed.

Tassie York addressed the Committee and stated qualified people were putting in applications for employment and were being over looked. She stated if they put the Committee members in office they should oversee what was going on. She also stated the Committee should put someone who cares in the position for the Housing Authority. She recommended Carol Foster.

Barbara Thompson questioned when would the public know the outcome of the false petitions and would there be retractions in the newspaper.

Mayor Houghtaling stated he was hoping the Coaster and Asbury Park Press would pick up on it and run an article because they were turning it over to the Monmouth County Prosecutors Office.

Ms. Thompson stated she was happy that people spoke up. She thanked the Mayor for speaking up as well and she hoped that this would be placed in the paper.

Helen Evers stated she saw the original article in the newspaper regarding the application for the grant that contained plans for the bike path.

Mr. Bascom stated there was a written description not a drawing.

Mr. Bishop stated it is a concept not an engineered piece.

Ms. Evers questioned whether there was a risk of losing the grant money if they wanted to make changes.

Mayor Houghtaling stated before they did anything they would have a hearing. He stated there plan was to enhance what they already have.

Susan Chenants stated the DOT program that gives Neptune money has authorized a right a way and that makes her nervous.

Jason Jones thanked the Committee for supporting the rise to the top. He stated he was looking forward to a joint meeting with the Board of Education and the Township of Neptune.

Danielle Daly stated she has been talking to her mailman and he is concerned with the bike path/ boardwalk. He is concerned that the cars don't stop for him as a mail carrier, why would they slow down for a bike path. She questioned what happened to Neptune Day and why didn't the Township have one this year. She stated everyone wants it back on Neptune Blvd. She expressed an interest to be on the Recreation Committee.

Mayor Houghtaling stated this year they were transitional and were trying to do events throughout the town and we would regroup for next year.

Beverly Holland thanked the Mayor for knocking on doors as far as the fraudulent petitions. She went on to state that she was employed by the Board of Education and asked if the Township would move the elections to the same time as the other elections. She stated it would save more money and more voters would come out. She thanked Danielle for mentioning Neptune Day because she too felt strongly against moving Neptune Day and bussing the residents was not the answer.

The Mayor closed by stating that Ron Simoncini made certain statements to the Asbury Park Press and the Coaster regarding a petition. He submitted signatures fraudulently and the matter will be passed on to the Monmouth County Prosecutor's Office.

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

Richard J. Cuttrell,  
Municipal Clerk